

Editorial

Friday, November 8, 2019

Civility matters; but is in the corss road

The journey towards the building of a new identity, today crosses halfway. To be or not to be, is now left to the court of those who believe in one history, one language and religion as the necessity of strengthening this nation (famous for its unity in diversity, once upon a time). For one reason the journey of making a new identity is important as it is a must to destruct into pieces the identity of an already existed nation that will remain a stumbling block to the making of a one idea nation. Yes, the historical facts about the existence of Manipur as a sovereign kingdom will either perish or will have no significance to the process of making a new one religion and one language nation if the history has been distorted. Propagating a group as mother of the cause by empowering them with all possible assistant for almost two decades and finally subjugating the political spirit fighting for the restoration of pre-1949 status is finally what has been seen today. Neither the sacrifices of thousands martyrs has been honoured nor the portion demanded has been demarcated, but all is well settled at the cost of a history of one of the oldest democratic Asiatic kingdom.

Confused rivalry in the race for power believes in existence for 'now' have been injected too much hate to people, that even the learned now feels that Mughals had humiliated the Hindus. Never in the History of India, no chapter of Mughals humiliating the Hindus is found. The series of incidents happened, were never about religion or believe but for power. They played fair game honouring all communities, languages and religions. Might and wisdom were the then ruler and the beauty of the then Hindustan was considered by every people as a land more beautiful and prosperous then the Rainbow. Everyone knows today's superpower America was discovered while Columbus was on his way to find the sea route to this country.

Slowly, the golden era of Mughals is dying from the chapter of history subjects taught in the Country's education curriculums. The matter is now an interesting part to the western historians these days and is a subject often talks in academic discourse on international studies.

For this Asiatic nation, which had a written constitution before the country of today, there is not a single page open in the school curriculum for youths. Youths of today are not taught on how, where and when this erstwhile kingdom became a part of this big nation in the process of making. Some few years back scholars started arguing the legitimacy of our presence within this nation and finally even the one time top bureaucrat of the government today said that the country had committed wrong by not recognizing the history of this land. When people across the nation (in the process of making) started understanding the real issues of the region, people are left in crossroad. People are now left to choose different boats with different captains and the joy of riding the same ship with the spirit of brotherhoods will be history which will have no significance to the present day political scenario. It's now an interest of the international community to watch on the fate of the young nation. A civility to the issues of today will only be blessed if we learn on how to be a human being.

Rule of Law in Kashmir: An Introduction

By- Inamul Haq

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After the abrogation of Article 370 and 35 A by the Indian government, the valley was turned into prison. Curfew, communication blockade, internet shattered, and heavy militarization were established in each and every corner of valley. However, civilian deaths declined throughout the autumn, by organising salient protest prompted Indian newspapers to announce a return to normalcy in Kashmir. According to H. Duschinski and S. N. Ghosh, established across decades of conflict, the media frame of "return to normalcy" characterizes politics in the region as a cyclical rise and fall of mass uprising and state repression in Kashmir Valley, and a recurring escalation and de-escalation of cross-border armed hostilities and diplomatic tensions between India and Pakistan (2016). This account has become especially dominant since the beginning of the current phase of the resistance movement in 2008, 2009, 2010, 2016, 2019 and it is aligned with India's longstanding military-political strategy for managing Kashmir, which has produced what Paul Staniland (2013, 932) calls a "paradox of normalcy" wherein the opponents are arbitrarily detained and other side electoral competition is encouraged. Besides that, the rule of law is hailed, but state accountability is extremely weak; and generally non-violent mass mobilization is met with heavy-handed security forces." (2016). The article will focus the rule of law with the present situation of Kashmir.

According to Jeremy Waldron, the rule of law is considered as one of the important political ideals of the contemporary period. It is one of the principles of modern political morality, human rights, and democracy. There is the importance of the rule of law as it is invoked whenever the authorities are using their illegal measures and oppressive actions and ignoring the norms and procedures laid down by the country's laws or constitution. The interfering of state with the judiciary, arresting without legal procedure, detained without due process are being treated as abuses to the rule of law.

History had witnessed a huge number of authorities and regimes that have ruled their reign through their own laws, which were severe in nature. These regimes used laws to crackdown the society and anyone challenging their power was being dealt with the rule of law that is being applied uniformly across the society. The examples of Mussolini, who created the Italian fascist party, the Nazi party of Hitler and the communist party of Mao Zedong in China and similarly Modi, who is on the edge to create Hindutva. These leaders, who used the rule of law in an authoritarian way to justify their tyrannical regimes.

In the contemporary era, the rule of law is also being violated by interfering in the judicial matters and carrying out illegal detentions without the safeguard of procedure established by law. There are significance and relevance of the rule of law with human rights as it provides the foundation of equality, development, accountable government and respect for human rights. The rule of law springs from the rights of an individual developed throughout history. The development and birth of human rights are inextricably linked with the dynamics and progressive advancement of the doctrine of the rule of law. There is a close relationship between rule of law with human rights as rule of law is the implementation mechanism which turns them from principle to reality.

As per Scheuermann, after the end of the cold war, there comes the terrorist attack of September 11, 2001, which opened the doors not only in the United States but to the rest countries to extensions of discretionary forms of emergency executive authority in the nature of the emergency. The state of emergency is known by different names like the state of exception, the reason of state, state of siege is a condition, in which a state is facing the moral threat and in response, the state is indulged in such things that would never be justifiable even in normal times.

The question arises that can emergency becomes justifiable in the contemporary period, when there are international human and humanitarian laws that do not allow the violation of liberty even in war crisis. The emergence of democratic and constitutional democracies has created justifications for using violence in order to combat the threat. However, democracies have embraced both separation of powers and justiciable system of rights, which cope with an emergency in terms of viability and accountable government. Moreover, constitutional democracies are having long term respect for human rights in the constitutional order.

In the early 18th and later 19th centuries, the European constitutions elaborated the idea of the state of emergency. The French constitutions of 1795 and 1800 were written for a time of emergency. Both these constitutions gave unlimited powers to the head of the state and did not ensure separation of power and respect for human rights. Similarly, after the end of the First World War, the Weimar Constitution (1919) was written in Germany tried to ensure constitutional failure in the time of emergency did not occur. The drafters inserted Article 48, that defines the constitutional state of emergency. The article 48 gives the president extraordinary powers to cope with extraordinary threats to the state. Besides that, it ensures the president to suspend the basic rights and use military might to fight the threat. The use of unlimited powers given by Article 48 created chaos in terms of violence, economic crisis and political disagreements. The Weimar constitution was sacked by Germany and Carl Schmitt also played a role in it. Carl Schmitt who gave the concept of the state of exception justified it in a constitutional democracy (Ibid). In his work 'Political Theology' he started with the sentence that "sovereign is he who decides on the exception". Schmitt connects the sovereign with the capacity to define when a situation can be

handled within normal rules and it must be treated as an exception to normal governance. He stated that a sovereign has the ability to operate outside the juridical normality. According to him "the precise details of an emergency cannot be anticipated, nor can one spell out what may take place in such a case, especially when it is truly a matter of an extreme emergency and of how it is to be eliminated. The precondition, as well as the content of jurisdictional competence in such a case, must necessarily be unlimited. From the liberal constitutional point of view, there would be no jurisdictional competence at all. The most guidance the constitution can provide is to indicate who can act in such a case" (Schmitt, 2005).

According to Scheppele that in a constitutional state, the rule of law restrains the ruler for using power. However, the rule of law cannot restrict the ruler in the exception, because exception makes visible the incompleteness of the constitutional design by its nature. It forces the sovereign to act outside the rules and regulations in case of emergency. In such a situation, the sovereign has all of the powers to justify the emergency in order to cease the situation and reimpose the rule of law.

Carl Schmitt favours that the leader of the state should be allowed to do everything to protect law and order. Historically, the state of exception has its influence on the political and legal aspects of an individual. During this period, there remains the suspension of normal functions of government, suspension of civil liberties, such actions are political and are having an influence on the basic rights of the citizens.

The present scenario of the state of Jammu and Kashmir represents the same image as within the abrogation of article 370 and 35 A thousands of people including politicians were arrested and detained under Public Safety Act. The communication blockade that remained around 80 days proved that rule of law is a myth in India and revised the dictatorship of Hitler once again.

Celebrity Fashion Director Harshit Dhingraun success makes him win International Award

By Team DFC

From Working In Media & Hospitality industry to start making name in Fashion industry , Award winning Celebrity Fashion director Harshit Dhingraun Journey is quiet inspiring, being a middle class guy from Delhi to make name in Fashion Industry was not that easy but love for his creativity & strong values to bring change in society keep driving him towards his goal. Lets know more about this great personality. He is a multi-talented personality ventured into Fashion industry as model, walked the runways, worked as RJ, VJ & an actor on MTV & Channel V in reality shows then finally evolved into a celebrity Fashion director , stylist and consultant helping many Designers , Models & Brands to have a great start in fashion Or Lifestyle industry. Today, he is Fashion Director & Chairman of Delhi Fashion Club and Have made a name in field of Fashion and Entertainment. His struggle towards success starts from teenage time, started his



journey back in 2007 working in a Tv news channel at age of 18 Yrs, then slowly after a year, he realized that his main motive is to enter the entertainment and glamour industry so he started working on his looks and personality . Entered the industry as Model ,got his first break with Channel V reality show & done MTV Show. During this period of following his passion, he completed his studies of Mass communication, BCA & MBA and Fashion Marketing Diploma from Institute of Design. He observed that there is a strong need of a platform or agency which creates a bridge between the talent & the opportunities. Hence , he came up

with an idea of forming an association which can help talent in getting groomed ,get right guidance & opportunities simultaneously promote handloom & textile as well. So With a group of intellectuals & institutions of the industry he founded "Delhi Fashion Club" in 2016. Delhi Fashion club is an association which is appreciated by government of India for promoting handlooms and textiles, they also includes DFC Productions which Groom & promotes models along with giving fashion and brand building consultancy to designers & lifestyle brands.

Harshit Dhingraun have worked as show director , consultant & styled shoots for various designers which include celebrity designer Robert Naorem from manipur , Brand Kovet.in , anjana misra designer winner of tiffany fashion week paris , celebrity designer ashaq ahmed and many. He & his association

Delhi Fashion Club have worked with various fashion weeks as fashion promoter, choreographer & partners in past which include India fashion week , asian designer week , International Fashion week Goa , North east fashion shows & many. He have got many awards for his fashion and humanitarian works as well some includes award from IOD As youngest Best Fashion director and consulted in india.

He have worked with various celebrities for his entertainment & Fashion gigs, Where which include celebrities like Bollywood star Karan singh Grover, Comedian Bharti singh, jacky bhagnani, soma laishram Manipuri actress and because of his social reputation have met few of the biggest icons such as Priyanka chopra & shah rukh khan with whom he shares a personal repo whenever he have met, "its just like a magical connection" only he says.

He believes that if you have heart to do something big then where you come from , what you have or not doesn't matter, what matter is strong will to create change and be a change maker which will eventually make you a great & successful person. For more visit www.delhifashionclub.org or connect to him on social media <https://www.instagram.com/harshidhingraun>, facebook - <https://www.facebook.com/harshidhingraunofficial>.

Revolutionizing the education arena, Chankaya IAS Academy opens its 19th center in Nagpur

By a Correspondent Nagpur, Nov. 8

With the aim to provide quality education and training to civil aspirants, India's premier Institute Chankaya IAS Academy recently opened its new center in Nagpur.

Chankaya IAS Academy, being a pioneer institute for civil services examination running under the guidance of success guru Mr. A.K Mishra has always been at forefront in making innovative developments for better training and education of the students in the field of civil services and other competitive exams has accomplished yet another milestone by opening 19th centre in Ram Nagar, Nagpur.

"Serving as a civil service administrator is a dream career of most of the youngsters in the country. We always aimed at providing quality education to the aspirants and helping them to realize their career goals. . Now with the opening of our new center in Nagpur, our motive is to provide equal opportunities and better training skills for the aspirants of Maharashtra to

succeed in the most coveted exam of the country. Along with imparting quality education and enhancing their overall skills, the newly-launched center will focus on conducting regular mock tests for the aspirants. This will help them in getting clear idea about the difficulty level of the exam and level of preparation required to crack it." Said Success Guru Mr. A.K Mishra, Founder and Managing Director, Chankaya IAS Academy

Apart from training the students for civil services exams. Chankaya IAS Academy has always focused on overall development of talented students of the country. The Academy always aimed in making important steps and innovative ideas for better future of the students. They have always worked towards the social development to encourage the hidden talent of the country. The recent agreements of the Academy for like increasing the employability of tribal students and bringing together the students of pruvanchal region has proved them to be a social responsible authority.

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