

Editorial

Monday, July, 23, 2018

Digital India and Internet shutdowns

Unrestricted access to the internet has become the normal in the everyday life. Kh Raghurani, Special secretary (Home) in an order dated 19th July 2018, issued a memo No. 1/1(3)/2008-H, citing various reasons suspended all telecom services except voice calls in the territorial jurisdiction in the state of Manipur and directed compliance of his order to all telecom service providers of the state for five days with immediate effect.

Holding back access to the internet, deemed a basic human right by the United Nations is frustrating as these shutdowns threaten the democratic working of nations, and also point to the steady normalisation of the mindset that permits such blanket restriction on Internet access. International human rights law protects the right of people to freely seek, receive, and provide information and ideas through all media, including the internet. Security-related restrictions must be law-based and a necessary and proportionate response to a specific security concern.

This is the third time Manipur has witnessed blocking of internet data services. Orders were issued by the District Magistrate to disconnect mobile Internet services in East and West Imphal from 18th December, 2016 due to law and order turmoil over economic blockade by the United Naga Council (UNC). Mobile Internet services were reportedly restored on 30th December, 2016 after a 12 day disruption. Complete Internet shut down (mobile and broadband, except for certain BSNL lines) starting 2nd September, 2015 after violence in Churachandpur district

Indian law provides for online restrictions. Section 5(2) of the colonial-era Telegraph Act of 1885 allows the central or state governments to restrict or interfere with the transmission of messages, though it has not been updated to specify safeguards or procedure for internet shutdowns. Section 69A of the Information Technology (Amendment) Act of 2008 allows the government to block specific websites and pages in "the interests of the sovereignty and integrity of India, the security of the State." The law prescribes safeguards before blocking content, but in practice the process is rarely followed. Instead, state governments use section 144 of the Code of Criminal Procedure, which gives states broad powers to prevent assemblies deemed unlawful to shut down internet services.

India has witnessed numerous Internet shutdowns for various reasons, all under the same provision of law - Section 144 of the Code of Criminal Procedure, 1973 (CrPC). This section resides as the sole occupant under the chapter of 'temporary instrument to maintain public tranquillity' and gives State Governments the power to issue orders for immediate remedy in urgent cases of nuisance or apprehended danger. However, the increasing use of this provision to completely shut down the Internet is becoming a cause of concern, for the reason that it amounts to a direct violation of the fundamental right to freedom of speech guaranteed under Article 19(1)(a) of the Constitution of India.

The Internet is not only a medium to exercise the right to free speech and expression, but is correctly identified as a catalyst in the process of imparting, receiving, and sending information. This freedom is undisputedly fundamental for a democratic organisation; moreover it is an enabler of other socio-economic and cultural rights. Similarly, the Internet is highly instrumental in facilitating a wide range of rights by providing a revolutionary platform in realization of free speech.

Arbitrary blocking of complete Internet services is a lopsided action in any circumstances. Internet shut down even with validation, negates the possibility of targeted filtration of content and would render inaccessible even content that is not illegal. The authority to issue orders: lies with the District Magistrate, a sub divisional magistrate or any other Executive magistrate specially empowered by the State Government in this behalf.

The reasons include sufficient grounds, requirement for immediate prevention, and speedy remedy to prevent a likely obstruction, annoyance or injury to any person lawfully employed, or danger to human life, health or safety, or a disturbance of the public tranquillity, or a riot. There were no circumstances to ban internet even though there were protests on the night of 19th of July which was after the orders issued by the Special Secretary, Home department of the government of the government of Manipur, the day which Chief Minister N. Biren visited the injured at Raj Medicity.

A complete shutdown of the Internet has implications for the entire population of that area, which includes innocent people who have no role in causing the apprehended danger or nuisance. This in turn causes wide spread censorship and a violation of citizens' fundamental right to free speech and expression as it prohibits the sending, receiving, and spreading of information.

An order under section 144 is prohibitory in nature, and the Supreme Court has differentiated between measures that have a 'prohibitory' and 'restrictive' effect. It has pointed out, that the words 'prohibition' and 'restriction' cannot be used interchangeably. The threshold for 'prohibiting' a particular activity is higher and must indeed satisfy the requirement that 'any lesser alternative would be inadequate.' Hence, though the use of this particular section has been validated in times of emergencies, where actions are taken at the discretion of the empowered authorities.

Section 5(2) of the colonial-era Telegraph Act of 1885 allows the central or state governments to restrict or interfere with the transmission of messages, though it has not been updated to specify safeguards or procedure for internet shutdowns. Section 69A of the Information Technology (Amendment) Act of 2008 allows the government to block specific websites and pages in "the interests of the sovereignty and integrity of India, the security of the State. The law prescribes safeguards before blocking content, but in practice the process is rarely followed. Instead, state governments use section 144 of the Code of Criminal Procedure, which gives states broad powers to prevent assemblies deemed unlawful to shut down internet services.

Internet shutdowns carry disproportionate costs in a digital world where increasing numbers of people access information and conduct their business online. Considering the number of essential activities and services they affect, shutdowns restrict expression and interfere with other fundamental rights.

While government has been promoting tourism in this era of digital payments, just imagine a cashless tourist, who was stranded at "Sendra Park and Resort", Moirang, after experiencing 2 days of general strike and unable to pay bills due to network failure on the next day. No tourists these days carries few cash as every payment can be digitally done. People here in Manipur are now finding it hard to pay bills, be it credit card EMIs or Recharge of MSPDCL, mobile postpaid bills, transfer of money, verification using one time password through SMS etc.

Prime Minister Narendra Modi's "Digital India" and "Internet shutdowns" can't coexist. The government has been pushing a less cash economy ever since it banned old Rs. 500 and Rs. 1,000 notes in the country. However, when mobile Internet is shut down, surviving without cash becomes an insurmountable challenge.

Writer- Shyamsunder Haobam

Letters, Feedback and Suggestions to 'Imphal Times' can be sent to our e-mail: imphaltimes@gmail.com. For advertisement kindly contact: - 0385-2452159 (0)

ASPECTS OF PAMHEIBA'S RELIGIOUS CONVERSION AND ITS IMPACT: PERSPECTIVES ON CONSTRAINTS AND CONTRADICTIONS OF DEVELOPMENT

By: H. Indrakumar

Contd. from previous issue

Clause 3 of Article 28 of the Indian Constitution clearly states that "No person attending any educational institution recognized by the State or receiving aid out of State funds shall be required to take part in any religious institutions that may be imparted in such institution or to attend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto." It shows that there is nothing to impose religious instructions in the educational institutions. Guardians and parents are not aware of maintaining religious freedom and they are quite ignorant of their religious identity while sending their children to English schools or missionary schools. On the other side of the religious movement, the worship of Pakhangpa has been increasingly popular day by day. The era of Pakhangpa Laining has already arrived. Its arrival is popularly discernible through the people's movement for Pakhangpa consciousness. People in distress including the diksha ones are in search of solace in worshipping and chanting Pakhangpa. Even some bamons are worshipping Meetei deities inspite of the fact that they are afraid of being exposed due to breach of bamonic rules.

It was these bamonic religious taboos that alienated the Meitei hills. The Hous or the hill tribes have neglected their respective hill-gods and presiding deities and switched over to a foreign religion. The moment they ignored their ruling deities they became crazy and the time for hatred, enmity, diseases and deaths has arrived inevitably. What Meetei religion had once brought hills and plains together to a common religious faith has now been confronted with heavy pull and push of external religious forces. Religion brings peace and fraternity. Any system which does not bring peace, harmony and fraternity is not religion at all and such type of proto-religion or pseudo-religion exists as well.

Cultural Factor
Cultural factors are as much associated with religious factors as religious identity should be ascertained through cultural activities and practices. Cultural traits can be traced out in music, dance, song, drama, costume, art, architecture, language, habitation, attitude and behaviour. Some might say that identity is dynamic, not static. Dynamism of identity itself is confronted with a crisis within. The Meetei girls must have long hair at the backside, falling straight over the forehead cutting across just above the eyebrow-line. They must wear phanek stretching from the waist down to the toe. A married woman must tie her hair composing round at the backhead and she must wear 'phanek' stretching from the bustline down to the toe. What scenes are obvious on the screen of dynamism can be defined in terms of western culture indicating loss of Meetei traditional identity. The 'model girls' who are

categorized as dynamic are accustomed to flaring skirts, blouse, medi, trousers, sari and salwar which are all symbols of external cultures of different communities. Most fashionable girls and married women are seen wearing sari and the parents, guardians and in laws have been helpless spectators. The wave of boycutting hairstyle has attacked the culturally unconscious teenagers as well as married women. Is this dynamism? This is a sign of dependency and inferior complex because this is unnecessary borrowing and fashionable imitation without knowing the heavy debt to be repaid for borrowing imitation and pretension. Can't you say that these dynamic fashionable traits are just foreign cultural identity, no Meetei identity? Cultural modernization is taken for granted, but a totally borrowed cultural traits being fashioned or refashioned in the name of modernization will lead to complicating the trial for resolution of identity crisis.

The Meeteis live through the communication of Meetei and Meeteiyek. Unfortunately, the Meeteis had not been given their innate right to use their mother tongue and script at the various ceremonies such as birth, marriage, death etc. it was all Sanskrit and Bengali script that the Meeteis have been using as their mother tongue and script. Some diksha people are still satisfied with all these borrowings as if they were born out of the Sanskrit womb with a Bengali blood without showing signs of Meetei mette.

For those diksha people, Sanskrit has been using in the shorat (shrudhdhas), kirtans, birth and marriage ceremonies. They are following whatever the Bamons lay down or prescribe to do and act accordingly since they are the sole authority to issue and prescribe rules of conduct for marriage, birth and death ritual ceremonies, food, adoration and worship of deities.

In marriage ceremony the bride and the bridegroom are advised or compelled to stamp chandan on their foreheads to show that they are Hindus. The bride wears potloi, adorns with non-indigenous head ornaments (Kuruk paibi) and a resham shirt. These were introduced afresh. Originally a Meetei bride used to wear phanek (mayek naiba), a beautiful cloth (innaphi) and adorns with 'kachenglei', a rounded head ornament. There is no need for stamping any chandan on the forehead. Nowadays the Meeteis used to stamp a round mark with the holy earth brought from or collected from the sacred shrines or places like Nungcheng, Purup Shoubi, etc.

During the Lai Houlaoba festival, most of the participating persons used diksha symbol of tilak mirtika (chandan thinba). Even some 'maibas' and 'maibis' and 'penakhongbas' used to perform with such symbol. But it is not necessary to do so and it spoils the cultural sanctity of Lai Houlaoba. In normal life also many persons especially the womenfolk are in the habit of stamping diksha symbol without understanding whether it should be followed only by the diksha people only or not. This phenomenon of blindly following order has so deeply rooted in Meetei society that even the small children of the diksha parents have been taught to stamp chandan mark on their foreheads. The interview I conducted was very helpful in finding out a solution that Meeteis will become one day an eye-opener to the blind following of a foreign faith going on practically with irrationalism.

Despite repudiating the concept of cultural modernization or acculturation on the basis of people having parasitic tendencies towards external cultural and religious forces, the prevailing situation is observable to have continued to whitewash the ignorance and stupidity exposed through submission without resisting against misrepresenting and falsifying Meetei national identity.

Social Factor
Need less to tell anybody else, the Hindu caste system is well known to us all. Fortunately though in the past, the Meeteis avoided the acid tase of dividing the society into a Himalayan gulf of difference among the people hierarchically. Yet they could predict a new form of Spectre haunting to spoil the fabric which the Meetei society was interwoven. As is found in India, the spectre has not stopped hatching breeds of social segregation in this land of the Meeteis. Meetei social identity is characterized by moderation, liberalism and fraternity. It is not agreeable to social extremity due to disregard of human dignity and integrity. To a Meetei, there is no question of discrimination against Muslims, tribals, and low-born people on grounds of creed, sex, race and caste. He can interline with all these people. He can go hand in hand and mix them without any bias and prejudice. Love, friendship and fraternity prevailed in the society. Unfortunately such conditions of tranquility and humanism had already vanished accidentally. Khongnang Thaba, the greatest of the scholars predicted that it would happen to be an accident or catastrophe and the former state of Meetei tranquility and humanism would surely be restored with a healing touch by the Meeteis themselves, and the restoration would not be possible in the hands of the whitewashed. Of course there is certainly liberal tendency among these sorts of people about touching him or her.

Another social disaster is uneatability. The bamons are prohibited to eat food or meal cooked and served by the Meeteis. Even if the meal is prepared by their chelas or diksha women, the bamons do not eat. This taboo is being extended to the bamon family when the hamon boy takes in love marriage a Meetei girl. The family does not eat cooked by the girl.

It is too funny to accept this order. The diksha people are not aware of the fact that most of the present bamon descendants are the results of the Meetei maternal parentage. 'Bamon Khunthoklol' shows that most of them came here without women or wives. It may again be noted that all those refugees who had migrated here for fear of severe persecution or otherwise were not Brahmins. Some were not true Brahmins but they were given bamon surname by the king and absorbed into Meetei society to get the upper hand. The social accretion has rather traditionalized the Meetei society in Hindu pattern and the tolerance realized under the circumstances has failed to turn anything significant for sustaining harmonious social system.

Linguistic and Scriptural Factor
There has been a tug of war in between two schools of thought that one of which advocate organization of Meetei language and script and the other relentlessly struggles for the restoration of Meetei and Meeteiyek. If a society is to exist meaningfully it must express its existence through its own medium of communication and without which the society is in bondage. Expression means language and if it desires to express meaningfully it must express its existence through its own script of the

language. It is therefore necessary and significant on the part of the free social being to identify himself through the expression of his infallible mother tongue and script. When such desirable conditions are disturbed, crisis exists. This linguistic and scriptural factor has created a dividing line between the Meetei and the Diksha people on the issue of defining Meetei and Meeteiyek in their respective terms. It is the attempt at Aryanisation that is responsible for creating more complications in the task for resolving the linguistic crisis.

Language is a great factor in defining the characteristics of land, people and society. The word 'Manipur' is not a Meetei term. It comes from Bengal. Many Sanskrit and Bengali names have been borrowed to christen names of persons, places and markets. In birth and death ceremonies and other particular functions and festivals of diksha people, Sanskrit has been used even though many persons do not know it. All these are written down in Bengali script. Many such persons are blindly following a path characteristic of not their own. This complexity will be an example of stupor and dullness on the part of those who lack cultivation of mind and spirit for the task of defining identity. Lack of patronage and originality is he who takes much excessive interest in an inclination and dependence of others whose ideas and things he imagines are far better and more important than his own.

In educational institutions the Meetei script has not yet been taught upto the standard of class ten. Meetei has no been used widely in institutions, organizations, associations, offices, shops, establishments, etc. for the purpose of indicating the name of each entity. The replacement of the borrowed script (Bengali script) by Meeteiyek is still a far cry despite great efforts. Since the decision-makers are not favourable towards getting the Meeteis uplifted speedily, their brains and hands are almost seen tightened without taking positive initiative to introduce Meetei and Meeteiyek upto the university level. The major people here do not mind to understand that their birthright language and script are Meetei and Meeteiyek. If the words 'Manipur' and Manipuri are taken for granted, these Bengali terms have no root or basis of originality in the land of the Meeteis, because it is the homelace of Meetei and Meeteiyek and Bengali and Sanskrit are only borrowed from outside for no purpose except for superfluous accretion. The State government knows that three language formula is in vogue but it has not taken up speedy action to use Meetei extensively in all official and non-official purposes. It has humiliated its own native tongue by avoiding its usage in the plates, signboards, departmental nomenclature, etc. For example, Education Department is English language, shiksha bhivag is Sanskrit language, and then where is Meetei? Where is the mother tongue? Isn't it an insulting injury?

(This is to be continued)
published in the book called "BONFIRE OF BOOKS: CATAclysmic RUPTURE IN THE EARLY 18TH CENTURY MANIPUR" edited by AHEBAM KOIRENG SINGH & SANASAM AMAL SINGH and published for Centre for Manipur Studies, Manipur University)