

Editorial

Friday, August 31, 2018

Consensual sex on false promise : Does it amount to rape?

The rise in sexual related crime against minor girls in the last few days is worrisome incident. And what is more worrying is the dilemma in reporting such news report by media - as the objective of the report is to punish whoever committed the gruesome, inhuman crime and to save the victims. That is why - Journalism ethics directed to conceal the identity of the rape victims no matter she is a minor or matured girl.

May be it was the trust deficit to the side of the law enforcers or the judiciary that people in Manipur still can't keep silence if any such crime was reported to have committed, locality always formed some kind of committee and take the law to their hand. Sometimes if the rapists are found there is no way that he would be spared by the wrath of the people. Even the crime committed by the accused had to be bear by his family members as the kind of crime cannot be tolerated at any cost.

Today's Manipur show much such crime on the rise. In 2015, an NGO reported as many as 29 rape case, 7 attempt to rape case, 4 rape and murder case, 2 molest case etc. The number this year has increase as more victims started having confidence.

Well almost all reporters while submitting their reports on rape related crime, name of the victims has always been concealed. Saying so some victim who decided to be name was given the privilege.

Early 80s, when the bollyhood movie reached its peak, rape scene was different. Acting of the Hindi Movie legend antagonist Prem Choapra and Ranjits' acting of raping girl were most common. Time changes so first, technologies have over shadow the factious movie with multiple real stories and prone site available in the internet. Force rape is committed by only some computer illiterate who has animals' instinct. But those psychopathic computers literate keep continuing the rape crime with another means. They lured young women using any means and have illicit sex (crime) by making false promises. As per report so far reached to Imphal Times, the number of young girl being spoil on false promised by married man who posed as unmarried reached nearly 10. The number may be many. The only things is that these victims of rapists fear unwanted consequences if they disclosed everything that had happened due to the complex Manipuri traditions.

Now the question is - Can consensual sex be retrospectively called rape if the promise of marriage is breached? Is this about a man deceiving a woman by making false promises? If so, would it be a case of rape, or of cheating?

For some, such cases categorically fall under rape, not cheating. "There is a need to understand the notions of passive submission and wrongfully obtained - even if not physically forcefully obtained - consent," said activist and lawyer Kamayani Bali Mahabal. "If the man promised marriage to get consent, he knew the power of the 'promise to marry', and he obviously also knew how breaking that promise could affect the woman." In the Indian context, this could mean severe social stigma and economic disadvantages, particularly in cases where women become pregnant.

Technically, there is no clause in the Indian Penal Code that specifically labels the breach of a marriage promise as rape. Section 90, while defining "consent" in general, states that if consent is given "under a misconception of fact" and if the perpetrator is aware of this, then it cannot be deemed as consent. Courts across the country often use this section of the Indian Penal Code to interpret cases of rape and breach of promise. Courts also tend to invoke Section 375 (4), according to which a man is said to commit rape on a woman if he "knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married".

Over the years, courts have come up with varying judgements, although most tend to interpret breach of promise as rape. In November 2013, for instance, the Supreme Court awarded life imprisonment to a man from Muzaffarnagar for having sexual relations with a woman for two years by leading her to believe he would marry her. By not eventually marrying her, the Court ruled that the man had committed a "breach of trust" and used her body as a "plaything". There are times, however, when courts have acquitted men of rape charges or classified such cases as cheating.

The bone of contention for feminists is the perception of consent in cases of breach of promise. "The assumption in Manipuri society is that women are raised to think they can only have sex within marriage, and that they would never give their consent if marriage was not on the horizon".

Now, it is time that the society discussed about this issue of new trend rape to safe the future daughters of our state.

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Identity Politics : A Road Block to Left Movement

To Irawat, identity politics is essentially exclusionary, while left politics is essentially inclusive

By- Dr. Chinglen Maisnam

Identity politics has become an important feature of politics across the world. Post-modernism, as well as all know, advocates replacing class (struggle) with identity politics. Such politics involves people getting together on the basis of a common identity, whether race, ethnicity case or religion, to put forth their demands or assert their rights. Identity politics rejects any politics based on a common goal of emancipation. Theorists of identity politics say oppression can be understood and experienced only by people of that identity. So others are excluded from the fight against that oppression. The advent of an aggressive finance-driven globalised market and the weakening of socialism set the background for the rise of identity politics. Globalised finance capital encourages identity politics as they find it convenient to deal with people fragmented on the basis of multiple identities. Such movements make it easier for the capitalist forces to penetrate into the market and take control. Fragmentation of identity is harnessed by the market. Quite a large number of political society, non-government organizations and voluntary organizations that work among the so-called indigenous tribals, castes, women and ethnic minority groups are pursuing the agenda of identity politics. Some of them are founded by organizations in the West, when political mobilization is based on identities of ethnicity, religion and community, it negates the concept of a working class, which is considered to be only one fragment of identity. "In general, it depoliticises the people". In may be observed that the Communist Movement/Left Movement in Manipur which emerged out of a situation that developed in close connection with the anti-imperialist, anti-feudal and democratic struggles of the people is now encountering the challenge of "identity politics" of the most ferocious kind. The present paper is an attempt to explore this issue.

Identity politics has also become an important feature of politics across the North East. We are, in short, in the presence of "identity politics" of the most

ferocious kind. We are witnessing a particularly vicious form of "identity politics". In Manipur too various groups in the state are now promoting identity politics and thereby negating class unity. Thus it is hampering the progress of united movements of the people. Manipur is a unified multi-ethnic state jointly created by the people of all its ethnic groups. In the long course of historical evolution people of all ethnic groups in Manipur have maintained close contacts, developed interdependently, communicated and fused with one another and stood together through weal and woe, forming today's unified multi-ethnic Manipur State and promoting the developed by all ethnic group in the big family of the Manipur nation during the long course of historical development. However, in the post-independence period of India, the state is experiencing multifarious problems due to changes in various spheres - political, religions and socio-economic fronts. The ongoing process of globalization makes the state more complex. As a result of the rapid developments and globalization of the regional economy, the traditional culture in undergoing changes at a rapid stride. People are becoming more and more apathetic towards their traditional culture. In the globalized world, the rational for the division of the world into the politically determined first, second and third may no longer be valid. These changes have led to a change in the system of values a change in the notion of what is good and what is bad, what is desirable and what is undesirable. The status, identity, social position and other kinds of self-definition - who we are, what we are, and so on - are now determined and displayed by what we wear, what we eat, what we buy and how we spend our leisure ours. The global people equated with greed, extreme individualism conspicuous consumption and a kind of blatant dependence on goods and lifestyles to establish their identities old wants, traditionally satisfied by indigenous goods and services are

being replaced by new evens, requiring goods and services from abroad for their satisfaction. This destroys local self-sufficiency and local jobs and brings in global dependence of the state. "The indigenous seems to be the only thing which seems to remain for us". Various indigenous and tribal people of the state are very much apprehensive about losing their identities and culture. This apprehension, coupled with rapid deterioration of the living standards of the masses have triggered of various problems including internal conflicts.

The present non-liberal path of development which is being pursued in India and Manipur has also promoted new identities and new interests within local, political processes. Regional, communal, ethnic and linguistic or gender identities are getting precedence over class perspectives. These irrational ideologies grip the minds of the people thereby resulting in taking an exclusivist and sectarian view that exclude "the other". It is with such a distorted view that fanatical acts of terror are committed. Facts of history are being distorted to meet their sectarian interests. The assault on reason is carried on K.N. Pannikar has, once, remarked "Like fascism, it is a political project, which promised to build a nation based on revivalism, self-glorification and racial superiority".

But I would not blame all the groups and their leadership of conceptually privileging identity over class politics. Nor is identity politics of all hues anathema for me. For super-oppressed groups like the indigenous people, not taking cognizance of "identity" makes a mockery of all politics. All class politics must reckon with their "identity". But as Prof Patnaik rightly argues, "while class politics can have room for reckoning with "identity", there is no route from identity politics to class politics". Thus the idea "let us start organizing the tribal people and then we shall move on to organizing workers and peasants" can never work.

The objective of left politics, which aims to be system-transcending is to polarize society

at ach moment of time into two camps: "the camp of the people" and the "camp of the enemies of the people" (to use Mao-s words). Left politics therefore is necessarily about forming united fronts, about uniting as many people as possible at any given moment in the "camp of the people". But identity politics is by nature not system-transcending : it is either reformist (to get more benefits for the identified group) or secessionist (often the case with oppressed groups), or in extreme cases downright fascist (demanding ethnic cleansing.

This exclusionary nature of identity politics make most such movements unthreatening from the point of view of imperialism. Indeed, in India recently the ruling party has made extremely skillful use of political formations based on identity politics to push its neoliberal agenda. While left movement based on class politics can and must reckon with certain forms of identity, left politics cannot be approached via identity. There is the impossibility of moving to left politics from identity politics.

Such a negative development (the rise of identity politics) has further aggravated the already high tension and enlarged the scope of the internal conflicts in Manipur. Irawat was also aware that Manipur was a multi-ethnic state where there is no oppression by one or a group of ethnic group over the others. Therefore he rejected the all for identity based movement, splitting-up or self-governing. He strongly argued that this sectarian politics would weaken the fight against the class exploitation faced by the working people. He, thus called for building the unity of the working class and peasantry of the entire ethnic group to fight the common class exploitation by the ruling class. To him, identity politics is essentially exclusionary, while left politics/class politics is essentially inclusive. Manipur needs to be rescued from the identity based politics. One main road block to the advancement of the left movement in Manipur is the rise of identity politics. We must learn from Irawat to build on the rich legacy left by him.

Secularism in India

By-Viswa Chaitanya Vanapalli

INTRODUCTION:

According to the constitution of India, India was a secular state. But, India's secularism has been questioned by the world now. Through the violation of the principle of the "wall of separation" between the state and religions, the Indian state has repeatedly intervened not just on the outer, secular edges of religion but in the very heart of religious matters. Religious commitments crossed national peace and security. And tolerance was probably burned down. In the present days, the religious leaders and groups envy the growth of other religions and believe it as a degradation of their own faiths. It is the people's strong commitment to their religion that affects the aspects of secularism in India. Increasing inter-religious riots are taking places in cities, especially in and around industrial areas. Religious violence has something to do with the urban-industrial vision of life and with the political processes the vision of lets loose. Modern India has, therefore, a lot to answer for.

RELIGIOUS RIOTS:

Indian nation is diverse in its religion. Of the total population, 81.3% are Hindus, 12% are Muslims, 2.3% are Christians, 1.9% are Sikhs and the other groups (Buddhist, Jain, and Parsi) are 2.5%. The dissimilarities between different groups are a major threat to the unity of India. A secular state is not an anti-religious

state but a state without a religion. The Hindutva view of India has a considerable potential for mischief. It breathes the spirit of intolerance, alienates the minorities and even large sections of the majority and works against national unity'. Incidents such as the Babri Masjid issue (1992), the Godhra riots (2002), the Jammu-Kashmir land issue and the anti-Christian movements in Orissa mainly highlight the failure of secularism in India. Therefore, secularism remained as a myth and a cultural ideology that takes the support of the state and has failed to make the desired headway in India.

Gujarat's chief minister, Narendra Modi, explained away the riots by quoting Newton's third law. "Every action," he said on television, "has an equal opposite reaction." The "action" that invited the reaction of the mobs was the torching of a Gujarati bound train in which 59 Hindus pilgrims, most of them saffron-clad bigots who were returning home from a trip to the site of the Babri Mosque that they had helped demolish a decade earlier, perished. The "equal and opposite reaction" was the slaughter of 1,000 innocent Muslims for the alleged crime of their coreligionists. Throughout western India, Bohras and Khojas were recognized as Muslim groups of a special kind: practical businessmen, speakers of Gujarati well integrated into the local

society and culture. Yet sustained campaigns of anti-Muslim propaganda and major conflict-over past decades made them involve in the 2002 Gujarat incident. Imagine, if a similar event, had it occurred anywhere else, would have destroyed that country's reputation. But, surprisingly, in the years since 2002 the western authors wrote, praising India in their works.

After the criminal demolition of the Babri mosque in 1992 by fascist hordes of the Vishwa Hindu Parishad, a riot in which BJP leaders were participating, "cultural nationalism" came to be the new slogan of the Hindu right-wing. Two slogans that were widely touted in Ayodhya (1990) and Gujarat (2002) were "Musalman ke do hi sthaan, Pakistan ya kabristan" (meaning: for Muslims there are only two places to go-Pakistan or cemetery) which led to sum up new politics of violence. And the second "Pahle Qasai, phir Isai" (meaning: first butcher (Muslim), followed by the Christian) involved the Christian community as well. The biggest example of the failure of Indian secularism is Kashmir. Kashmiri Pandits were forced to leave. Sikhs who go there are beaten up and their hair is cut. This is like ethnic cleansing as those who do not adhere to their (separatist) religion are forced to leave." Leader of Opposition in Rajya Sabha, Arun Jaitley said. He was speaking at a function held in Delhi as part of 'Save Kashmir Day' being observed by BJP across the country.

(... to be contd.)