

SOW HATE, REAP HATRED

• **Dr M N Buch**

The Statesman of 16th April, 2004 carries the news item that Dr.Praveen Togadia of VHP visited Jaipur on 15th April 2004 and was provided an official car by the state garage, whose driver was a Muslim. When Togadia and his acolytes discovered the religion of the driver they raised a howl of protest. The Rajasthan State VHP Chief Narpat Singh Shekhawat is reported to have said and I quote, "Mr Togadia came to attend an important meeting. Several important discussions take place in such meetings. So if a Muslim driver is there, there is a possibility of important information getting leaked". He also added, "Mr. Togadia's security will be endangered if a Muslim driver is deputed to him".

Several important issues arise out of the news item carried by The Statesman. Togadia is not a government functionary and, therefore, is not entitled to an official vehicle at the cost of the taxpayer. He is, at best, a politician and at worst a rabble-rouser. Even if he had occupied an official position the model code of conduct in relation to the elections having come into force he would not be allowed to use an official vehicle. Rajasthan government owes an explanation to the citizens and to the Election Commission why an official vehicle was assigned to the duty of Dr.Togadia. The objection to the use of an official vehicle in this case is not mere hair splitting but is a matter of utmost seriousness. Wherever Togadia has gone he has spat venom against the second largest religious community in India, the Muslims, who also happen to be the second largest Muslim community in the world. The viciousness of Togadia's repeated message can be gauged by the fact that in the instant case he objected to the mere presence of a Muslim driver. Obviously Togadia and his crowd were not discussing in secret matters of importance for the welfare of the nation, but were in conclave to discuss something which, if overheard by a Muslim, would lead to unpleasant consequences for themselves. From this it would be safe to assume that they were discussing something which might be illegal, unconstitutional or at least aimed against at the Muslims as a whole. In other words, unless proved to the contrary one can presume that Togadia and others were discussing something which was obviously improper or even criminal.

As for the security of Dr.Togadia, when Shri L K Advani, now Deputy Prime Minister, undertook his Rath Yatra for the Ram Temple at Ayodhya his driver was a Muslim who has served him for years. The fact that he is a Muslim only means that he professes a particular religion. He is as Indian as Shri Advani, loyal to the country, to the law and, in particular, to the man whose charioteer he is. Shri Advani did not and does not feel threatened by the fact that a Muslim drives his vehicle. Unless Togadia admits that he has done something so wrong that anyone professing the Muslim faith would hurt him, the plea that his security will be jeopardized by the presence of a Muslim cannot be accepted.

In the past I have expressed doubts about the faith which Togadia professes. My understanding of my religion is that it accepts the whole of mankind as one single family. To a Hindu all people are human beings and children of the same God, entitled to 'moksh' when they achieve a state in which their soul can be merged into the Bhramatma. This great religion of inclusivity embraces the Muslims as much as it does the Hindu and the Muslim is certainly not alien. The fact that Togadia makes religious differentiation means that he neither understands Hinduism nor is he a true Hindu himself. Because of his attitude I would dub him as a 'mlechha of mlechhas', or the supreme apostate.

Metaphysics apart, Togadia is in violation of a number of laws and the Constitution itself. Article 51- A of the Constitution which gives the Fundamental Duties of a citizen, reads as under in sub clause (e), "It shall be the duty of every citizen to promote harmony and spirit of common brotherhood

amongst all the people of India, transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women". Does objecting to a Muslim driver promote harmony and spirit of common brotherhood ? Does failure to denounce Sati not derogate from the dignity of women? What is more, as an Indian citizen Togadia is required to respect the Constitution which, in its Preamble, designates the country to be a secular republic. The Indian Penal Code has been enacted to deal with citizens who transgress the law and violate the provisions of the Constitution, which is why Section 153, 153 -A and 153 -B are included in the Indian Penal Code.

When any one, including Togadia and Narpat Singh Shekhawat, makes a statement which can hurt a community and provokes it into causing a riot, they are liable to action under Section 153 IPC. When they say things or do things which promote enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and thus prejudice the maintenance of harmony they are liable to action under Section 153 -A IPC. This applies equally to Shiv Sena activists in Maharashtra who **fulminate** against non Maharashtrians, Muslims, etc., When anyone implies in any way that a class of persons on account of religion, caste, etc., does not bear true faith and allegiance to the Constitution and then asserts that such a class of persons should be deprived of their rights as citizens of India, they are liable for action under Section 153-B IPC. In Jaipur on 15th April 2004, Togadia and Narpat Singh Shekhawat have by their actions, rendered themselves liable to action under Section 153- A and 153-B IPC. Their actions are criminal as defined by law.

If at one end of the spectrum we have people like Togadia, at the other end we have fundamentalists such as Ahmad Bukhari and Shahbuddin who certainly are not contributing to the promotion of communal harmony. It is not the Babri Masjid to which I refer here but rather their opposition to the empowerment of women and the bringing of Muslims under a common umbrella of law. Recently, in the autumn of 2003, King Mohammed-VI of Morocco, with the approval of Sheikh Abdessalim Yassine, the head of the Islamic organization, Party of Justice and Development, has drastically reformed the family law in the Islamic Sultanate of Morocco. The reform legally gives the wife an equal status with the husband, gives women the right to enter into matrimony according to their own free will, curtails polygamy and puts talaq within the ambit of a state appointed family court. It is because of people such as Syed Shahbuddin that India is unable to bring about even the simplest reform of Islamic personal law. It is this opposition to rationality which is one of the reasons why people like Togadia are born and can prosper.

I have come to the conclusion that the provisions of law must be applied ruthlessly and without prejudice against all persons who are in any way disturbing the religious and communal equilibrium in India. People like Togadia are able to behave as they do because they have lost all fear of consequence and feel that they can defy the law with impunity. I am a great believer in the therapeutic benefit of strict enforcement of law because it is only thus that we can curb wrong doers. In India we stopped enforcing the law years ago. The behaviour of Togadia in Jaipur reinforces me in my belief that people such as he should be arraigned before the majesty of the law and made to take the consequence of their actions.
