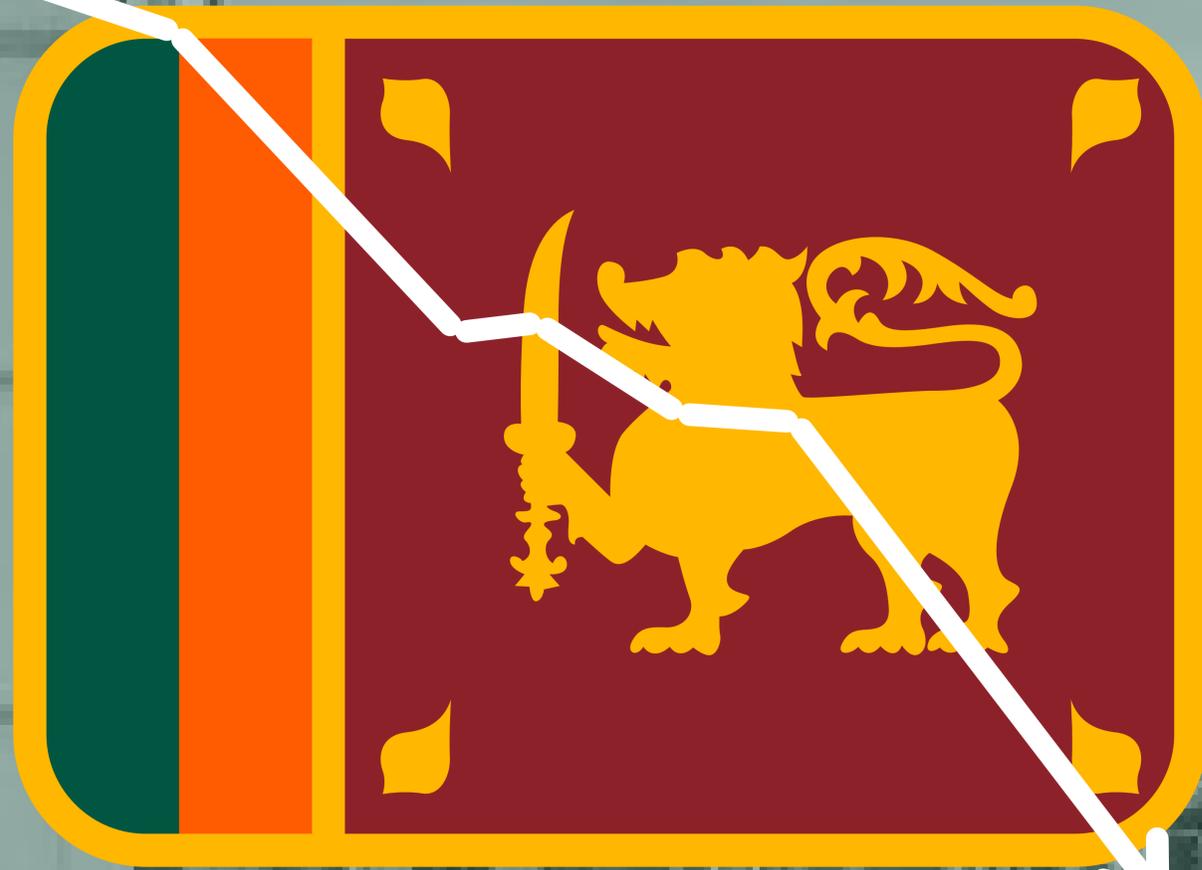


JANUARY 2022 | ISSUE 11

# THE PROBE



In Conversation with  
Dr. Lekha Chakroborty

Cover Story:  
Sri Lankan Crisis

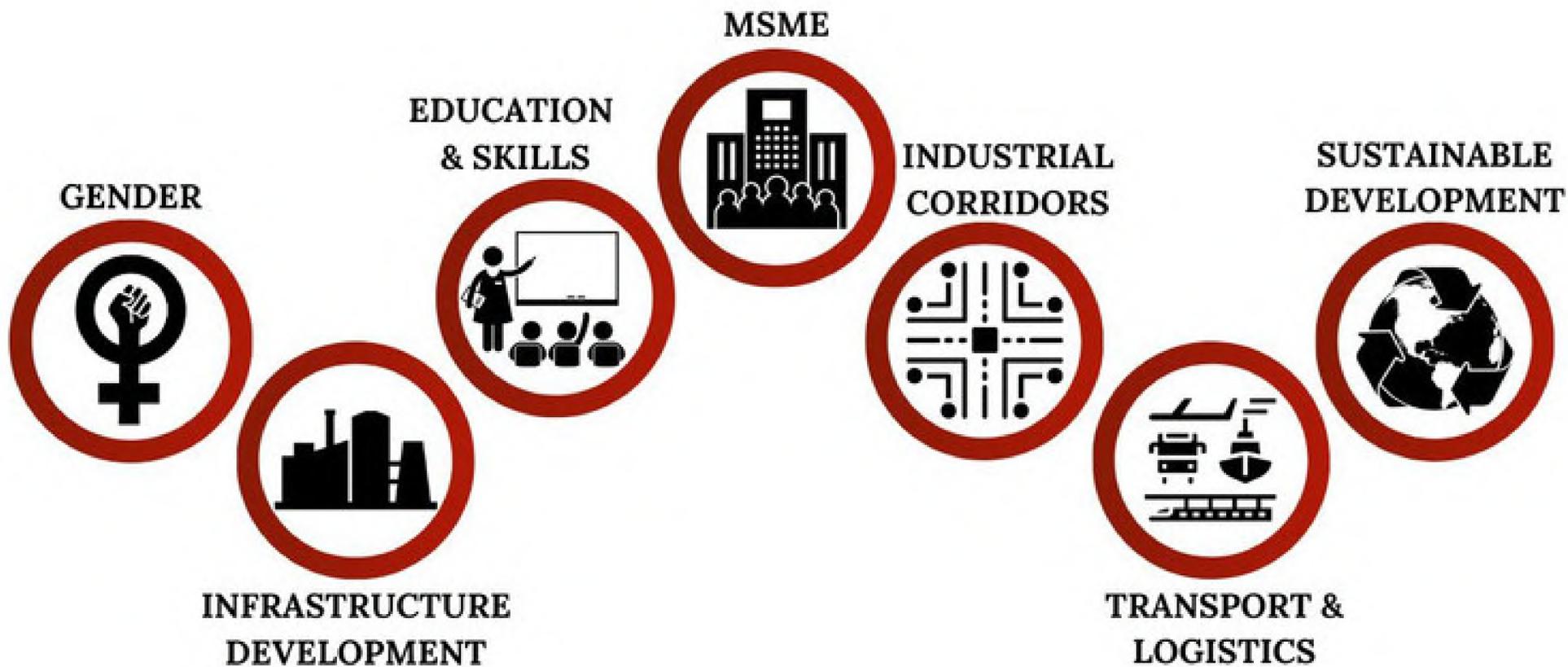
Deconstructing  
Body Positivity

# NA NIKORE ASSOCIATES

NIKORE associates is an economics research group that raises questions about policies pertaining to a wide range of sectors. Their policy ideas have been published in several national and international news media. Their aim is to continue questioning policy efficacy and create better policy design.



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## Recent works:

India's female labor force participation rate was a meager 17.5% in 2017-18, the lowest ever since we gained Independence.

Wage gaps have remained stagnant over the last three decades, with the female wage being about 60-65% of the male wage. And the workforce participation rate among graduate-level urban educated women has hovered between 27% in 1999-00 to 28% in 2011-12.

### FEMALE LABOUR FORCE PARTICIPATION IN INDIA: INSIGHTS FROM NSSO DATA

**Mitali Nikore**  
Economist  
Founder, Nikore Associates

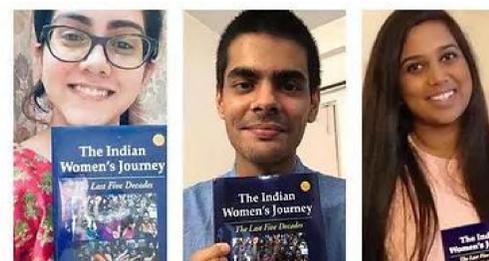
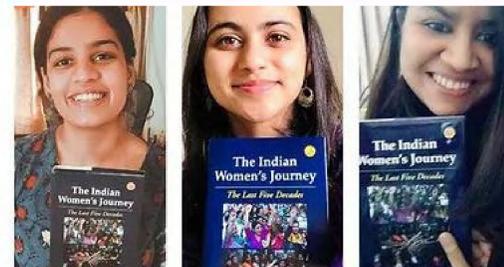
We, at Nikore Associates, spent a large part of 2019 compiling a chapter titled "Women's Human Capital" that was published as part of this book. The chapter analyses women's participation in the Indian economy since its independence, enumerated by government surveys.

NETWORKCAPITAL.TV MASTERCLASS

### Gender and Human Capital

Mitali Nikore

25 July | 10 PM IST



In this masterclass, Mitali delineates some of the chapter's key findings and their implications in a post COVID-19 scenario.

**Mitali Nikore** is an economist and gender policy specialist. She is the founder of the youth-led research group Nikore Associates. Mitali holds a master's in economics from the London School of Economics, and a bachelor's in economics from the University of Delhi.



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# MESSAGE FROM THE TEAM

Dear Readers,

We are delighted to present the 11th issue of Th Probe. Your increasing support and love for the magazine fills us with immense energy, joy and gratitude and motivates us to come up with interesting articles on diverse and pertinent issues.

We feel honoured to present Nikore Associates, a well-known economics think tank as our Title Sponsor. Both the organisations share a common vision of a better educated present with dedicated ventures into academic discussions and intellectual collaborations.

We express our heartfelt gratitude to Dr Lekha Chakraborty, a renowned economist, Professor at NIPFP and elected Member of the Governing Board of Management, IIPF, Munich, for interacting with us and sharing her valuable insights on 'Budget 2022 and Indian Economy'.

For this issue, our cover story looks into the much discussed Sri Lankan Crisis and tries to analyse its causes and impacts. This issue also contains an interesting list of articles on various issues from Budget 2022 to body positivity, a discussion on much contested meritocracy and several interesting book reviews.

Lastly, we would like to extend heartfelt thanks to our readers. We hope that you have an amazing reading experience. Looking forward to your feedback.



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A magazine's brilliance is a fine combination of quality content and its aesthetic appeal; the latter possible by a dedicated team of designers. With a trajectory of constant improvement in design with every coming issue, this time we have augmented our designing team by inducting volunteers.

With this, we aim to lay the foundation of a sophisticated design team which will help in creating an identity for The Probe in the longer run. In case you are someone who is currently pursuing or interested in learning designing, we welcome you to volunteer for the design team of The Probe. We hope to make this an enriching learning experience and a fruitful collaboration for both!

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## CONTRIBUTORS

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### COVER STORY & INTERVIEW

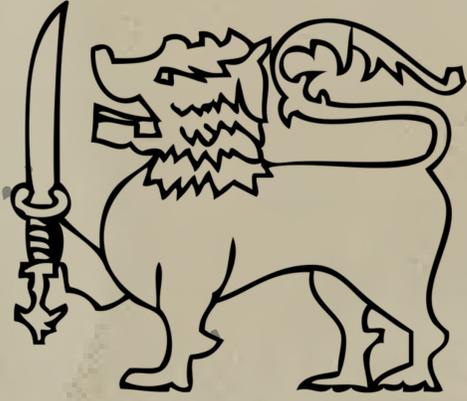
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# COVER STORY



# BAILING OUT THE SINKING ECONOMIC CRISIS

By Hardik Narayan Shukla

## Introduction

**S**ri Lanka, our closest maritime neighbour, is reeling under an unprecedented crisis since the start of the pandemic. Since 2007, the island nation has consistently been borrowing through a myriad of sources including capital markets, foreign governments and international organisations.

Tourism sector which generates maximum revenue for the island nation has been hit hard due to the pandemic. Inflation is at an all time high and the value of Sri Lankan Rupee is undergoing a steep decline. Food and fuel shortages have worsened and added to the already depleting foreign reserve crisis. In sum, Lanka is witnessing the worst economic crisis in its history. Such an environment has raised serious concerns over the country's ability to repay the whopping \$ 4.5 Billion of debt it is expected to dispense this year. Will Sri Lanka be able to survive its first default in history?

## Economic Crisis

The covid 19 pandemic has led to a global slump with supply chains getting disrupted and increase in oil prices in international markets. Countries like Sri Lanka have to

suffer incongruous consequences due to rise in global food prices given their reliance on imports to sustain themselves.

Sri Lanka's foreign reserves fell to \$1.8 bn at the end of November 2021 from \$7.5 bn in November 2019. According to the Sri Lankan Central Bank, the economy is estimated to have contracted by 1.5% in July-September 2021. After the latest payment of \$500 mn, Sri Lanka has foreign debt obligations exceeding \$7 billion in 2022, including repayment of another bond worth \$1 billion in July.

Sri Lanka has all the emerging signs of a bankruptcy. The Petroleum Minister has said 200 million are missing to pay for oil which has led to power cuts as Sri Lanka is unable to import oil to run the power stations.

Bankruptcy is when a country does not have reserves left to meet its immediate needs like food, pharmaceuticals, oil, and all other essential commodities. Default is when you decide to delay a debt payment unilaterally by over 30 days.

As Sri Lanka holds on to the dollars in the reserves and does not release



it for the essential needs of the economy it might approach bankruptcy. The more Sri Lanka restricts dollars from entering the local economy the more it will approach bankruptcy.

Sri Lanka is in a dilemma and needs to choose between delaying the debt payments or barricading bankruptcy. Debt suspension might help avoid bankruptcy.

Usable reserves are down to under one month of imports which is about 1.5 billion.

500 mn has recently flown out the country for debt payments leaving

# THE BURDENS OF A COUNTRY: SRI LANKAN ANALYSIS

Akula and Mudita Mishra



leaving the country stranded in a critical position. For the year 2021, Sri Lanka's debt to GDP ratio was 109.25%. The problem is not in having debt but the cost of debt which is at a remarkably high price.

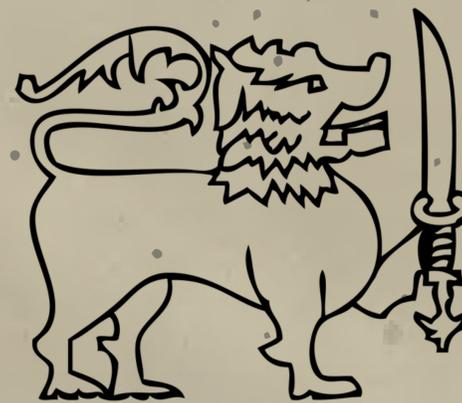
Sri Lanka also does not have sufficient government revenue which is one of the key parameters indicating the fall of SL in global ratings like S&P, Moody's and Fitch. Debt service payment, that is, interest payment as a percentage of government revenue was 70 per cent that is around 6% of GDP. It means that Sri Lanka pays more than 6% of

GDP. It means that Sri Lanka pays more than 6% of GDP on interest on its debt.

This has been around for many years but the problem arises when global ratings go down. American rating agency Fitch downgraded the island nation to a 'CC' rating which is the lowest rating before sovereign default. Sri Lanka is now stuck in a vicious cycle where they are not able to borrow from international markets due to low ratings, which lowers their forex reserves and hence cannot pay debts which further decreases the confidence of investors and lenders.

Amidst the pandemic, the country has witnessed increased unemployment and rising prices of essential commodities like rice, milk powder and oil. The government should be sympathetic to the needs of the people and spread the relief package in a way that is beneficial to the low-income bracket. The daily wage workers were the most affected during the lockdowns as people working in the government sector did not have to worry about their job safety.

The IMF can help Sri Lanka repay its debt but there are two fundamental problems: One, Sri Lanka does not



have a robust business plan to pull itself out of the current economic turmoil. Without a plan, that is implementable and can win the confidence of the bank, it is very cumbersome to get a loan from the IMF. Secondly, since the IMF has a high ground in the situation, no bank wants to bail out the current debt holders. Sri Lanka would want to suspend the current debt payments and only then it would be in a better bargaining position.

## Severe Blow to Tourism, Exports and Remittances

The three most pivotal sources of foreign revenue for Sri Lanka are tourism, export of agricultural goods and personal remittances from overseas. All these sources were severely hit by the pandemic, which exacerbated the depletion of the country's foreign reserves.

Being the third-largest source of foreign exchange earnings, Sri Lanka's tourism industry contributes to about 5 per cent of its GDP. Following the detection of its first COVID case in mid-March, Sri Lanka imposed lockdown in March 2020 which led to a decline in international tourist arrivals by 70.8 per cent in comparison to the

previous year. Over 1 million people who were directly or indirectly dependent on this sector were left unemployed. However, the island is trying to recoup its tourism sector. The fact that Sri Lanka has attracted nearly 59000 tourists during the first 22 days of the new year reflects that the industry is pacing towards revival.

At the same time, the earnings from the export of textiles and cash crops including tea and spices dwindled. The barrier on imports imposed by Sri Lanka to prevent the outflow of dollars is a major factor for the decline in exports.

Finally, remittances from Sri Lankan expatriates contribute to about one-fourth of the country's forex earnings (nearly 10 per cent of GDP). Reflecting serious concern towards the same, the Sri Lankan government took action against informal payment of remittances (money laundering) and encouraged people to use formal means. However, the remittances recorded a marginal increase of 2.6 per cent in the last year.

## A policy failure of organic farming

A major part of the problem can be credited to the policy failure of implementing organic farming intertwined with staunch and hasty decisions and the non-cognizance of the scientists and experts in the matter.

Over the last few decades, Sri Lanka has become a self-sufficient country with an adequate food supply. This has become possible due to the Green Revolution policies that started in the 1960s. Chemical fertiliser is one of the chief drivers of the Green Revolution, and the subsidy — promoted

especially by the earlier Rajapaksa administrations from 2005 to 2014 — made it easily accessible to them.

There was a complete ban imposed on the import of commercial chemical fertilisers on May 6 2021, to embrace the promise made in his manifesto of organic farming. The sudden ban and transition to organic farming came with no plans, discussion or consultation and only brought with itself a devastating impact on local agriculture.

In the face of criticism, government spokespersons have sought to justify the move for more than one reason. They pitch it as a necessary step to prevent a chronic kidney condition—loosely attributed by non-scientists to chemicals in the soil — and to save dollars spent on fertiliser import [about \$300 million annually] for the country that is in dire forex and economic crisis.

President Gotabaya has defended his ambitious policy locally and at international fora. “We need a new agricultural revolution that is not against nature,” he said in the United Nations Climate Change Conference (COP26) in Glasgow held in October-November.

Acknowledging the criticism and resistance to his government's ‘organic only’ policy, he told the summit: “In addition to chemical fertiliser lobby groups, this resistance has come from farmers

who have grown accustomed to overusing fertilisers as an easy means of increasing yields.” He disregarded Sri Lankan scientists' opinion, who have slammed the initiative, terming it “ill-advised” and “a catastrophe” in the making. Sri Lanka's \$1.3-billion tea industry will be impacted negatively which is a vital foreign exchange earner for the country. The local planters anticipate a 40-50% slash in production, despite the government relaxing the

chemical fertiliser ban for the sector in October after their repeated appeals.



## Government Response

The Government almost entirely holds the pandemic responsible for the current crisis. Though it is true that all major revenue earning sectors of Sri Lanka — exports, tourism, and inward worker remittances — were severely plummeted by the pandemic, some commentators argue that the pandemic only accelerated an older crisis, and didn't create one.

Last year in an address to the nation's military President Gotabaya Rajapaksa admitted that his government was not delivering

and that people may have a sense of displeasure towards him and the government accepting that he viewed this as a fundamental challenge.

But accepting the challenge and implementing good policies are two different things.

This was illustrated after the implementation of an ill-planned policy on the ban of chemical fertilisers in May. Agriculture Minister Mahindananda Aluthgamage in November said the private sector would be allowed to import agrochemicals, but the part-reversal was too late, in farmers' view.

The current Rajapaksa administration has expressed confidence about being able to meet its debt obligations this year, despite its Balance of Payments problem. Finance Minister Basil Rajapaksa on January 4 announced a \$1.2 billion package for "economic relief" that includes a special allowance for government employees.



--STAMP FROM SRI LANKA--

A dominant narrative that assumed a centre stage during this period of turbulence in Sri Lanka suggests that China should be blamed for the present crisis. If we look closely at the engagement between the two countries, we find that this is not entirely the case. Hence, it is important to understand the present situation of Sri Lanka in light of its strengthening economic ties with China over the last decade.

## China's Strategic Investment

The Rajapaksa administration's soft corner for China paved the way for the latter emerging as an influential lender and investor, driving several high profile infrastructure projects in Sri Lanka. 'The Diplomat' accurately outlined that the relations between the two countries are economic and largely taking place across three avenues - debt, investment and trade.

China approved a \$ 1.5 billion currency swap agreement with Sri Lanka last year. The country is already indebted to repay about \$ 3.5 Billion to China. This money was lent by China to initiate various infrastructure projects including highways, ports, an airport and a coal power plant.

China has invested heavily in various projects in Sri Lanka under its Belt and Road initiative. However, a major controversy erupted in 2017 over the 99-year lease of Hambantota Port by the China Merchants Port Holdings Company Limited (CM Port). Under this arrangement, 70 per cent of the port was leased to CM Port for \$ 1.12 billion. However, the ownership remained with the Sri Lankan government. While CM Port would appropriate the profits from the port throughout the lease period, the Sri Lankan Government received the dollar inflow it needed to replenish its foreign reserves and it was able to sustain the Balance of Payment Crisis.

This Private-Public Partnership faced strong backlash, both on domestic and international fronts because China is breaching the 'sovereignty' of the island nation by



--STAMP FROM SRI LANKA--

luring it into a debt trap. The premise of this argument was that China had captured the port as Sri Lanka was unable to pay off the debt obtained for the construction of the port. While such allegations became the foundation to criticise China's BRI initiative, the Sri Lankan government defended the Hambantota project by clarifying that the deal didn't involve debt-to-equity swap, but was instead a joint venture with China which allowed the government to raise the much-needed funds for further development of the port and the adjacent Special Economic Zone. However, it should be noted that the Rajapaksa government has been infamous for getting involved in various unnecessary 'white elephant projects across Sri Lanka.

The recent Colombo Port City project is another controversial agreement between both nations. While the political leadership is promising a massive influx of foreign currency, creation of about 2,00,000 jobs and guarantee of foreign direct investment, the critics oppose this deal as a violation of the constitution and a threat to Sri Lanka's sovereignty. They fear the establishment of a Chinese enclave in their country.

## Should China be Blamed?

China's increasing influence in Sri Lanka should be a major concern for the latter because irrespective of the amount of hope the political leadership puts with these developments, it is difficult to imagine that China's intent is 'welfare oriented' in this case. By giving impetus to its investments in the region, China hopes to resolve its 'Malacca Dilemma' and wants to pose a counter to India. Taking huge loans from China to maintain its economic health may impose a huge cost on Sri Lanka in future.

However, it will be wrong to assume that the current Sri Lankan crisis is induced entirely by China. This is because the loans from China comprise only 10 per cent of Sri Lanka's external debt profile. International Sovereign Bonds (ISB) account for the major chunk of debt (36.4%). While Sri Lanka managed to settle the payment of a \$ 500 million sovereign bond, another bond worth \$ 1 billion awaits repayment in July.

## The Indian Perspective

India has been following the 'Neighbourhood First' policy towards Sri Lanka. In response, Sri Lanka has also announced 'India First' as a major plank of its foreign and security policy in 2020. Being the third-largest export destination for India after the US and the UK, Sri Lanka has benefited from the liberal policies of India including investments in infrastructural projects, support in countering terrorism and financial aid. The robust historical and cultural bond

between the two countries motivates this friendly cooperation.

However, with Sri Lanka reneging the 2019 agreement with India and Japan to jointly develop the Eastern Container Terminal at Colombo Port (ECT) in February 2021, the otherwise cordial relations between the two nations turned sour. While the island nation tried to strike a compromise by offering the Western Coast Terminal for the joint venture project, it didn't help as it sealed the ECT deal with a Chinese firm later.



--STAMP FROM SRI LANKA--

India is watchful of China's advancing economic intervention in Sri Lanka and wants to counter its influence. The recent grant of about a \$ 1 billion

relief package by India is an evident move to consolidate the Indo-Lanka relationship again.

## Relief from India

The diplomatic talks for obtaining financial assistance from India were long underway. In February 2020, the Sri Lankan Prime Minister requested India for a debt moratorium waiver to help Sri Lanka tide over the problems aggravated by the pandemic. In May 2020, the Sri Lankan President Gotabaya Rajapaksha directly requested Prime Minister Narendra Modi for a \$ 1 billion swap over a telephone conversation. However, India was sceptical of Sri Lanka's degenerating economic conditions.

With the start of the new year, the Reserve Bank of India finally agreed to a \$ 400 million currency swap with Sri Lanka according to the SAARC Currency Swap Agreement. At the same time, India has allowed

Sri Lanka to defer the \$ 515 million settlement of the Asian Clearing Union. This \$ 900 million aid will provide short term relief to the country.

Following this, India and Sri Lanka have successfully inked the long-pending deal of developing 'Trincomalee Oil Tank Farm'. The proposal of this joint deal was envisaged 35 years ago, in the Indo-Lanka Accord 1987. This project is significant for India owing to its strategic location, accessibility and high economic value for both countries.

## Way Forward

A robust recovery process can only be ensured if Sri Lanka has structural reforms and plans for long term financing. The geopolitical importance of Sri Lanka can be used as a bargaining tool for short term and immediate financing from its neighbours: India and China.

Sri Lanka has repeatedly sought financial assistance from India since the pandemic started – by way of a debt freeze, a currency swap and recently, emergency Lines of Credit for importing essentials, during Finance Minister Basil Rajapaksa's visit to New Delhi in early December.



--MAP OF SRI LANKA--

The political opposition, think tanks and economists are advocating that Sri Lanka should negotiate a programme with the International Monetary Fund (IMF), restructure its external debt, and mobilise bridging finance for the interim.

Central Bank Governor Nivard Cabraal recently ruled out depreciation of the rupee as well as the Government opting for an IMF program, insisting “home-grown” solutions are delivering desired results. Cabraal reiterated that Sri Lanka settling the \$ 500 million worth of maturing International Sovereign Bonds (ISBs) this month proved opposition, critics and sceptics including rating agencies wrong.

The Government maintains it can tide the crisis without resorting to an IMF loan and is counting on other unspecified options. IMF agreements usually come with specific conditions for the borrower, including greater transparency on how the money is spent and accountability on the government's part. “Transparency has never been a strong point of a Rajapaksa regime,” Colombo-based, the Daily Financial Times (FT), said in a recent editorial titled ‘Time for the IMF’.

The government has argued that IMF agreements of the past in fact

“worsened Sri Lanka’s economic situation due to their strict conditions”. But in the current situation, it is hard to imagine that the conditions imposed by the IMF could be any worse than the quandary faced by the Sri Lankan public.

“As unpalatable as it may seem in following quarters, the IMF might just be the best way to achieve those goals,” the Daily FT said. Those who oppose the IMF route, argue that such a deal invariably entails austerity measures that will target social services and welfare programmes, which will further aggravate poverty that is growing since the pandemic.

Sri Lanka has overcome such revenue deficits in the past in 2009 and 2012. In the current crisis, avoiding bankruptcy is a critical issue. The only way to keep enough dollars in reserves and to stop its depletion is to suspend the payment of debt since the country is locked out of international

financial markets. Economists suggest that Sri Lanka should renegotiate and restructure debt payments. There are two consequences of this move: the immediate effect of this announcement is that ratings further go down since it is considered a restrictive default (RD) but since the country is already on the blacklist it does not change much. But the long term advantage/consequence is the preservation of forex reserves and further assistance from international funds and IMF. ■



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# ECONOMICS



## Dr Lekha Chakraborty on **Budget 2022 and Indian Economy**

Interviewed by Arnav Anand Gupta and Mudita Mishra

**(1). Ma'am, recently finance minister Ms. Nirmala Sitharaman tabled the budget for FY 2023 in the Lok Sabha and there seems to have been a greater push towards economic growth by increasing the capital expenditure, but several criticisms have come up that this increase in capital expenditure was at the cost of equity and welfare budget. How do you consider this situation since the government seems to have been banking on the conclusion found in ES that growth continues to be one of the most important factors in India to increase the living standard of the people?**

That's a very intelligent but at the same time humane question because you have understood that the overall emphasis of this budget is on economic recovery through capex. The emphasis was on public investment in capital infrastructure and we think that it will crowd in private corporate investments. But as you rightly pointed out, the humanitarian crisis, you know, tackling those elements regarding financing of human development, and we have concerns that the recovery is uneven, that's a significant concern. Growth recovery is there but it is quite uneven. But when you look into the budget, you know, financing human development aspects related to employment, food security, social security, all these elements, we have seen a reduction in revenue spending, that's an area of concern.

But my hope is that over the years or within this one year, outside the purview of the budget announcement, there will be some relief, because the budget is not everything. So, we are expecting that a kind of fiscal stimulus package, that announcement will be there soon to tackle these elements related to a humanitarian crisis.

Because, you know, if you look at last year's budget then political economy was focusing on welfare models. We were supporting poor people and last mile connectivity was one of the focused issues. One of the flagships programmes was Ujjwala, that is providing clean fuel to low income households women but it is surprising to hear that the programme of energy infrastructure was rolled up in September 2020.



So if you look at gender budget, it is a powerful tool but if you look at the statement [of budget 23] you cannot see Ujjwala anymore.

**(2). Mam, in the case of India we see that government continuously emphasises on Atmanirbhar Bharat Abhiyan and in this year's budget also we can see that government has given a big bet on production linked incentive scheme and make in India initiative. But given the domestic situation in our country where private final consumption expenditure is decreasing and it has dropped to extent of three percentage points in the last two years and investors also do not seem to have confidence in the market, how much optimistic you are? How can we tackle these challenges and make our country an Atmanirbhar Bharat?**

You know there is a confusion or lack of clarity regarding that term, whether it is a retreat from globalization to self-reliance or whether we are giving an enabling environment to our

the manufacturing sector and our industries to face global competition. I think, over the years, it's getting clarified that it's not a retreat from globalization. It's also not a measure for protectionism.

But at the same time, as you mentioned PLI scheme, it's benefitting whom? Is there an elite capture over there? whether small business firms are able to access these, or is there any uneven access to these things? So, that's a big concern. As you rightly mentioned that there is a stress element in the business firms and of course certain elements of uncertainty regarding consumer confidence. For those elements to work out just the PLI [would not be] enough. And, I think that outside the purview of budget there will be an announcement very soon along with welfare measures for their survival. They have a real issue regarding the survival, and also the poor income households. I could also feel that we have not announced anything explicit to support the business firms.

All we have announced is that credit mainly happening through RBI, you know, liquidity infusion programme to support the recovery and the credit deployment.

you must have read the book by Stiglitz & Hamid which economic stimulus works? in which there are concerns regarding credit linked stimulus packages, you know, the multiplier effect of credit linked stimulus packages are limited, if that's the case we need to give more announcements from fiscal policy front to support this so that we can prevent this uneven recovery in the sector.

**(3). It is being argued that if the investors have to have confidence in the CBDC then we should have a very robust cryptocurrency market in our country, but as you rightly pointed out the govt. seems to be vacillating on the issue of regulation, while it has gone ahead with the taxes it is not very clear on regulation. How do you consider pitting CBDC with cryptocurrencies?**

I think that the empirical evidences show that there are a lot of crypto dealers in India, India is a very significant country if you look at the empirical evidences, so people are doing crypto transactions. But, you know, the fear is about the lack of regulatory framework. So we have to wait and see about the bill, it's not about the realm of taxation alone. We need to look into that legal fiat right now. For your second part, I don't have any specific knowledge as to how it is going to be rolled out

**(4). Mam, this year's budget has provided us with the opportunity to take stock of MSMEs. It has not performed well in the last two years. Unemployment is rampantly associated with the MSMEs sector. In this backdrop, the announcement by FM to increase the outlay by 26 per cent on a YOY basis has come like succour for the sector. How do you consider this increment as the rural spending had not dipped much?**

We supported [MSMEs] mainly through credit infusion and as I mentioned earlier credit support cannot give intended multiplier effects, that's an area of concern. Second, as you mentioned on the demand side, we have not announced anything substantial for the demand-side recovery process. Credit is announced, cheap loan, that is there. RBI has done a heavy lifting to go ahead with the liquidity infusion and to support the economy, but at the same time why there is uneven access- may be [due to] fear of repayment. When there is no stable and predictable demand for their products, when there is no stability for the economic activity they will be undertaking [there will be fear of repayment].

Even if they take the loan, they [sometimes] have to go to indigenous money lenders which we call as bad elements in the market to take some money at a very high rate of interest to repay original credit that they have taken. o this is a Ponzi in the sense that you are taking money at higher ROI to repay the earlier debt.



So such kinds of fears are there. Second thing is the market, what if our products are not sold in the market. So the demand side [is also a concern].

We have not talked about asymmetric information and how it is integrated into economic stimulus package. So credit infusion, if that's the major way to support the MSMEs that's not giving the intended multiplier effects. So we have to see how can we support MSMEs more than this.

hope that outside the purview of the budget there will be very crucial announcements and very clear packages to support SMEs to take it out of the crisis.

But right now things are not working very well.

Look at the strategy in which we controlled the pandemic, were focusing more on curfews and lockdown. We could flatten the curve but that led to many irreversible disruptions economically.

It was perfect to buy time for the health sector preparedness to prevent the things going bad but at the same time economic disruptions that happened especially in the small and medium sector needs to be addressed, analyzed and we need to support the livelihood crisis there.



**5. Mam, ever since the current govt. came to power in 2014, it has been pushing start-ups in our country, this was also visible in the budget 23 as FM has provided one more year for incorporation of new start-ups to avail the tax benefits, but on the other hand we are witnessing the govt.'s push towards new and emerging tech particularly the sunrise sector, how do you consider this juggernaut of giving fillip to start-up aligning it with the new tech?**

Of course these are welcome initiatives but we need to see demand side as well. you know, when you talk about a new economy and give a lot of

emphasis to start-ups, we need to understand what is working and what is not working. So, I will leave it here and look forward to understanding the sector better. So, let's wait and see.

**6. mam, agriculture has been one of the economic activities in the past two years which responded to the pandemic resiliently, but in the budget 23 aggregate agricultural allocation has been decreased. Several farmer organizations have pointed out that though govt. has increased the outlay for procurement of paddy and wheat under MSP but it does not give similar impetus to procure crops other than wheat and paddy. Critics have also brought to the fore the reduction in fertilizer subsidy. In case of NFSA, allocation under food subsidy has also been decreased. How do you consider the magnitude of these numbers? Do you believe that govt. has been able to do justice with the agriculture sector that it deserves?**

I can't agree with you more regarding all these points, there are areas of concern and, you know, there is political economy also when we talk about agriculture sector and food security. When you talk about the growth recovery process through economic stimulus programmes, if the macro

framework is just growth recovery, then you are not getting the paradigm itself for the framework.

You need to go beyond economic growth framework to sustainable development framework in which [we] leave no body behind, that has to be real policy mantra to get out of this pandemic crisis, from that backdrop, you know, agriculture sector is a crucial sector. Along with this instantaneous policy packages we also have to consider this crisis as an economic opportunity to float many structural reforms as well. agriculture is one of the important sectors to be looked into.

The repeal of farm laws is the very important announcement and here what I could learn as a student of public economics is that the consultative process is very important before you arrive at public policies. So the public action and public policies linkages are very crucial for the sustainability of public policy decisions.

And, I also repeat that in the sector, gross capital formation is coming down and that needs to be tackled and we need to support more agriculture infrastructure investments. And, regarding the income transfer versus prices mechanism, I think, I do believe in the income support because in 2014 also, our PM mentioned about doubling the farmer's income within five years or so, to fulfill that, you know, the sector has to grow maybe at 14% of GDP or something like that.

So, what is the roadmap and what are the clear policy directions towards doubling the farmer's income, so, these are the crucial concerns.

**7. Mam, in our discussion you banked several times on off-budget expenditure in the ensuing months for social sectors and MSMEs, but considering the privatization drive, do you believe that govt. will add more revenue to social sectors?**

You know, when I mentioned that there may be announcement in the welfare related expenses what I meant was not off-budget expenditure but supplementary demand of grants.

There are certain borrowings which are part of fiscal deficit and certain announcements regarding borrowings are off-budget, for instance, if you undertake borrowing through public sector entities or corporate bodies, those kinds of borrowings are not part of your fiscal deficit. If you go ahead with off-budget borrowings, it shows in an annexure table.

This year there was an instruction on expenditure prioritization. You know the budgetary process starts with call circular, through the call circular you ask all sectors to come up with their demand for grants, so, there was a clear instruction that you cannot go through that additional demand for grants at this moment.

So the moment we incorporate off-budget borrowings then, you know, the coverage of deficit will

go higher, and public sector borrowing requirement is right deficit measurement.

In our country, the concept of the general govt. deficit or the PSBR is the three levels of govt. plus public sector transactions and we don't have the data ready about intra-sectoral transactions in the public sector and also for the third year the data is little dived. So, for the moment we are unable to construct the data on PSBR.

The moment country comes up with the data on PSBR your concern will be addressed that we have to make the budget transparency cent per cent and the budget then won't be opaque and non-transparent.

As you mentioned off-budget liabilities that are a kind of budget non-transparency exercise.

**(8). Mam, earlier I mistakenly mentioned off-budgeting, but considering your view that it was supplementary grants that you meant, do not you think that in case of MGNREGA allocating less money than required in the hope of increasing supplementary grants, later on, suppresses the demand artificially since MGNREGA is a demand-driven scheme, so what's your view on this?**

You know employment policy is a very crucial policy for growth recovery. And, the narrative of other govt. was that we go ahead with govt. as an employer of last resort and we provide people participation income rather than basic income.

So this is the debate of participation income versus basic income.

Basic income is like huge stimulus packages announced in the sense that you provide a universal basic income, all cash transfers into the hand of the people, we have not gone through that part rather we gave emphasis to participation income that let people participate in economic activity and earn an income.

If that's the narrative, then look at the empirical evidences, as you mentioned, there is a decline in the allocations, and of course, I listen to officials, they say that you don't have to be concerned about it because based on demand allocation-space is therefore increasing.

When you cut allocations drastically highlighting demand as the concern, would it work well? It will affect their long term planning like designing wages, designing mandates and there are many concerns regarding that, but the moment you get assurances through budgetary supports, you know you will be able to plan all those things perfect.

But the moment based on demand we will respond to budgetary allocations then there is a time lag in the process, you know, there is a delay in paying wages to the workers, this has unintended macro-economic consequences.

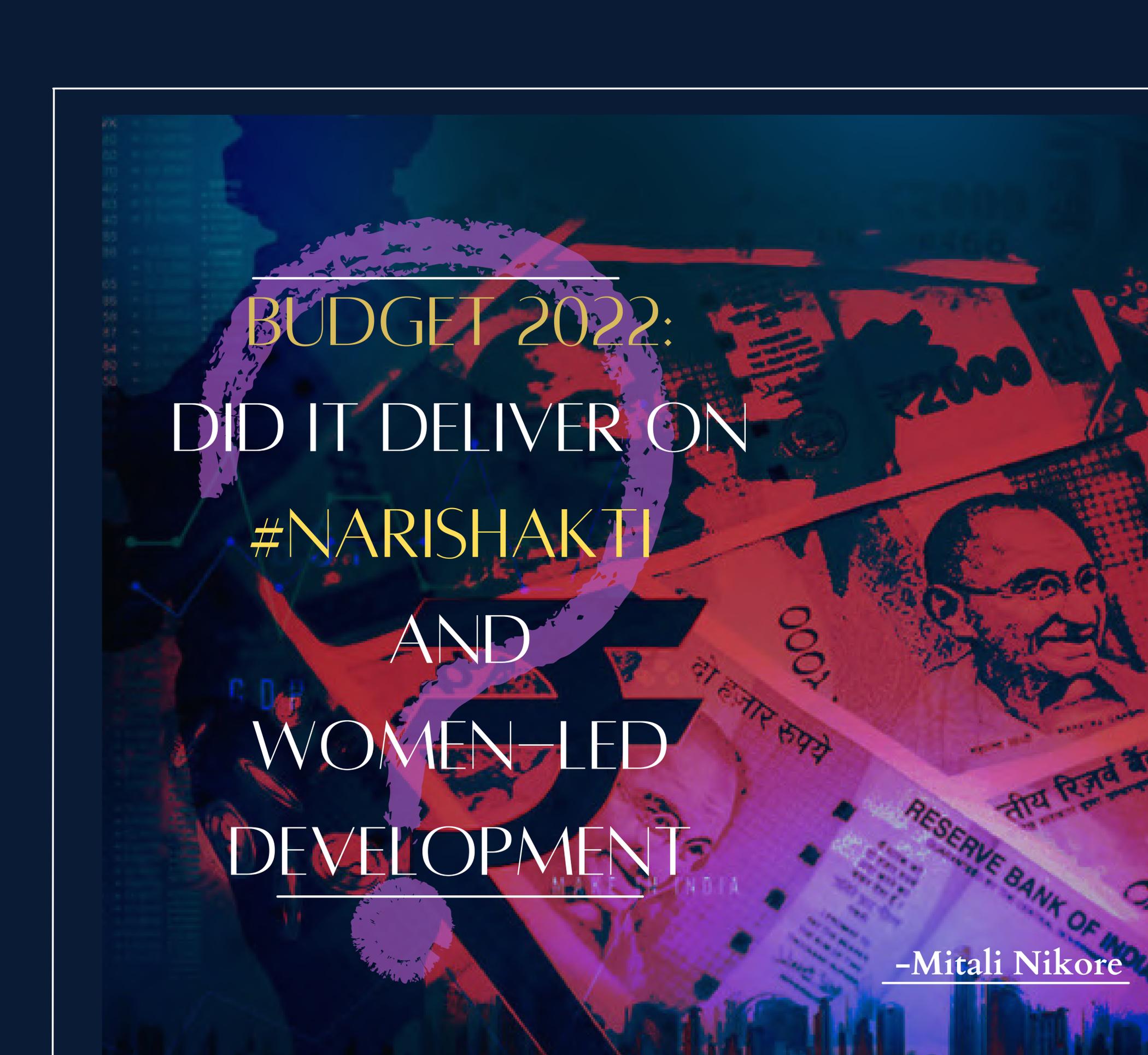


I do completely agree with you that based on demand please don't cut allocations drastically, protect the allocations so that it gives us the predictability and certainty, there will not be any lag in the economic activity process as well, this

will also help in carrying out other modalities.

There was confusion whether MGNREGA was a right to work or it is to alleviate the poverty, you know it's both. It's right to work and it should have been protected rather than saying that

only based on demand will increase allocations. Other alternatives would have been better that protect the allocations. ■



# BUDGET 2022: DID IT DELIVER ON #NARISHAKTI AND WOMEN-LED DEVELOPMENT

—Mitali Nikore

In her speech on 1st February 2022, the Finance Minister echoed the Prime Minister's clarion call for shifting the focus from "women's development" to "women-led development" and harnessing #NariShakti to create an #AtmanirbharBharat. She emphasised that the Government of India had revamped the schemes of the Women and Child Development Ministry and announced that 200,000 upgraded Anganwadis would be set up under Saksham Anganwadi 2.0.

While these announcements are laudable, India in January 2022 is a very different country compared to just two years ago, as several new priority areas have emerged to address challenges faced by women and girls during the COVID-19 pandemic. Women faced disproportionate job losses and slower employment

recovery, such that the size of the female labour force is still 9.4% smaller in January 2022 vs. January 2020, while the male labour force has recovered to pre-pandemic levels (CMIE data). Women have suffered through the shadow pandemic of domestic violence, seen exponential increases in unpaid care work burdens, and the gender digital divide has compounded learning losses for girls and income losses for women entrepreneurs.

A deep dive into the Gender Budget Statement (GBS), which has been produced as a separate document accompanying the Union Budget every year since 2005-06, reveals some interesting trends for 2022-23, to help us answer the central question of whether Budget 2022 is truly an instrument for ushering women-led development in the post-pandemic era.



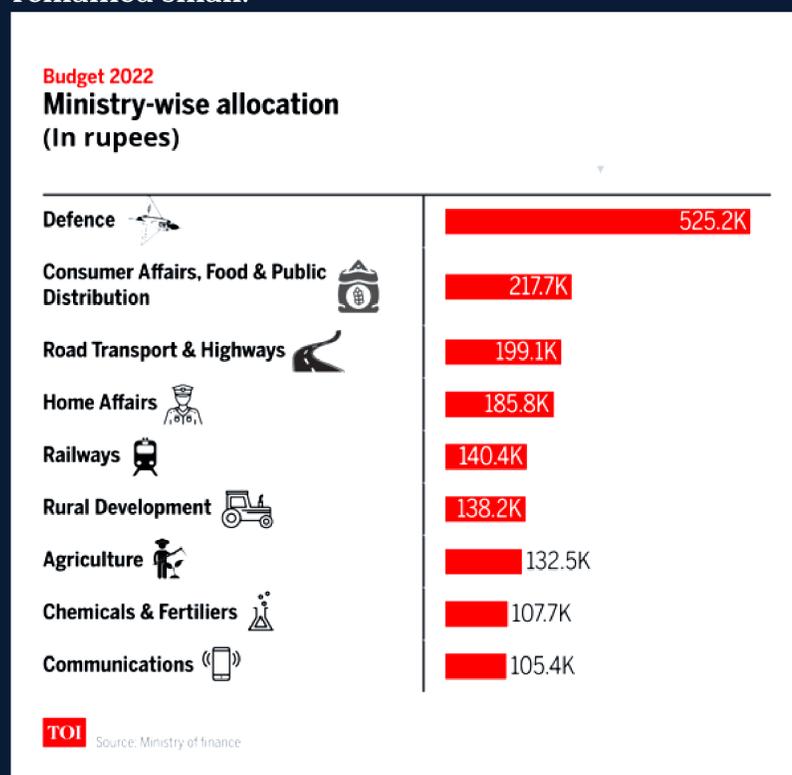
Overall, the quantum of the Gender Budget continues to remain below 5% of total expenditure, and less than 1% of GDP. Even though the overall size of the Gender Budget grew from INR 1.66 lakh crores in FY22 to INR 1.71 lakh crores in FY23, the Gender Budget has actually declined as a proportion of total expenditure – from 4.4% in FY22 to 4.3% in FY23.

About 91% of the Gender Budget allocations were concentrated among just five Ministries: Rural Development, Women and Child Development, Housing, Health and Family Welfare, and Education. Overall, only about half the Central Ministries reported on their Gender Budget, revealing that even after 17 years, the preparation of the Gender Budget continues to remain a challenge for several Ministries

and Departments.

Moreover, just 10 schemes constituted nearly 80% of the FY23 Gender Budget. The Pradhan Mantri Awas Yojana (PMAY) alone made up 25%, followed by the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) at 15%. This observed clustering of the Gender Budget into few schemes is indicative of the lack of gender mainstreaming, especially in job-creating sectors, such as infrastructure and industrial development.

Having said that, within the limited resource envelope, education, livelihoods, health and agriculture were rightly prioritised through notable increases in GBS allocation. Education was a significant gainer, with the Samagra Shiksha scheme for school education seeing an increase of 25%, and the Department of Higher education of 10%. Livelihoods was another area of focus, with GBS allocations for the National Urban and Rural Livelihood Missions rising about 13-14%. In the health sector, the Ayushman Bharat scheme saw a significant increase of 227%, and additional funds were allocated to a flexible pool for health systems strengthening and the National Urban Health Mission. Agriculture focused schemes such as the PM Matsya Sampada Yojana and the National Livestock Mission saw increases of 57% and 43%, respectively, even though their overall allocations remained small.



Yet, overall, the Gender Budget of 2022-23 appeared unresponsive to the post-COVID-19 needs of women and girls. GBS allocations for the National Scheme for Incentive to Girl Child for Secondary Education, National Rural Health Mission and Digital

India Programme were reduced to zero. The MGNREGS and the PM Gramin Digital Saksharta Abhiyan (on digital literacy) saw reductions of 20% and 17%, respectively. And most notably, allocations to schemes which address 5 post-pandemic priority areas for women and girls, i.e. social protection through benefit transfers (cash & in-kind), domestic violence, skill training, public transport, and digital literacy totalled less than 2% of the GBS.

Overall, between the first GBS in 2005-06 and today, India has made significant gains on gender responsive budgeting (GRB). The number of Ministries / Departments included in the GBS has more than doubled, from 14 to 40 today.

India's GBS has been recognized as one of the most streamlined and detailed GRB documents in Asia. Gender Budgeting Cells have been established in 57 Central Ministries / Departments.

Moving forward, there is a need to build on this momentum, and to the policy priority accorded to the principle of gender equality and women's empowerment by strengthening the efforts for Gender Budgeting and gender mainstreaming across different Ministries, Departments, and schemes.

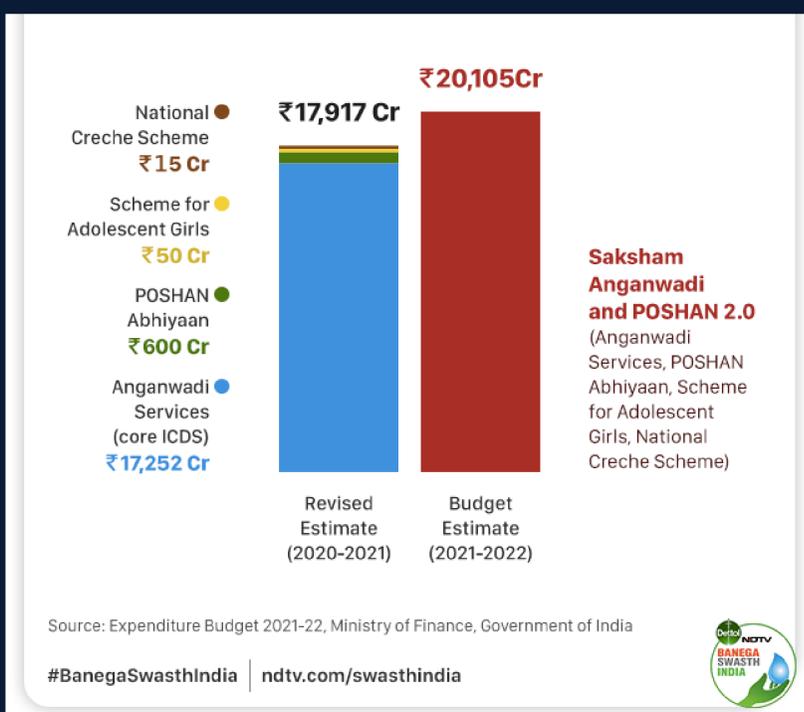


First, in the current format, the Gender Budget only provides information on allocations, and does not report gender-disaggregated impacts and results across schemes. There should be a renewed push for gender-disaggregated data collection to benchmark and understand the distribution of beneficiaries across schemes. This can be done by updating the monitoring information systems, results dashboards, as well as through gender audits of centrally sponsored schemes.

Second, there is a need to build increased capacity for gender budgeting. While specialised trainings on gender budgeting are required for staff in Gender Budgeting Cells, all officials across Ministries should undergo basic training on how to understand the gender elements of their schemes, and then apportion funding for these elements under the Gender Budget. Frequency of these trainings should be increased during the budget preparation period.

Third, the Ministry of Women and Child Development (MWCD) can play a leading role through inter-ministerial dialogues to understand the barriers keeping Ministries from reporting on the GBS. Knowledge exchange on the importance of gender mainstreaming across sectors, as well as on requisite tools can also be part of this dialogue.

And finally, NITI Aayog and MWCD can partner to develop a Gender Budget monitoring initiative and web portal, so that Ministries can openly observe the quality, results, and impacts of their Gender Budgets. ■





*Budget 2022-23 laid a great emphasis on digitisation and its use in various sectors and schemes. FROM 'Bahi Khata' to the 'Made in India' Tablet, Finance Minister Nirmala Sitharaman carrying the Budget document in the paperless format in a tablet inside a red cover with National Emblem embossed on it instead of the briefcase or 'Bahi Khata', said volumes about the idea of Digital India. Sitharaman's Union Budget 2022-23 laid a great emphasis on digitisation and its use in various sectors and schemes.*





# POLITICS & SOCIETY

# A MYTH CALLED MERIT

By- Siddhant Sinha



The Supreme Court, recently, called the debate of ‘Merit versus Reservation’ superfluous. To what extent can the credentials of an individual be attributed to their ‘merit’? This article is an attempt to move closer to the answer.

**W**hen did you last hear a phrase that went like “Hard work alone will fetch you success”, or “Hard work beats talent when talent doesn't work hard”? Surely, not too long ago (unless you live under a rock). What's the thing that is separating you from achieving “greater heights”? Talent and hard work might be the most intuitive reply. What does this suggest

about the society we live in? What does this say about the nature of competition in the modern capitalist world that we are a part of? Moreover, what can we infer from this in the context of 21st century India?

The modern world takes pride in being a society that respects talent. One of the most commonly cited features of modernity, which is used to distinguish it from previous epochs, is its claim of being a *Meritocracy*.

To climb up the social ladder what you need is Merit and not the privilege of being born in an aristocracy. Anyone can theoretically reach the pinnacle of anything. In other words, it is always the deserving one, who can make a mark in society. This is in consonance with the doctrines of the capitalist structure of society which claims to be devoid of any prejudice and concerned with value addition alone. It would make sense then that, for instance, a student with better grades is admitted into an institution.

It would also imply that the more affluent sections hold that position because of their innate merit and that they are more 'Hard Working'. The basic argument remains that merit is rewarded, irrespective of the section of the society to which the individual belongs. To deduce into a maxim **'It is the rule of Merit'**.

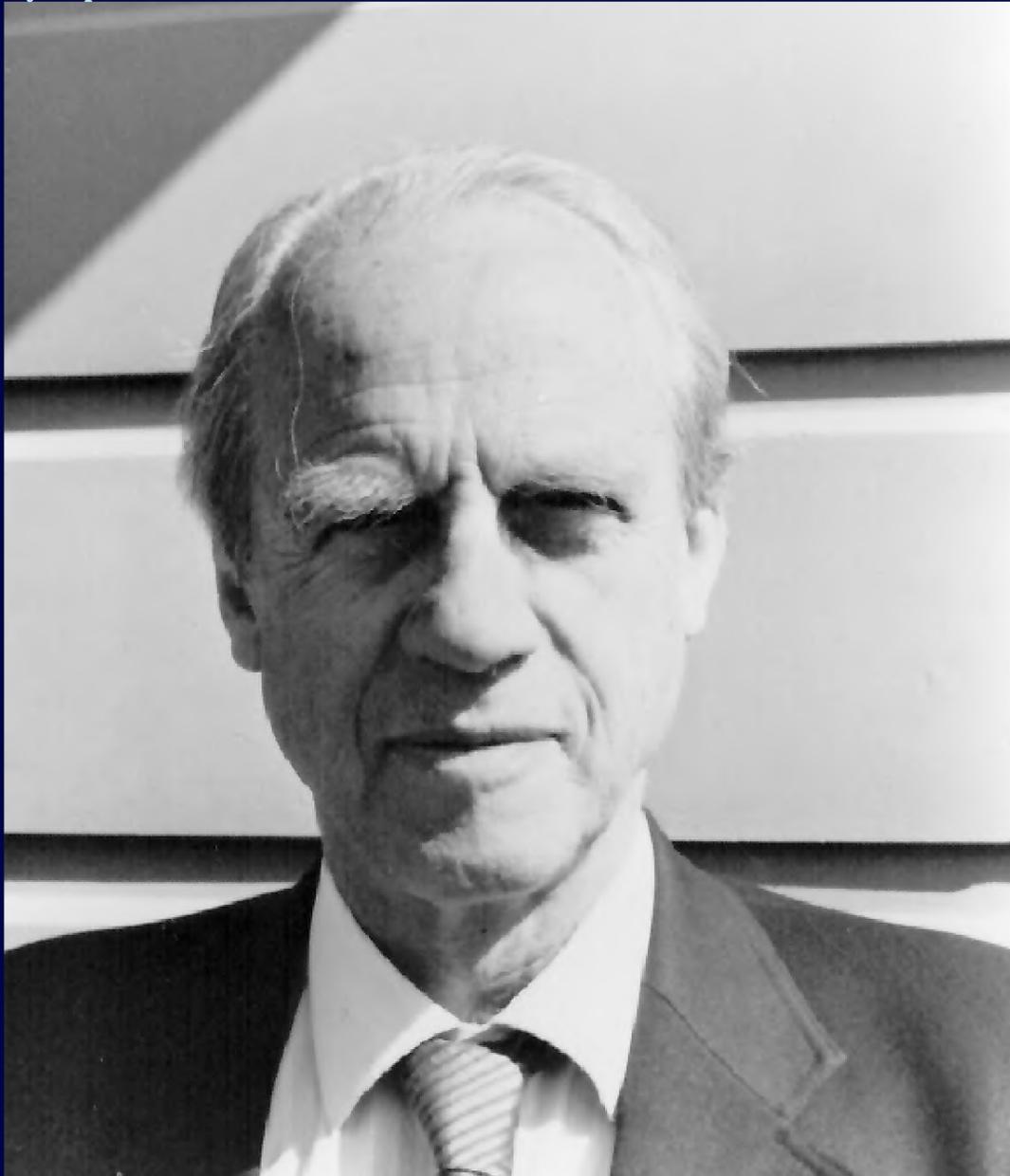
### Is it though?

The word Meritocracy was coined by Michael Young- a British sociologist-in his dystopian fiction- 'The Rise of

the Meritocracy.'

Ironically, the world which has become sacrosanct today was first used with negative connotations. Young believed , 'it is good sense to apply appoint individual people to jobs on their merit. It is the opposite when those who are judged to have merit of a particular kind harden into a new social class without room in it for others." We need to view today's world of meritocracy through this lens.

Last year, there was a decision regarding OBC & EWS reservation in NEET admissions, under the All



Michael Dunlop Young, Baron Young of Dartington, was a British sociologist, social activist and politician who coined the term "meritocracy".

Source - Wikipedia

India Quota in medical colleges by the Union Government. While the apex court has ruled that quotas ensure equal opportunity and that the binary of 'merit versus reservation' is superfluous, it is imperative to note the highly-

charged discussion on merit which ensued. There was a great deal of talk on "merit being sacrificed" due to this decision. In such a context, it is compelling to ask some questions- What is merit? Does the dichotomy of 'merit versus reservation' hold any ground?

### Busting the Myth

The issue of merit has, of course, much more to do than the individual itself. It would be a great folly to consider this without the social background and history of the unequal relations in society. The privileged sections of India have a firm conviction that their success is due solely to their efforts and talent. Nothing can be farther from the truth. Arguments like 'everyone is free to work hard and achieve a goal', or 'the ladder to reach greater heights is open to all' fall on their face when we consider the entrenched inequalities vis-a-vis social resources in our society.

Consider an example of a sprint. There are two participants in the competition. Both of them have the same distance to run and anyone can win the competition(theoretically).

However, there's a catch-one of them has his legs chained together, while the other one is free. The latter, no surprise, wins the sprint in a 'free & fair manner'-in the sense that both of them were 'allowed' to win the race. But were they really? Could that race be considered a competition between individual merits?

Drawing an analogy between this and the modern world of meritocracy won't be hyperbole.

The modus operandi of this kind of world is to keep benefiting certain sections of the society albeit in a subtle manner while claiming the system to be just and merit-oriented. The status quo regarding social structure remains preserved. Irrespective of what the common discourse might suggest, the privileged sections have an undue advantage in most competitions even today. This has to do with the unequal distribution of social resources. Such resources can be classified into three kinds of capital- economic- material assets and income, social-

networks of contact and social associations & cultural- educational qualifications and status. Such capital has been accumulated over several generations and it effectively renders the competition of merit mostly a competition among the advantaged ones alone.

### The Caste Paradox

For the upper castes, urban middle and upper classes, caste has virtually become 'invisible'. Such sections have developed an understanding that their fortunes are due solely to their efforts, as though their caste

status had nothing to do with it. The reality is that their caste privileges had a major role to play behind their position. They had a head start over other sections when new opportunities started emerging after Independence. This lead got further consolidated in the following generations. Such conception of individuality and merit has entered the general psyche of the population to the extent that it is always considered the fault of the individual and not the underlying social factors when one 'fails'.



To be clear, this phenomenon is not specific to India alone. It can be seen even in Western societies with regard to the dominance of Whites over other sections. India differs from those societies only with respect to the pattern of inequality (caste, religion, etc. in the case of India) and its extent.

For the marginalized sections, their identity becomes the all-encompassing trait about them. They are devoid of the economic, social and cultural capitals enjoyed by those they are competing against. No wonder, the representation

of such groups remains abysmally low. The data from the education ministry, presented in 2019, suggests that across the 23 IITs, there are merely 149 SCs and only 21 STs out of a total of 6043 faculty members. Even in the University of Delhi, fair representation of communities is hardly visible. Out of the total sanctioned strength of 264 professors, there are no professors from the ST community and only 3 SCs. The recent studies about the dropouts in IITs & NITs found that over 60% of them were from the SC, ST & OBC communities. Student suicides from the depressed sections is another important aspect for

consideration.

## Does Merit mean anything?

The pursuit of merit, in such circumstances, looks nothing more than a farce- a crude joke that is played on vast sections of the society to reinforce the interests of those who already hold a higher status. Meritocracy, in that sense, can be considered a tool for **social reproduction**. It is not to say that individual actions do not matter per se. It would be highly reductive to conclude that personal efforts are immaterial in the world of the 21st century. Indeed, had it been such a case, there would be no differentiation among those who occupy similar social status. But that's obviously not the case. Moreover, there are examples of people rising from the very rock bottom of social and economical hierarchies to 'achieving great successes'. However, such stories are still exceptions, which proves the point even further. At the time of gauging 'merit', it definitely seems that particular sections are way more 'eligible' and 'deserving' to hold positions of power and importance. But the issue remains that such merit is itself a product of centuries of privilege and oppression.

Would it not be appropriate to consider this apparently legitimate race of merit analogous to the sprint discussed earlier? How far does merit justify individual capabilities and efforts then? It is about time we start asking such questions. Understanding the Supreme Court's ruling can be the first step.

■



# MACAULAY'S PENAL CODE

By Shubhra J Singh



**W**ith an age of 162 years, the substantive criminal law of the country has achieved the glorious feat of becoming the longest serving criminal code in the history of Common Law.

The Indian Penal Code, 1860 emanated from the first Law Commission created during colonial rule under the Charter Act of 1833.

The Revolutionary Act formed a composite and unified legislative body in the form of an appointed Legislative Council helmed by the

Governor General.

The Law Commission was chaired by Thomas Babington Macaulay, known for propagating the Western Education System in India. During IPC's natal stage, it was commended for its comprehensibility and tactful approach towards criminal liability.

It was also lauded for its lucidity and conciseness. The code was a "culmination of progressive initiatives" like lifting of curb over press, discontinuing of the special privileges accorded to expatriate British residents in civil

cases, coupled with the widened accessibility and modernization of school curriculum. As per historian of South Asia, Eric Stokes (1924-81), The Indian Penal Code, largely authored by Macaulay, can be described as his "most enduring work", his magnum opus.

## Essence

The historical and philosophical essence underlying the code, defines its characteristics. Criminal laws in general are a version of moral and political philosophy, as asserted by George

**Fletcher**, a professor of Jurisprudence, in his work “Rethinking Criminal Law”. This simply means attaching a moral and political basis to a crime, to determine the magnitude of its unrighteousness. In fact a major portion of Anglo doctrinal criminal law has its foundation in morality and intellect.

**Alan Norrie**, a Professor of Law at School of Law, University of Warwick, believes that the fundamentals of criminal law belong to a particular epoch from where it emanated. It was a result of social and political conflicts, and thus is “historic and relative rather than natural and general”.

**Morton J. Horwitz**, an American legal historian, and a Law Professor at Harvard Law School, contends the historical view by asserting that Anglo- American Legal knowledge is “unhistorical”, even though the scholars claim it to be otherwise. It is predominantly based on the attempt to create “Universal Rationalising Principles”. Especially at a time when there was a rise in professionalism at the end of 19th century, which necessitated for the political and legal theorists to use the professional standards which for then were the scientific methods based on observations and hypothesis, which drew law scholarships closer to universalisation, a common feature of scientific disciplines.

Horwitz also expressed his concern over the distorted nature of rationalising principles. Anglo American scholars in an attempt to manufacture universal principles that are “all-encompassing” ended up validating dichotomous ideas. This enabled one to prove that an unjust social order could still be rational,



Thomas Babington Macaulay, 1st Baron Macaulay, PC, FRS, FRSE was a British historian and Whig politician. He is considered primarily responsible for introducing the British education system in India. He wrote extensively as an essayist, on contemporary and historical sociopolitical subjects, and as a reviewer.

and thus, free from criminal characteristics.

Combining these viewpoints, **BB Pande**, a distinguished Criminal Law and Criminology Professor of India, wrote in an Article presented at an International seminar -“a Criminal Law is both a rationalising enterprise that is premised on Universal moral and political philosophy and also a product of social and historical force that get manifest in political and social events.”

Macaulay, though immensely guided by liberal ideas of Bentham and Mill, also acknowledged its shortcomings of neglecting historical experiences, the late 17th century subversion of monarchical power to formation of constitutionally guaranteed basic rights and the then recent British Parliamentary reforms, which altogether comprised and secured British liberties. The deterministic nature of Bentham’s utilitarian theory was supplanted by the idea of “free will”, reiterating the

Common Law ideal of voluntarism. But then again being a law for a colony it was not free from repressive elements.

## The Problem

**In Macaulay’s view, there were 3 core qualities of a Good Code- Comprehensibility, Precision and Reflection of legislative rather than judicial law making. Macaulay asserted, the more imprecise a code becomes the more power of making law flows into the hands of Judiciary.**

As far as historical underpinning is concerned, some of the important historical events that have affected IPC include the independence of India from colonial rule, creation of constitution with the Fundamental rights for citizens and especially for Accused, terrorism and developments in economic, political and social life.

As for comprehensibility, IPC was understandable for people of those

times because of the relatability and familiarity of words used, accompanied by illustrations to explain the points. But with the passage of time, new gaps and inconsistencies emerged, which were to be amended by Judiciary.

The criminal code of India has seemed to have frozen in time. What we need is a systematic legislative review instead of a temporary amendment. IPC has undergone 77 amendments until now.

Macaulay insisted that the code should be a creation of legislature rather than judiciary but in current times, in contrast to his profession, it has been so overly interpreted by the courts that it seems to be a creation of Judiciary itself. Adding on to this, Macaulay maintains, the lawmakers should most certainly know what the law is and what it should be, more than any judge.

For the highest level of accessibility, Macaulay yearned to distribute to every individual, a copy of the code in their own native languages. In today's time the internet makes that possible, but IPC can no longer be studied independently since it has to be read along with case laws to cover all the laws that it purports to cover.

The fourth Quality which can be appended to Macaulay's list is **Modernity**. It would be surprising for a 19th century commentary to be still relatable to a 21st century audience.

Right now, IPC fulfils none of the 4 qualities. During the colonial times, immediately after its official enactment, a bunch of amendments occurred to the IPC, owing to events like the Ilbert Bill Controversy of 1883. After the implementation of



Indian Penal Code 1860, there was a proliferation of Penal laws outside IPC.

The Indian Jails Committee Report of 1919-20, unleashed a phase of a series of criminal justice policies which led to incorporation of the Rehabilitative ideal in punishment. Also after independence, there was creation of a new Federal Court Structure, diversity in interpretation and upsurge of offences outside IPC.

The ensuing, progressive phase of constitutionalism underscored the importance of Judicial Review and Due Process, which further transcended into the need for repressive control to counter sectarianism, terrorism and extremism.

Due to this long transformative period, IPC remained neglected. Legislative revisions made were ad hoc and the modifications actually made were judicial in nature instead of Legislative as advocated by Macaulay. For instance Sec 304A says, "Whoever causes the death of any person by doing any rash or negligent act not amounting to

culpable homicide, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both." Legislature didn't define "rash" and thus power of law making was given to Judiciary in some sense.

However this pattern of dereliction does have some exceptions like the striking down of Section 377 and Section 497-related to Homosexuality and Adultery respectively.

A series of essays published in 2005 pointing out the need for an overhaul, and thus it spurred the initiation of parliamentary bills, but only in vain since they lapsed on dissolution of the parliament.

Even courts and commentators have recognized the inactivity of the Legislature in performing its role of rectifying Code's anomalies.

And even if they would have rendered their duty, they would have made the law complex and more confusing due to absence of



regard to the relationship between amendment, the existing code and its philosophical fundamentals.

The duty of review and revision thus gets transferred to judges who often perform it poorly thus creating problems. But it's not their fault since they aren't advised to follow any particular approach, which are many in number. They usually use Judicial Precedents, other statutes, Parliamentary History and reports of Committees. The other most common approach is reference to English Common Law. Macaulay clearly didn't admonish that.

And even if English Common Law was supposed as the primary source then was it the former one or the contemporary one? If it was the older one, then it would be a retrograde step since it draws upon a 19th century English Common Law that was in a state of shambles. And if it is the contemporary one, then that means it takes from a law that has a very distinct approach to criminal responsibility than India.

### The Second Approach

The second approach is just following the wordings of the IPC alone,

concentrating on the lexicon of the law. But the downside to this is that this cannot resolve the ambiguity in meaning of vocabularies used in Sections and Articles, permanently.

### The Third Approach

The third approach is using the criminal laws of other commonwealth countries like Australia and Canada, rather than Britain. Arguably the best way, but requires judicial creativity and once again the problems of incomprehensibility, inaccessibility, imprecision and judicial law-making kick in.

Thus its impoverished nature cannot be healed by involvement of courts since it will end up becoming antithetical to the idea behind Macaulay's good code.

## Article at Glimpse

**The article gives an overview about the theoretical and fundamental aspects of the IPC along with enumerating the principles of a "Good code" from the eyes of its framer and how with the passage of time it has ceased to conform to his ideals ■**



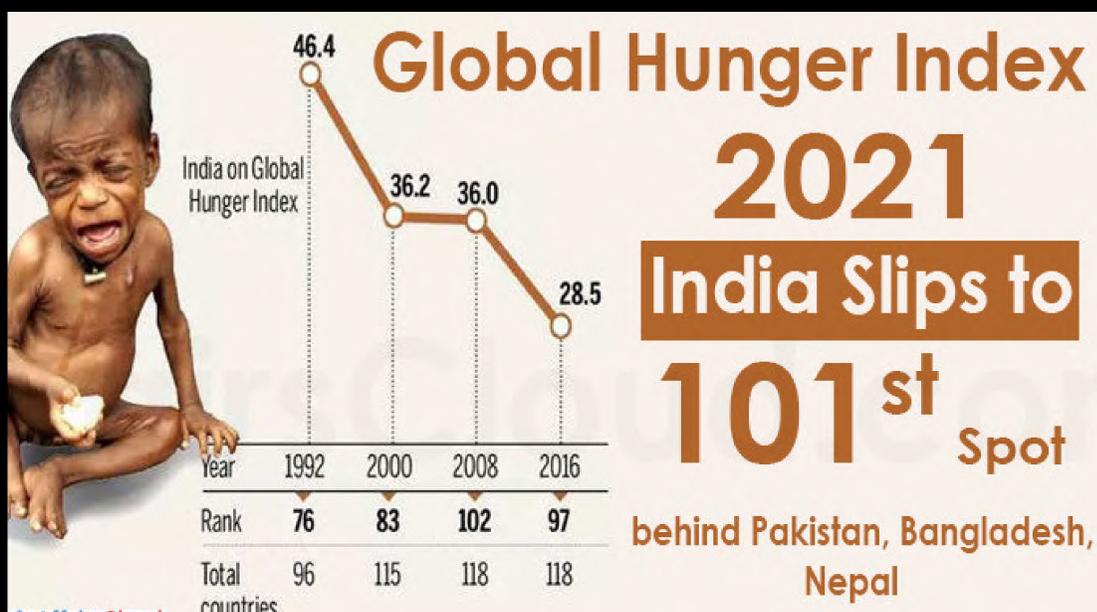
# THE STORY OF HUNGER IN INDIA

- Ananya Dubey



“

As one walks through the narrow lane leading to the scattered settlements made of tarpaulin, one realizes how hard it must be for the dwellers. It is in this biting cold that we see children with bare minimum clothes to cover their body. They are malnourished, with disarrayed hair that are unkempt and thin skin showing the outline of their ribs. The scene is graphic enough to haunt one for the longest time. Yet, they go unnoticed."



**I**n the 2021 Global Hunger Index (GHI), India ranked 101st out of 116 countries with a score that indicated severe levels of hunger and malnutrition amongst the masses. Though the report faced criticism from the policymakers, yet the issue of hunger cannot be blithely ignored.

The irony here is that India has one of the most well developed PDS- Public Distribution System and vast amounts of buffer stocks of grains, yet it seems that a majority of the masses do not have access to two proper meals a day.



One way to go about this issue is to understand it through Amartya Sen's "Exchange Entitlement Decline" theory, which essentially states that

**main reason is not a decline in the amounts of food produced in a country, rather it is the less remuneration which makes people unable to afford food."**

Yes, there are subsidies in place but the whole system is full of loopholes. A large number of people in the rural areas still do not have ration cards. Those who do, are often victims of malpractices by shop owners and receive reduced amounts of food. The condition is worse in extremely rural areas where many people do not live in close proximity to the markets and hence it is not easy for them to have access to food.

The condition was only worsened by the Covid-19 Pandemic. With a lot of rural migrant workers losing jobs and many businesses going out of work, the amount of people suffering only increased. This was also fueled by a general price rise in the economy. There were supply blockages which also hampered the

situation and led to reduced nutrition.

At present, the MGNREGA scheme is still there but it needs to catch up with the present times. The remuneration offered is very less compared to the prevailing market prices. There have also been delays in payments which need to be kept in check. Moreover, we should also take into account people who have been left out from the ambit of the rationing system. There should be a check on malpractices such as hoarding of food stocks and deliberate price rise. Accessibility is a major concern that must be solved.



I believe that there ought to be a greater understanding of ground realities by policy makers. Instead of being ignorant or being overly critical of reports, there should be acceptance and reform. Citizens should also take responsibility in holding the people in power responsible for their duties towards marginalized groups. Maybe, a **collective approach** would help tackle the problem of 'Hunger' in India. ■



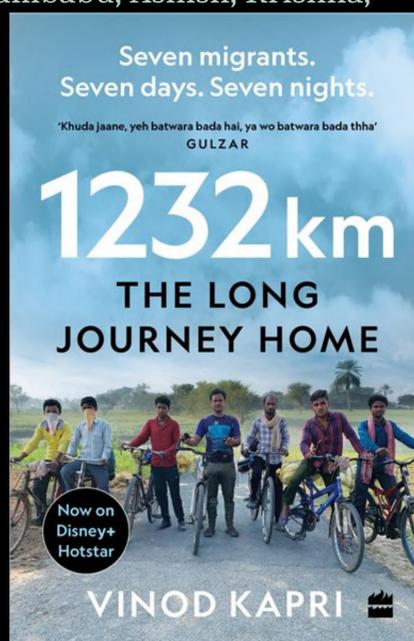
# 1232 KM: The Long Journey Home

By Vinod Kapri

-Soham Agarwal

**N**o one would have ever imagined that the year 2020 would bring such chaos in our lives. Countries all over the world adopted strict measures, such as lockdown, to deal with the Covid-19 pandemic. In India too lockdown was imposed on 24th March 2020. One of the strictest lockdowns in the world was imposed just after a short notice of 4hrs on 24th March at 8:00 PM and continued till 31st May 2020. Initially it was of 21 days only, but was extended 3 times and became a 68 day long and dreadful period of time for the country. This decision of such a stringent lockdown came to be one of the most terrible decisions ever taken which resulted in a huge disruption of the socio-economic sector of the country. Every economic and industrial activity was shut down and it wreaked massive havoc throughout the country. The fear and unemployment generated by this resulted in a mass inter-country migration of labourers, working in big cities to their native places (mostly in UP and Bihar). This migration was the largest inter-country displacement since partition

and revealed the realities of our fragile socio-economic structure. Vinod Kapri, a renowned filmmaker and journalist, writes this phenomenal story of migration and agony of these migrants in his book 1232 Km: The Long Journey Home. He followed 7 migrant labourers- Ristesh, Rambabu, Ashish, Krishna,



Mukesh, Sandeep, and Sonu in their long and painful thriller journey from Delhi NCR area Ghaziabad (UP) to their villages Saharsa and Samastipur in Bihar, on bicycles and all filmed all their live experiences, penury and obstacles they faced during their 7 days long journey of 1232 kilometres to home and made a

documentary on that. But, in Kapri's words, "It was not possible to film all the thrills, experiences, emotions, feelings and fears in a documentary", so he came out with this book.

The book follows a very simple and lucid language and unlike the convoluted and tangled



vocabulary. Readers will feel travelling with these 7 migrants as Kapri did and witness the day to day events our respective homes, making food vlogs, learning activities, having fun with our families; lakhs of migrant labours were unsure about their remaining life and whether they



istockphoto.com

would be able to see their families again. The sudden shut down of economic activities robbed their morsel and they were starving. Kapri also came in contact with these labours when a video of 30 starving labours in Moli of Ghaziabad got viral.

## Lockdown and Menace Journey

The book starts with the imposition of lockdown and the agony of these daily wages labours, which the authorities never thought before adopting such a stringent measure of dealing with the pandemic. When all of us were sitting on our respective homes, enjoying the comfort; lakhs of migrant labours were unsure about their future life, unable to sustain their families. The sudden shut down of economic activities robbed their morsel and they were starving. Here the book raises the question- Even after the 75 Years of Independence, what have we gained so far? These types of impulsive decision to prevent the outbreak of Covid-19 in reverse created the outbreaks of hunger, and nightmarish journeys of migration in the country. So when Kapri came to know about the decision of 22 year old

Ritesh leaving for the village, he decided to be part of this journey. He decided to reveal their journey and through them, the agony of lakhs of other labours and put them in front of world. He with his associate Manav followed these 7 labours in his car and formed strict rules like nothing would be staged for the documentary and no interference would be done from his side until any emergency come and only the ground reality will be captured.

The nightmarish journey of these labourers was filled with full of hardships when they passed through rugged the forests, fields and rivers detouring themselves from the highways in order to circumvent the sealed check posts, preventing themselves from the ruthless beatings of police which they had faced at Brijghat on initial of their



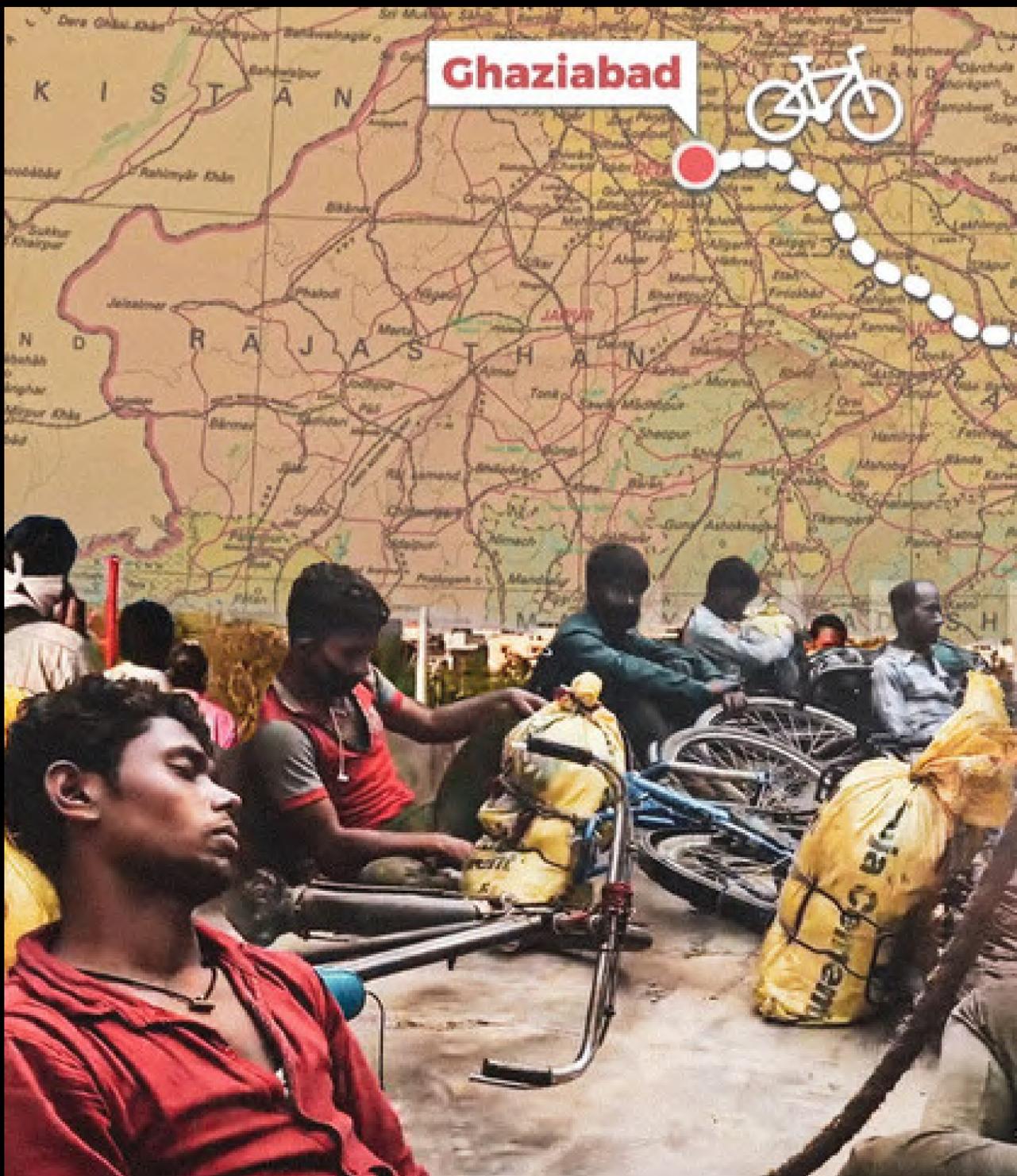
images.indianexpress.com

Kapri arranged some help for them but it couldn't be last long because the lockdown was extending. After much uncertainty, these starving labours decided to go back to their native villages on bicycles. Here the book raises the question- Even after the 75 years and happenings of their lives during this unfortunate displacement to their homes.

journey. The immense fear of police torture on the labours face and relief when they escape from police check-posts fill the readers in rage and raises the severe concerns about India's democratic nature. The reader will find the poignant instances when these laborers cried on the phone talking to their families, crossing rivers under immense risk as way back would mean starving death, searching for leftover food in the bins, shooed away by local villagers fearing infection, from filling water etc. These types of instances will also anguish the readers and force them to think that even after the 7 decades of independence, what we have achieved so far? When at last they reached Bihar, they were locked down in quarantine centres, starving for more than 27 hours revealing the picture of inefficient administration. A line aptly written by the writer gives the picture of this thing. As the last writer says, "Today I have realised, this country can be for anyone but not for poor and labourers". This line will force us to think about those who are the inseparable part of our lives but mostly recognized only as "sabzi and akhbarwala."

### Have Faith and this time too shall pass

The other aspect of this book is filled with inspiration and makes us believe in humanity and solidarity. The instances when all the laborers stand for each other when police was beating them, the unity between them taking collective responsibility of every person in the group, fills the eyes with tears. The heart-warming instances like when the workers got two full day meals and spent the night in AC Rooms on May day, when the truck drivers gave them free lift and good Samaritans repaired their cycle



without taking anything from them make the readers believe in the mutual emotions and human kindness on the earth. When a UP Police home-guard offers help and at some check-posts administration distributes food packets the readers witness the humane and soft-nature of police forces and administration also.





## Sum Up

To sum up the book is a collection of real incidents which these labourers had in their 7 day course of journey full of thrill, misery and humane emotions. The readers will go through the emotions of agony, rage, inspiration and victory. From being beaten up by police to being offered free food by the local dhaba owners, this book encompasses a wide range of experiences and emotions to the readers.

It also gives a lesson to the future policy-makers that taking such impulsive and stringent decisions, even though they are for emergency situations, may wreak bigger havoc in the country. I would strongly suggest this book to everyone, for every age group and especially for those who are interested in politics and contemporary affairs. ■



This photo of Rampukar Pandit crying as his wife informed him their son was gravely ill went viral in March. (Supplied: Atul Yadav, Press Trust of India)



ERROR



# ART AND CULTURE

# MEME'S EYE VIEW OF CULTURE



Written By  
Parth Pruthi



Surprisingly, the origin of 'meme' has nothing to do with social media or something graphic/funny. Then what was the word coined for?

Culture, precisely.

Common images that flash in our minds when we encounter the word "meme" vary from popular meme templates to funny gifs or videos one might have come across while scrolling through their endless social media feeds.

## Uniquely Human?

Culture is a broad term that encompasses the social behaviour and norms found in human societies, as well as the knowledge, beliefs, arts, laws, etc, related to those individuals and groups. The definition is very broad and so is the concept of culture. It's a trait of human existence that truly differentiates us from other organisms in the animal kingdom. Homo Sapiens as a species dates nearly 200,000

years back, and for the most part of our existence, we led simple lives in small bands, hunting, and gathering.

What changed in these 200,000 years that our present lives are incomparable to our origins? While the specifics are up for debate, the single biggest reason is that at some point in our course of evolution, we got better at communicating and as a consequence developed complex language and culture over time. Both primitive language and culture are found in primates, porpoises, dolphins, and other species. For instance, different groups of dolphins are known to hunt in unique ways varying from locations, and these techniques are learnt by observing kin. They are also known to show empathy, altruism, and cooperative behaviour.

Then what truly sets us apart? Our larger and smarter brains, and consequently, the ability to accumulate knowledge and practices over time. We developed techniques and tools to preserve and transmit whatever breakthroughs our ancestors made.

A young aspiring mathematician doesn't have to figure out the details of calculus from scratch, **ten year olds have more accurate understanding of solar system than greatest of greek philosophers.** Our technological feats stem from this knowledge and cultural accumulation that makes us smarter than our ancestors because, unlike other species, we don't have to reinvent the wheel with every generation.

Charles Darwin's theory of evolution by natural selection is arguably the single biggest breakthrough in our understanding of life and living systems. Darwin's crucial insight was that some traits are advantageous to the organisms carrying them, hence boosting their odds of survival.

This happens due to different selection pressures on organisms and variation of traits in the population.

For example, if there are red bugs and green bugs in a hypothetical environment where predators (such as birds) prefer the taste of the red bugs, the green ones are more likely to survive. Soon enough, there will be many green bugs and few red bugs. The green bugs will reproduce and make more green bugs, leading to a reality in which nearly all of the bugs born into this area will be green.

Natural selection is just one part of the equation, the others being Sexual Selection

(selection of traits that boost organisms sexual success at times at the cost of it's fitness) and Kin Selection (selection of traits that boost the chances of survival of kins, at times at the cost of the organism itself).

Another thing to note about natural selection is that it can give the illusion of intelligent design and someone/something directing the process but on the contrary is a mindless and purposeless process - it doesn't deliberately pick traits, rather, is a result of continuous struggle for

survival in an environment with scarce resources.

Darwin demonstrated how nature selects for traits, but he was not aware about the exact mechanisms of genetic inheritance which were discovered by another giant Gregor Mendel.

## EVOLUTION AND DARWIN'S GENIUS



Ronald Fisher, a polymath, and father of modern statistics along with J.B.S. Haldane and Sewall Wright, synthesised both of their works to create the field of population genetics and reformed Darwin's idea to accommodate for genetic inheritance and put mathematical footing to the theory of evolution. The central point about the mechanics of natural selection can be summed up as:

Natural selection doesn't select favourable traits, it selects for genes that are good at

propagating themselves. Often, those genes do this by helping their owners to survive and reproduce, or by helping their owners' kin to survive and reproduce. Sometimes, they may do so by helping their owners' groups to do better than other groups, even at some cost to their owners. So adaptations don't take place to help the organism survive, they take place because they are favourable for the genes that give rise to them. Animals don't reproduce to keep their genes in the gene pool, rather genes use organisms to remain in the gene pool.

It is important to mention that genes do not have any will or motivation, it is natural selection that produces these results and gives the illusion of agency.

One might be tempted to ask why Darwin is being mentioned in a discussion about culture. As we will see, that is the beauty of Darwinian Selection - it not only offers us

perspective on living organisms but also enables us to apply the same principles to cultures. More importantly, our capacity for culture is only possible because of our brain, which evolved with different selection pressures during the course of our evolution, hence, some things come more naturally to us than others (fear of lizards and snakes vs fear of teddy bears), and this natural appeal for some things and some ideas can often be the reason that determines whether a culture is found in architectural ruins or in our daily life.

Anthropologists, sociologists, and biologists alike have long maintained the position that complex culture evolved in human beings not just because our brains have the capacity for it, but because it gave us a survival advantage.

In fact, many claim that even though we had some capacity for culture, to begin with, with the survival advantage of complex culture and language, our brains evolved to become smarter, so that we could accommodate more cultural information. The statement that human is a cultural animal is not far from the truth.

Our **ability to cooperate** at a scale not found anywhere in the animal kingdom is a testament to culture. Millions of us, in collectivity, vote for our representatives or watch sports not because these things are **coded for in our genes**, but because we have devised these social arrangements to serve ourselves.

It's not too difficult to imagine why we evolved to become this way. When our ancestors lived as hunter-gatherers in small tribes of 100-150 people, culture didn't play a significant role in coordination. But as tribes grew larger, culture became the cohesive force that drove cooperation. Tribes with similar cultural and religious beliefs could coexist more peacefully than others, and could engage in trade more easily.

Culture not only enhanced coordination between groups but also within groups - people with similar beliefs could get along better than those with contradictory ones, and if some violent clash occurred with other groups, people with better coordination had **better chances of coming out of it alive**.



Evolution in humans hence parted into two ways, Genetic evolution, and Cultural evolution. Just as natural selection favours genes that are good for their owners, cultures and belief systems that are advantageous to humans become popular and spread.

Now, **how do memes come into this picture? And before that, what are memes?**

British Biologist **Richard Dawkins** in his famous book "**The Selfish Gene**", coined the term and defined "Meme" as a noun that **"conveys the idea of a unit of cultural transmission, or a unit of imitation."** Memes according to Dawkins and many others are fundamental units of cultural transmission.

Anything that can be transmitted via social learning is a meme - an idea, behaviour, ritual, practice, anything that can be learnt or grasped via imitation. Memes can be symbolic, may carry meaning, or could be meaningless gestures we tend to mimic.

The idea that memes are fundamental units of cultural transmission is a meme in itself, every **abstract thought** to have existed in any human mind is a possible meme. Social media posts, funny gifs, and videos are just a subset of what memes can represent, yet studying those meme trends can give us powerful insights about how cultures evolve and spread.



The idea of a meme is analogous to a gene, a self-replicating unit that propagates itself. Just like gene replication is not perfect, cultural memes also mutate as they spread. Some of the most common examples of the above phenomenon are funny memes giving rise to similar but different templates, some news spreading like wildfire but the contents of the news have nothing to do with the original happening.

**Imperfect replication is a prerequisite for natural selection.** Some memes by virtue of randomness might mutate to variants which have properties that make them more common in the population for reasons that can be arbitrary.

Prior beliefs, convenience, time and place to name some. How would natural selection play out in the realm of memes? Consider two competing memes, one that there is afterlife and humans end up in hell or heaven after dying, and another that there is nothing but void after one's death.

Given an unrestricted environment for these ideas to spread, probably, the afterlife meme will circulate more since it appeals more to our philosophical and religious priors. The thought experiment also conversely explains why the majority of people on earth are religious and why the majority of religions have some concept of afterlife.

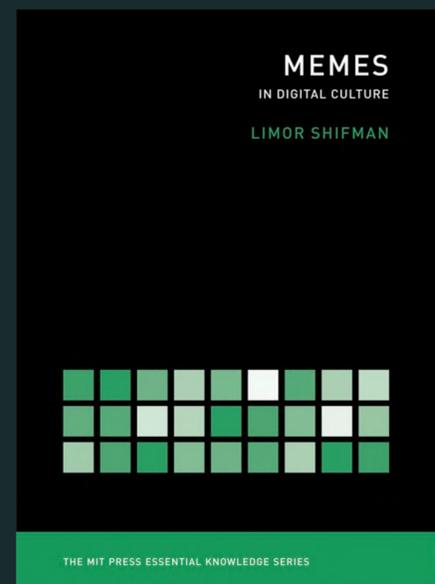
The idea of memes drastically changes how we see cultural evolution and goes above and beyond the claim that cultures exist because they are advantageous in some sense.

**Meme's eye view of cultural evolution says that memes and culture spread not because they serve us, but because they are good at spreading, a parallel to gene's eye view of evolution.**

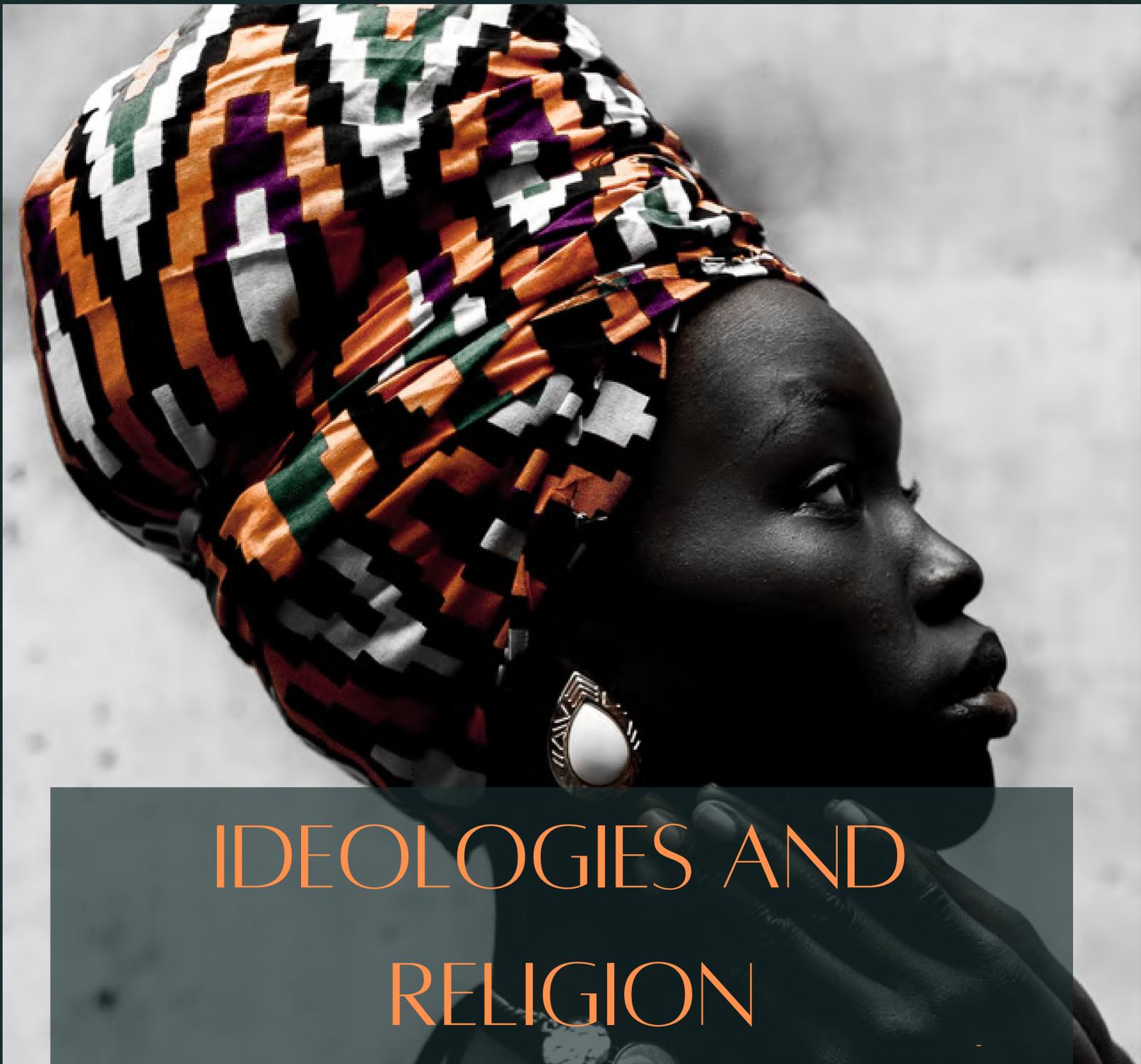
Natural selection favours memes that are good at propagating themselves, sometimes those memes might give advantage to an individual, sometimes to groups, but not always. What better way to illustrate this point than to look at languages. ■

Most words in a language are useful, that's why they exist, not all words though. Some words remain part of the lexicon despite being useless, not because they give us any advantage but because they are good at surviving. Daniel Dennet, a cognitive scientist once introduced this idea to a student, who in turn asked for an example, Dennet replied "Well, like, there might be, like, a catchphrase or, like, a verbal tic that was, like, a bad but infectious habit that could, like, spread through a subpopulation and, like, even go to fixation without, like, providing any communicative benefit at all." To which the student responded, "I got the point; I want, like, an example." The use of "like" serves no purpose but is a catchphrase commonly used by English speakers. It is good at surviving. ■

## WANT TO READ MORE ABOUT MEMES?



From the Edboard



# IDEOLOGIES AND RELIGION

Given enough time, memes start falling into mutually supportive structures known as **Memplexes**. These are memes that coevolve and cooperate to propagate each other. The idea of freedom of speech may coevolve with the idea of indispensable human rights, mutually reinforcing each other, and each may flourish in other's presence. As discussed, the **ideas of moral sins, afterlife, hell and heaven** are more likely to spread together, just like the ideas of free markets, market processes, and other capitalist principles.

These Memplexes compete in the marketplace of ideas. Some manage to get a massive hold on people, while some are only found in history books. When religions and ideologies are seen from this perspective, it becomes less puzzling why some of these are so appealing that groups and groups of people sacrifice their whole lives and choose to **propagate a particular worldview**

It's not the process of natural selection, but the scale of thousands of years that is capable of honing these Memplexes to an extent that they almost **piggyback on our biology**.

For example, the idea of gods stems naturally from our ability to ascribe agency to random events and establish causation. But **religions are much beyond just belief in god**, they embrace rituals, festivals, our place in the universe, our relationship with nature, and countless more things. A religion or an ideology becomes a full-fledged beast in itself that is trying to survive and is continuously evolving.

And just like some organisms have traits that help them survive, religions, ideologies, and other memplexes might possess memes that make their survival more probable.

A religion that involves propagating the idea that other religions are fake and that it is the duty of its followers to spread the true word is more likely to spread, just like an ideology that **preaches that people who don't identify with it are immoral and insensitive.**

Large memplexes can be observed to have adopted memes that boost their chances of continuous survival

not because those memplexes have that motivation but because the observations we make are contingent on their survival i.e. memplexes that didn't come up with memes that imparted them an advantage are less likely to be common among the populace and are more likely to be found in museums, just like countless religions, practices, and ideologies that were not able to gain a stronghold on their population.

It is the classic survivorship bias at play, an illusion generated by just observing things that managed to survive and succeed.

Meme is a powerful metaphor to look at culture and its evolution, it enables us to apply Darwin's ingenuity to cultural landscape and grasp the nuances of **why our lives are majorly driven by cultural constructs, unlike other animals.** Admittedly, it's not the most intuitive way to look at things, and certainly not the only way, but nonetheless, an important one in our repertoire to understand the complex phenomenon that is culture. ■



Our lives are majorly driven by cultural constructs, unlike other animals  
picture source - Unsplash

# PANDIT BIRJU MAHARAJ

## OBITUARY

Written by Abhay Pratap Singh

In the memory of Pandit  
Birju Maharaj  
1937-2022

**P**andit Birju Maharaj died on January 2022, he was suffering from a prolonged illness of kidney disease and departed the world because of a heart attack. He was an icon of the Indian Kathak dance form, he brought in the richness of Hindustani Classical dance and music.

Brij Mohan Nath Mishra was born on 4th February 1937, he was born into a Hindu-brahmin family in Handia in Allahabad. Born into an adept family of classical dancers, Maharaj grew up to be India's apex classical dancer.

His expressions and footwork were enough to recite a dialogue exchange from the holy scriptures, he was known to even have the expertise in describing conversations among animals through his mudras and taal.





"I do not spend myself on anything barring dance. I wish to create an atmosphere which aims at bringing back to dance all that sensitivity and delicate aesthetics which are threatened in this age of violence. Art has to exult and to elevate"



He unraveled his talent to the world from the age of 7 and by 13 he was teaching dance in Sangeet Bharti, New Delhi. He became the head of the faculty and director of Bhartiya Kala Kendra and soon retired. He started his dance school Kalashram in New Delhi.

He was actively involved in creating one of the finest dance acts in the film industry, choreographed and composed music for Bajirao Mastani for Mohe rang do laal performed by Deepika Padukone'

The entire film industry has over the years shown the utmost respect and has acknowledged their gratitude for being a part of such a great institution in himself- Pandit Birju Maha- raj.

He was awarded Padma Vibhushan- the second-highest Indian civilian award and has been recognised for his natural talent ■

around the globe. Exclusive of his innumerable awards he was also awarded the National Film award for Best Choreography in 2012 and Filmfare Award for Best Choreography in 2016. ■



# LOVE: A BOND OF BONDAGE ?

-Amogha Sharma

In *The Second Sex*, Simone De Beauvoir aptly quotes Lord Byron to highlight the primacy of 'love' in the life of a woman, as opposed to the peripheral status conferred to it by men. She explores love beyond its traditional understanding in *The Second Sex* by examining the social, political, and economic influences on it, in order to demonstrate the extent to which they shape the way the different genders perceive and approach love. In this paper, I will focus on love as an agent that exacerbates, rather than mitigate, the chains that bond us. I will center my analysis particularly on Beauvoir's observations of heterosexual love, while also elaborating on some other forms of love, like maternal and same-sex love.

Beauvoir famously proclaimed that one is not born a woman, but becomes one. If society indeed imprisons women by molding specific roles and expectations they cannot escape, we can conclude that the idea of a "woman", to a great degree, is a social construct. If the idea of a "woman" is in fact a myth, then two inevitable questions arise:

To what extent is the manner in which she displays love established by the society? Is the manner in which she is supposed to express her love meant to ensure conformity to already laid-out gender roles?

It is clearly emphasized by Beauvoir



that love and the expectations that stem out of it have been gendered. In order to understand this, we will try to investigate the workings of the institution of marriage, which best demonstrates this distinction. For women, marriage has for long been a defining feature of her existence. Marriage is not simply a private arrangement between two individuals in love; it is legalistic and regulated by political and religious authorities. Man's independent existence, which makes marriage secondary for him, can be ascribed to his role as a producer, rendering

service to the society, while a woman would often find marriage imposed upon her to fulfil what is considered her reproductive "service" to the society. This degradation of the position of a woman to a 'female' whose biological, reproductive function becomes the purpose of her existence is solidified by the idea of marriage, which entraps her in the domestic roles of a wife and a mother – her identity devoid of independence and solely defined in relation to others.

So far, we have viewed marriage as an institution that seeks to fortify the love shared by two people, and in doing so, chains the woman ever more strongly, taking her further away from her individual existence. However, something worth noting is that although marriage is linked to love, it is often completely devoid of

suppresses freedom of choice for the genders in the guise of love.

An indispensable facet of love is physical love, or the act of making love. As an act, love is either very closely associated with sexual pleasure, or completely stripped off any trace of it. In reducing a woman

suppression of sexual pleasure is in ways maintained by linking it to love, Beauvoir cites general day to day conversations to portray how love to some extent has also been degenerated to being a vulgar emotion only reserved for men. Love, or the lack of it, becomes a powerful tool used to curtail women's sexuality and sexual freedom.

Two concepts which are introduced with regard to existence in *The Second Sex* are : Although all individuals should ideally display a balance between both immanence and transcendence, the social situation in which the genders find themselves heavily impacts which is experienced more strongly by whom. Historically speaking, a woman's societal position has trapped her in immanence, which is signified by stagnation and restriction to oneself, while men have been able to reach out for and achieve transcendence, which represents the freedom to extend and reach beyond oneself.

As the existence of women is primarily defined by a relational domestic role, she tries to escape immanence by remaining within the role, itself. She tries to socially justify her existence through housework – by organizing, managing and supervising, and in doing so, seeks to achieve the transcendence that is denied to her. And yet, she finds herself unable to achieve it. Therefore, the man a woman loves becomes a link to the world beyond her; a proxy through whom she tries to obtain transcendence.

One can understand the mechanisms involved in how a woman chooses to love as a response to the treatment meted



it. Beauvoir explains this by quoting Montaigne, and through the example of arranged marriages (Beauvoir 515). In many cultures, the union of a man and woman is a decision undertaken by the respective families. The psychoanalyst, Sigmund Freud, argues that in such cases, the husband becomes a substitute for the loved man, as he himself is not the man she is in love with (Beauvoir 512). Then, marriage as an institution also becomes more about the collective happiness rather than individual happiness – an institution that symbolizes service to society, and

to only her sexual function as a reproductive force, she is not granted the freedom to establish a physical relationship with her husband, instead, this physical relationship which she shares with him is justified through her 'feminine function'. Since sexual pleasure for her is defined this way and available to her only in a generic form, it is not permitted to her before or outside marriage. She is bound to only the man she is meant to love through marriage, which, in attempting to justify her sexual life, represses it entirely. While this

out to her by the society she resides in, including the restriction it imposes on her will to transcend. The woman in love seeks to unite wholly with her object of affection by demolishing traces of her own identity and freedom, and voluntarily choosing to give herself up slavishly to him. Beauvoir's generalized description of a woman in love as almost religiously devotional can in fact be compared to how a woman devotes herself to the service of God. Divine love can be regarded as a sublimation of human love, and also a means of transcendence in its capacity as a movement towards the Absolute (Beauvoir 802). In some ways, women accept their roles as predestined and they themselves reinforce these values when attempting to break free from their situation. Perhaps we can try ascribing what philosopher Jean-Paul Sartre termed as "Bad Faith" to this process women themselves become a part of. Nevertheless, in focusing on Beauvoir's description of the condition of women, it can be understood that the onus of bad faith exemplified by women is not on them alone as individuals. It owes as much, if not more, to the oppression faced by them in society.

In fact, women don't just chain themselves, but also their objects of affection with them, by seeking to merge their identities and take over the reins of their lives, in an attempt to protect their passage to transcendence. As a matter of fact, a similar pattern can also be observed in the functioning of maternal love. Motherhood can be acknowledged as a worldly expectation through which a woman tries to justify her existence again, by asserting her necessity in raising the child. Through the child, the mother often tries to carve out the same position her partner has in her life, and may in some cases also

try to seek transcendence through unity with them; the lack of which couldn't facilitate the same in the relationship she shares with her partner. Likewise, it is not uncommon for the mother to try to seek vengeance from the world and vicariously relive her life through her child. In giving up elements of her own identity, the woman tries to establish a hold over the life of her child limiting their independence, very similar to how she tries to establish one over her partner, although firmer now due to her position in relation to the child. This may instill a sense of guilt in the child, which becomes an inescapable bondage for them, and ultimately reflects in their adult life. It is quite evident that women themselves use love as a shackle to restrict their individual existence further, while trying to evade the structural restraints imposed on them.

Talking about maternity, Beauvoir explores the act of abortion and how in certain cases, women may feel forced to give up their child through abortions, if their lover demands that sacrifice. For the love she has for her partner, she is asked to give up what she sees and was raised to believe is the ultimate symbol of her

femininity. This typifies how men universally condemn abortion but accept it as an agreeable solution in their private lives, especially if their future prospects are in question. This is illustrative of how love can bestow power over one, while enslaving the other.

It would perhaps be wise to pause here and try to answer an important question that springs from what we have discussed so



far: Is it the natural quality of what we term as "love" that brings such constraints to freedom with it?

This is not the case, at least according to Beauvoir, who sketches out the concept of 'authentic' love to differentiate it from the idea of love we have

gathered up till now. Much of why love ends up functioning like a chain that bonds the people involved is because it is not based on what is extremely essential – identifying and acknowledging one another’s individuality and the differences that exist between them, while also recognizing that they are equals, and that a woman is not a mere extension of her partner. This recognition will also predictably promote sexual freedom and real consent, as it is



based on true knowledge about one another. In this sense, love seems almost paradoxical. Inherently, love has the quality of being liberating, and to reveal more about oneself. However, this original quality is shed when it finds itself caught in the interplay between different components of society. This leads us to what is perhaps the most pressing

question: Can authentic love ever truly be widely realized?

The reason authentic love becomes extraordinarily difficult to achieve is because the social structures that are broadly set-in place are Patriarchal. Patriarchy has solidified women’s position in the society by intertwining the biological differences of sex with the socially constructed notion of gender, thereby reducing women to being the sex that ‘naturally’ comes second. Women themselves act in bad faith, as Beauvoir points out, and engage in self-fulfilling prophecies by internalizing the society’s conduct towards them. We have already considered how this also adversely impacts the man, who cannot ever truly be free when his identity rests on the subjugation of another gender. Studying same-sex love, Beauvoir remarks that it is perhaps lesbian love that overcomes the current patriarchal structures set in place to some extent, to experience authentic love. Considered taboo in the society and dismissed by psychoanalysts as inauthentic, lesbian love is exempted from several expectations imposed on heterosexual couples, like that of the institution of marriage. In isolating same-sex love from itself, society unknowingly grants lesbians the freedom to love without infringing on one another’s individual liberty, or feeling the need to fulfil the expectations that are involved in arrangements like marriage, which can be restrictive in terms of authentic love. They don’t have to actively strive to define their existence through each other, thereby themselves recognizing their freedom. However, when inspecting this idea, one must not turn a blind eye to the general maltreatment received by lesbians and the love they share. Also, even in

experiencing love differently, lesbian couples just like heterosexual couples are susceptible to encountering power struggles and imbalances. To quote Beauvoir herself, “...all human relations entail conflicts; all love entails jealousies” (Beauvoir 414).

It is quite evident that the equality that authentic love requires can surely be realized only in a post-patriarchal world. All throughout, Simon De Beauvoir asserts that the situation of women under patriarchy, on the whole, will improve as and when she attains financial independence. It has been suggested that even the institution of marriage will evolve as the financial condition of women progresses. From this perspective, the financial autonomy a woman achieves will make her seek her purpose independently, as it will place her somewhat on equal footing with men whose primary service is directly to the society. This will, in turn, allow her to evade the restrictions she finds herself tangled in, including the restraints that she herself places and finds in love. ■



# DECONSTRUCTION: BODY POSITIVITY

*BY ABHILASHA RAWAT  
&  
MEGHNA RATHORE*



## Who decided the ‘perfect body’?

**T**he story of seeing ourselves and our bodies as the be-all and end-all of our social lives started in ancient Greece. The ancient Greeks revered the naked, chiseled, and athletic body but they also

knew that such perfection is almost unrealistic to achieve, at least in this world. Thus, their artists used to merge the different body parts of different people—often men and women—to make that ‘one perfect body’. It is also said that back then a ‘handsome man’ was automatically taken to be a good person whereas a ‘beautiful woman’ was automatically an evil soul (sounds like a script of a daily soap to me).

Over centuries one thing that always stands out is the ever so changing criteria for a ‘beautiful body’. Early Egyptian pharaoh’s wife Nefertiti was a beautiful woman because her face conformed with the early ideals of beauty which was her symmetrical face. Even in statues from ancient India, we see women statues with voluptuous figures, perfectly round bosoms, thin waists, and broad hips. In a few ones, the statues were made in a sitting position where women’s bellies were dropping off to their thighs. Even though it is still unsure whether the statue depicted fertility or beauty, or both.

Vidya Dehejia, a professor of Indian and South Asian Art at Columbia University, writes on the Metropolitan Museum of Art’s website, “In India, the aim of art was never to imitate nature or to recreate reality through illusionistic devices; rather, the goal was to produce an idealized form.”

While ancient Greeks focused more on the male form, coming forward through the centuries the focus had switched to the female body where it remains today. The renaissance period in the 1400s-1600s saw a shift from chiseled physiques to pale-skinned, voluptuous, full-figured female shapes. From revering natural curves, women were subjected to manufactured ones, the corsets. Corsets were tight pieces of cloth (and wood) wrapped around the torso and lower spine of the body to give an effect of a thin waist and large uplifted bosom. The bottom hip area was ringed by hoops which accentuated the hips making a perfect ‘S’.

Fast forward to the 1960s-1970s the historical shift from a rounded to a thinner body preference led to the rise of British fashion model Lesley Lawson, known as Twiggy, and other slender models. They seemed to symbolize a shift away from the corsets and pinup girls of years past. Simultaneously, the “second wave” of the women’s rights movement began. During that time the birth control pill was also legalized in the US. Clearly, here’s a correlation between the two. If there is anything that doesn’t grow in isolation, it is the fashion industry.

The radical feminist movement later collaborated with the Fat Acceptance movement in USA, initiating a struggle to outlash the diet industry. The body positivity movement grew out directly from the efforts of fat activists and fat liberationists. This social movement was focused on the acceptance of all bodies regardless of size, shape, skin tone, gender, and physical abilities, while challenging present-day beauty standards as an undesirable social construct.

## Is social media body positive?

The 21st century version of the body positive movement is now at the hands of the beauty industry, making the challenge of commodification of bodies still prevalent and persistent. Scrolling through your social media account, the feed is filled with posts about “Instagram Vs Reality,” Vogue models talking about their skin care routines, Victoria Secret’s “Love My Body” campaign with an array of thin and tall women, and makeup brands jumping into the bandwagon of body positivity. When advertising and marketing teams lead social movements, revolutions come at the expense of exploitation of vulnerable groups as consumers. Being sold body positivity, the cause and impact of the movement is seldom understood.

Social comparison theory displays how there exists an inherent human drive to compare one’s self to another and ultimately see if one can measure up to and be deemed “good” enough by others. The world, driven by snapchat and pinterest, has more than required emphasis on appearance and aesthetics. The assessment of one’s worth often comes when people look at the photo-shopped and airbrushed pictures on their social media, at the covers of

magazines, advertisements and media outlets. A study in 2016 by Boepple & Thompson talked about how idealised social media content like thinspiration and fitspiration have been found to disseminate messages that conflate notions of health with thin ideals, promote fat stigmatization and disordered eating. Moreover, experimental research has found that exposure to such content has no impact on actual exercise behaviour and instead increases body dissatisfaction. For gay men social media can also reinforce the idea that queer culture is only for "ripped, statues-que men."

Despite the #bodypositivity, what gets posted online is one out of hundreds of rejected angles, a timeless effort to find a picturesque spot, and hours spent on editing. The paradox of online body positive activism begins with people talking about their 'weight loss journeys' under the campaign, socially accepted attractive creators highlighting body issues just to make themselves 'relatable,' and movies like *I feel pretty* or *Isn't it romantic* terribly misjudging the idea of redefining body standards. When Elle and Lakme define positive beauty standards for people, the normative social influence would make them feel insecure and buy things they don't need.

Critics of body positivity have often adopted the ideology of 'body neutrality' which aims to lower emphasis on beauty and encourage individuals to see beyond their physical appearances. This however becomes a far greater challenge to adopt, especially for women in a society where they are constantly bombarded with the messages of 'flaws' and strive to 'fix' their bodies. Thus, the credibility

of the body positivity movement isn't to be questioned, however, what we need is authentic representation. It would be too cynic a criticism to not appreciate the diverse representation that can be seen in the media today. This kind of performative activism and greater visibility for larger bodies have undeniably made some people feel better about their own bodies. In 2019, a content analysis of 640 Instagram posts sampled from popular body positive accounts, the authors concluded that such posts typically include images of diverse body sizes and appearances that are otherwise underrepresented in mainstream

accounts. For example, the majority (94%) of bodies depicted in popular body positive posts ranged from normal weight to obese, and under half (40%) featured attributes that diverged from societal beauty ideals such as cellulite, stomach rolls, and stretch marks.

Unfortunately, body positivity has shed its radical, practical goals in favor of an advocacy that's entirely aesthetic. The problem is that the brands who earlier decided how

one should feel about oneself are now propagating that's no longer appropriate for their goals. What is inherent to the goal is how one decides how one feels. ■

**P.s.: We are not keeping up with the Kardashians.**

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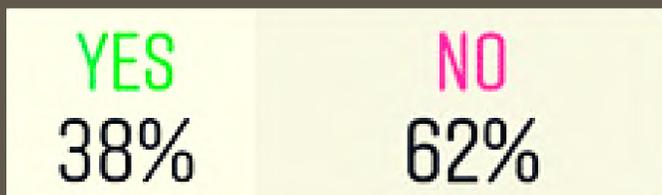


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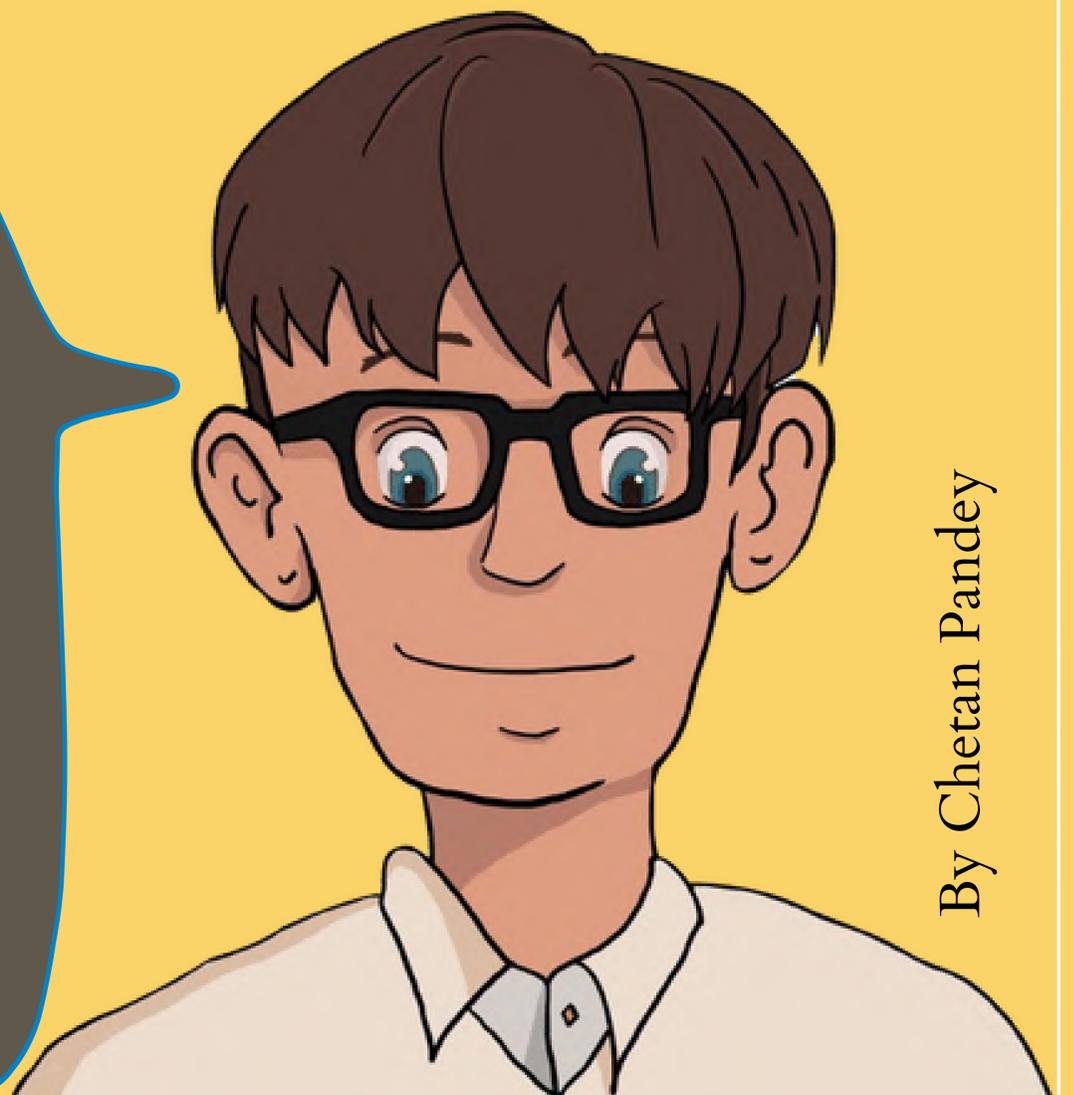
# OPINION

"Do you feel better about your body after seeing body positive content on social media?"

POLL



"People's image about their body is only an individual issue. Society has barely a role to play in it. No matter what the media portrays as "desirable", following beauty standards is one's conscious choice."  
- #CENTRIST DUDE BRO



By Chetan Pandey

“  
"Not if it's done by  
able bodied,  
conventionally  
attractive thin people  
tbh"  
”

“  
"I do feel better.  
But only for a few  
days."  
”

“  
"Nahi bhai nahi milta kuch usse. Because it  
depends ki hamare person space and primary  
relationships mein log kese hai. I scroll down  
Instagram pe and I see a post about body  
positivity, phir uthke room mein jata hun  
mummy is like mote ho rahe ho and all. Ese all  
time tookte rehetate hai and comment karte  
rehetate hai body pe toh it's really hard to love  
your body."  
”

“  
"No I don't. I don't think being comfortable about being obese is something positive. It's like being okay with being unhealthy. However any form of bullying related to obesity or any form of weight issues is wrong. Still everyone should make attempts to improve themselves and looking after their own body is part of it."  
”

“  
"I'm not sure everything they post in name of body positivity is actually positive! I'm still figuring out."  
”

“  
"I don't think so, bcoz the ppl who are mostly putting these are in good shape themselves."  
”





# About Caucus

We, at Caucus, value academic discussions and discourse. It is through these conversations that we can tickle the intellect of our members and invoke opinions from across the spectrum. We make humble efforts towards the development and intellectual growth of our members. Through this process, we are able to produce scholars who are articulate and opinionated. We are an active society in Hindu College, University of Delhi. Given the competitive environment of Delhi University, it is our prerogative to stride further ahead and give our members an edge over their fellow companions. It is in this direction that we encourage our members to express their opinions on issues of policy, international relations, domestic and international developments among others in the form of the written word. The blog is meant to provide a platform to our members as well as serve to the wider prospective audience by providing perspectives on various subjects. Caucus – the discussion forum is a place where we discuss, debate and share our thoughts and ideas. Caucus was formed in 2007 in Hindu College, University of Delhi. We at Caucus not only discuss and deliberate, we also provide our members avenues to grow and explore through the various events that we organise. We organise group discussions on a weekly basis where we discuss current events. Some of our annual events include the “International Hindu Model United Nations” where we host various institutions for a two day long immersive and competitive MUN experience. We try our best to provide delegates with an immersive and holistic experience the best hospitality. This year, we also started an educational lecture series called “Compass” where we invited various industry experts. This not only encouraged us to look at issues from a different viewpoint but it also gave our members a chance to interact with these experts on a one-on-one basis. Moreover, we also train and send delegations to various MUNs. We also have a blog and encourage our members to contribute to our online blog with their opinions on trending topics. This helps them express their creativity and thoughts. We also encourage members to indulge in research and provide them all the necessary support regarding research and publication. Last but not the least, we at Caucus do not forget to have fun. We often discuss films and pop culture and we love playing pictionary. Do follow us on social media to stay updated on our events.

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