

The Doon School Model United
Nations Conference 2018

BACKGROUND GUIDE

INDIAN
PARLIAMENT: LOK
SABHA



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ABOUT DSMUN

The Doon School Model United Nations Conference is one of India's biggest and well-reputed high school MUN conferences. Since its inauguration in 2007, The Doon School Model United Nations Society has hosted an engaging, entertaining and intellectually stimulating conference annually, with each leaving behind a unique legacy. DSMUN has grown to be one of the key entries in every school's MUNning calendar. DSMUN has a history of attracting the best of both—the Indian and the international delegates—from the Pan-Asiatic Region. With each passing year, DSMUN has evolved and developed its programme, introducing new committees, creating singular crises situations and setting unorthodox agendas to challenge the delegates.

The Doon School, one of India's most reputed and prestigious institutions, is a member of the G20 Group of Schools, The Headmasters' and Headmistresses' Conference, The International Boys' Schools Coalition and the Round Square Conference. With its motto, "Knowledge Our Light", the School aims to mould its students into gentlemen of service and leaders for the future. Model United Nations is one of the largest and most popular activities in School, with over 200 students involved in it. The beautiful and serene 72 acre Chandbagh Estate, in which the school campus is set, and its heritage buildings, provide a scenic venue for the conference, ensuring that it will be an experience unlike any other MUN.

The DSMUN Secretariat is proud to host The 12th Doon School Model United Nations Conference from the 17th to the 19th of August, 2018. Popularly referred to as DSMUN '18, this year's conference intends to engage the delegates in 12 diverse committees, each of which will generate discussion on various contemporary and thought-provoking issues. There is also the promise of an opportunity to make new friends and create lifelong memories. We look forward to seeing you in Dehra Dun in August!

Crises to keep you on your toes, unforgettable memories, interesting new people to meet and an experience worth a lifetime—DSMUN '18 will have it all!



DSMUN'18

Ojas Kharabanda

SECRETARY GENERAL

Ritwik Saraf

PRESIDENT

Aayush Chowdhry

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THE DOON SCHOOL MODEL UNITED NATIONS

A LETTER FROM THE SECRETARY GENERAL

Dear Delegates,

It is an absolute privilege and honour for me to welcome you all to the 12th edition of The Doon School Model United Nations. What was once a small regional event has evolved and grown into an international conference with a repute and prestige that extends across borders. This year, we aim to raise the bar higher, with an invigorating mix of structured GA committees like the DISEC and Security Council to dynamic crisis committees like The Third Reich.

I am a veteran of the International Baccalaureate Diploma Programme, and take a keen interest in geopolitical developments across the world. I am extremely passionate about photography, and am the Editor-in-Chief of The Yearbook, which is one of the premier publications of our school. I have been involved for a considerable time in the MUNning world, and apart from winning multiple accolades, was the Vice-President of last year's conference. In a world that is becoming increasingly divisive and polarized, it is vital that we realise the special importance diplomacy and the simple willingness to hear each other out holds. Each committee is uniquely placed at a time and place to make a difference, but only if we approach each negotiation with peace as the goal will our time here be fruitful. I eagerly await your presence at Chandbagh.

Warm Regards,

Ojas Kharabanda



DSMUN'18

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THE DOON SCHOOL MODEL UNITED NATIONS

A LETTER FROM THE PRESIDENT

Dear Delegates,

I am extremely delighted to welcome you all to the 12th edition of the Doon School Model United Nations. Over the stretch of 12 years, DSMUN has earned itself a place among the most eagerly awaited MUNs in the whole of India; this year too, we have spared no effort in meeting these expectations.

With over 12 committees, including the GA committees of DISEC and SPECPOL as well as exciting crisis committees like Board of Control, East India Company, DSMUN promises to engage the delegates in a fierce tussle of rhetoric, negotiation and documentation- areas that have come to occupy an important place in an individual's holistic development. Further, DSMUN also provides an exciting opportunity for the delegates to meet and make unforgettable memories with people from all over the country!

I currently pursue the ISC curriculum., and after having served in the DSMUN secretariat for 3 years, I am privileged to be at its helm as the President in my last year in School. As the world continues to shrink to an even smaller place, the problems that torment humanity continue to expand. Time, therefore, warrants us to step up and collectively lead the human race to a better tomorrow. And to initiate this, we must begin from a young age itself.

Looking forward to meeting you in August,

Ritwik Saraf



DSMUN'18

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THE DOON SCHOOL MODEL UNITED NATIONS

A LETTER FROM THE CHAIRPERSON

Hello Delegates!

As the chairperson of the Disarmament and International Security Committee, it gives me great pleasure in welcoming all of you to The Doon School Model United Nations Conference, 2018.

Disarmament and International Security, colloquially 'DISEC', is the first committee of the UN General Assembly. It forms the kernel of the security spectrum of the UN; more comprehensively, it urges member nations to collaborate and work coherently to remove all threats on international peace and security. The committee, in general, requires out of the box yet pragmatic thinking, and this is exactly what I expect all delegates to bring to the table this year.

Originally, the NPT was conceived for only 25 years; however, it was extended indefinitely in May 1995. Over the years the NPT has come to be seen by many Third World states as "a conspiracy of the nuclear 'haves' to keep the nuclear 'have-nots' in their place". This argument has its roots in Article VI of the treaty which "obligates the nuclear weapons states to liquidate their nuclear stockpiles and pursue complete disarmament"—the non-nuclear states see no signs of this happening, and the treaty has often come under scrutiny as an ineffective document. Therefore, it is the DISEC's prerogative to step forward and suggest amendments to resolve this issue.

As for myself, I have taken the risk of pursuing the IBDP curriculum, and am currently in the SC Form (Class 12). In School, I am actively involved in basketball, social service, quizzing, MUNs and am an editor in various School publications. I am also a School Prefect and the House Captain of Jaipur House. In my spare time (if I have any) I watch numerous movies and TV shows and keep up with the latest music, but none of it from Bollywood.

Lastly, I expect a high level of debate in committee but you will find that I find the creation of memories much more important!

Best,

Aayush Chowdhry

DRAFT OF THE NATIONAL INTEGRATION BILL OF 2018

The Bharatiya Janta Party firmly believes that India is plagued by differences within different religions, castes and communities. Such disparity among the people has made the nation vulnerable to communal and religious forces, which have compromised the sanctity and peace of the state and the safety and security of its people. Being the party that promises a bright future for the nation, the Bharatiya Janta Party wishes to integrate the minorities and envelope the various differences among its people that have developed as a result of varying social cleavages. In order to accomplish such a feat, the party would like to propose the NATIONAL INTEGRATION BILL of 2018. The bill proposes the following:

1. To draw upon the best traditions of our sacred nation and harmonize them with modern times, a Uniform Civil Code, drafted by the Lok Sabha,

will be implemented across the nation. This would fasten our efforts to assimilate all religions into the society and streamline the culture of the people;

2. To prevent linguistic differences from causing social tensions, Hindi will be promoted as the national language of the nation, along with other Indian languages which are repositories of our rich culture, heritage, literature, art and scientific achievement;

3. To promote patriotic fervour among the citizens, the cow and its progeny will be promoted as the national symbol of our nation. In view of the contribution of the cow and its progeny to the agricultural, socio-economic and cultural life of our nation, it will be every citizen's fundamental duty to protect cows and promote their well-being.

AGENDA 1: UNIFORM CIVIL CODE

Introduction

The Uniform Civil Code (UCC) has been a contentious topic in the Indian polity since the very inception of the ideology. The Code aims to bring uniformity in the personal and family laws of varying religions and castes across India. The debate on UCC dates back to the days of our country's struggle for Independence. Bhimrao Ambedkar and Jawaharlal Nehru wanted its implementation across the nation, however, due to stiff resistance, the dream for a UCC was forgotten and it was given the shape of a Directive Principle. In light of the recent turmoil our country faces in the name of religion, the debate about UCC has resurfaced stronger than

ever.

History of the Uniform Civil Code

There was a profound misunderstanding of the pre-colonial system that led the British to believe that religious and scriptural tradition was the basis of all custom, morality, and jurisprudence in the Indian subcontinent. Thereby, since 1770s the British concentrated on codifying Hindu and Islamic laws and administering these in court with the aid of *pundits* and *maulavis*. Hence, Uniform civil code aroused as a debate between the Hindu-Muslim religious communities 1930, the year in which the leader of the Indian National Congress, Jawaharlal Nehru demanded for a Uniform Civil

Code to be set-up in the country. Many senior leaders like Vallabbhai Patel and Dr. BR Ambedkar did not approve of such a bill then, as they did not see the need for it.

On 11th April 1947, Dr. BR Ambedkar introduced a Hindu Code Bill in the constituent assembly in order to liberalize the personal laws, including those of marriage, religion and other such important ones so as to broaden the freedoms and the equality of men and women in the Hindu Social system where men overpowered women in every aspect of society. The Hindu Code Bill mainly covered 'right to property, order of succession to the property and maintenance, marriage, divorce, adoption, minority and guardianship.' Since at that time it was seen as the most controversial bill by the provisional parliament, it was presented in front of the house twice. However, there was no clear progress on any. Thus, the attempts of the government to pass a bill that was to bring radical changes in the civil laws governing the Hindus could not succeed.

The urgent need of a Uniform Civil Code in independent India arose after certain incidents required the government to interfere in marital laws of women in certain religions. The most controversial of such incidents was the Shah Bano Case of 1985 in which the victim, Shah

Bano, a 73-year old woman, sought maintenance from her husband, Muhammad Ahmad Khan. He had divorced her after 40 years of marriage by 'Triple Talaq', and had denied the maintains she pleaded for, something that was legitimized under this sort of unilateral divorce under the Muslim Personal Law. Shah Bano took this case up to a local court in 1980, where she was granted maintenance by the verdict. Muhammad Ahmad Khan, being a lawyer himself, took this case up to the Supreme Court where he stated that there was no need for him to pay any sort of maintenance as he had fulfilled his obligations under Islamic law. Abiding by the Section 125 of the All India Criminal Code which is an 'order for maintenance of wives, children and parents' which is applicable to all citizens irrespective of their religion, the final verdict of the Supreme Court ruled in the favor of Shah Bano. Not only did this do justice to her, it also spread awareness about how the country was in a dire need of a Uniform Civil Code so that any such matters did not arise in the future.

The Shah Bano Case soon gained both political and public interest. The public took keen interest in the case and was now inquisitive about the marital laws every citizen of the country has. The Muslim community being the largest minority in India soon felt threatened about the law interfering with their traditions and culture and tried to oppose the same. The All India Muslim Board defended the application of their laws and supported the Muslim conservatives who accused the government of promoting Hindu Dominance over every Indian citizen at the expense of minorities.

In 2015, a 35 year old Muslim woman namely Shayara Bano was divorced by her husband after 15 years of marriage by 'Triple Talaq', a practice



followed by Muslims for annulment in which a man can get rid of his spouse by just saying 'Talaq' thrice. Shayara filed a petition in 2016 in which she questioned the apex court about the Muslim practices of *Talaq-e-biddat*, polygamy and *nikah halala* and also requested the court to declare these practices illegal and unconstitutional as they violate the Constitution under Articles 14, 15, 21 and 25. Her husband, Rizwan Ahmad opposed her plea by merely stating that Muslim personal law governed all these practices. The court ruled in favour of Shayara Bano, thereby annulling Triple Talaq in India. This controversy resurfaced the debate of a Uniform Civil Code in a 21st century – religiously sentimental India.

The debate revolving around the Uniform Civil Code

Proposition: The UCC argues that the family and personal laws for every citizen of the nation be the same. Its motive is to establish a Code where certain ideals from the Personal Law of every religion are taken and brought under the same roof. The ongoing debate on The Triple Talaq or the amendments in the Hindu Personal Code regarding inheritance of property to women are cases that have fuelled the fight for a Uniform Civil Code.

Apart from protecting members from such injustice from their Personal Laws, the UCC also strives for a more progressive society. It runs under the slogan "One Nation, One Law". Many argue that a UCC would create a society that is forward thinking and more inclusive for all minorities, religions, and castes across our nation. Issues ranging from inheritance of property to divorce would attain the same form for everyone, irrespective of their background. Another argument that rises in favor of the UCC

is that the millennial is progressive and wants to live in a society that enjoys the privileges above.



Opposition: However, multiple arguments stand against the UCC as well. Firstly, while the idea for a UCC looks very favourable, we need to realize the ground reality. We live in a nation which has seen years of communal conflict. To remove all boundaries between numerous religions and communities and to finally come to a consensus is a farfetched dream. A draft bill or resolution regarding a UCC has also never come up. It only exists as a model or idea from which we can draw inspiration.

It is India's diversity which has helped it attain such a status on the global forum. It is home to people belonging to a diversity of religion, regions, caste, creed etc. To come up with a Code that satisfies and meets the needs of every community can only lead up to a legislative nightmare. Furthermore, we notice that the Personal Laws of various religions need multiple amendments in themselves too. Hence, to come up with a UCC that addresses the issues of all Personal Laws while is also flexible enough to be accepted by the innumerable communities in our nation seems like an implausible idea.

It is also feared that the legislative dealings of such a Uniform Code could see the suppression

of minorities. The Code aims to take the best from the Personal Laws of various religions and consolidate them. In the view of potential conflict between various communities to get their Personal Laws made a part of the UCC, it is feared that the minorities will lose voice in the legislative dealings of such a Code.

However, most importantly, it is believed that a UCC directly attacks the secularity of our nation. The Constitution enshrines that the citizens of India have freedom in choosing the religion that they believe in, practice it according to their beliefs and propagate it as they wish to. Obviously, any action in the name of religion that incites violence on any scale is not tolerable by the Constitution. The UCC takes this freedom away from the citizens as they would no longer have the same privileges and would thereby violate our Constitution. One would then be compelled to follow the laws formulated under the UCC. In the past, the UCC has received strong opposition from the Muslim and the Hindu community under the same reasons.

The debate is now more active than ever considering the ongoing developments in the Personal Laws of the various religions. The issue of UCC affects every citizen of our nation. The country faces a big challenge as it gears up for debates on an issue like UCC. The debate probably needs a direction with a substantive bill or a resolution, something which we look forward to in the committee.

Articles of the Constitution affected by the implementation of the Uniform Civil Code

Article 14 of the Indian Constitution that propagates for 'Equality before law' states 'The State shall not deny to any person equality

before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.' The implementation of a Uniform Civil Code will guarantee that all citizens of the country get basic human rights regardless of their belief system. Following a Uniform Code will be beneficial for the people of the country as the major burden of religious practices will be removed off of their heads.

Article 15 of the Indian Constitution states 'Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth'. Implementation of a Uniform Civil Code will decrease the discrimination faced by the people because citizens of the country will have uniformity and will no longer be different as their will be only one set of practice to abide by.

Article 21 of the Indian Constitution states 'Protection of life and personal liberty. No person shall be deprived of his life or personal liberty except according to procedure established by law.' The implementation of a Uniform Civil Code will not only make all religious practices liberal but will also guarantee the annulment of all illiberal religious practices, such as that of Triple Talaq.

Article 25 of the Indian Constitution states 'Freedom of conscience and free profession, practice and propagation of religion' If a Uniform Civil Code is implemented, problems which are prevalent in the modern periods such as those faced by member of the Muslim Community as they have to abide by the Muslim Personal law will be done away with as they will have no compulsion as to what they can or cannot do as mere human beings.

Article 44 of the Indian Constitution states 'Uniform civil code for the citizens The State

shall endeavor to secure for the citizens a uniform civil code throughout the territory of India.' Implementation of a Uniform Civil Code will uphold this Directive Principle and will lead to India being a more secular country than it already is.

The Current Personal Laws in India

Marriage

Laws in relation to marriage or divorce have been codified under different enactments for various religions. These fall under Acts like The Indian Divorce Act, 1869, The Indian Christian Marriage Act, 1872, The Special Marriage Act, 1954, The Hindu Marriage Act, 1955 etc.

The Special Marriage Act extends to the whole of India apart from Jammu and Kashmir. The people governed by this Act can register for marriage under the said Act even after belonging to different religions. The Hindu Marriage Act, 1955 extends to the whole of India apart from the State of Jammu and Kashmir and applies to Hindus, Sikhs, Jains,

Buddhists and all those who are not Muslims, Christians, Parsis or Jews. This Act also does not apply to the scheduled tribes unless the Central Government by notification in the official Gazette otherwise directs. In regard to divorce, section 13 of the Hindu Marriage Act and section 27 of the Special Marriage Act mention that divorce can be sought by the husband or wife under the broad heads of adultery, desertion, cruelty etc.

With regards to the Christian community, Indian Christian Marriage Act, 1872 and section 10 of the Indian Divorce Act, 1869 contain provisions for marriage and divorce. The husband can seek divorce on the grounds of adultery and the wife can seek divorce on the conversion of the husband into another religion or marriage with another woman. Multiple other factors can account for the husband or wife to seek divorce.

Marriage for the Muslims works under Mohammedan Law prevalent across the country. With regards to a divorce, a Muslim woman had very restricted rights. Unwritten and traditional



laws brought down the position of the woman in the Muslim community. The Dissolution of the Muslim Marriage Act, 1939 gave a Muslim wife the right to seek divorce on the grounds of cruelty, imprisonment of husband for 7 years or more etc.

The Parsi Marriage and Divorce Act, 1936 governs the matrimonial matters of the Parsis. The word 'Parsi' has been defined as a Parsi Zoroastrian. Every marriage as well as divorce under this Act is required to be registered in accordance with the procedure prescribed in the Act. However, failure to fulfill requirements on that behalf does not make marriage invalid. The Act only provides for monogamy. The scope for certain provisions of this Act has been enlarged to bring them in line with the Hindu Marriage Act, 1955.

As for the Jews, there is no codified law for the community. Marriage is monogamous and can be dissolved in the court on grounds of adultery and cruelty.

Child Marriage

The Child Marriage Restraint Act, 1929, from 1 October 1978, provides that marriage age for males will be 21 years and for females 18 years.

Political Parties and their stance on the issue

Bharatiya Janta Party

In the 2014 General Elections, the BJP carried the UCC as an integral part of its election manifest to. The support for the UCC runs strong on its agenda. The BJP believes that the UCC will lead to a more secular and progressive India. Even after facing heavy criticism from the Opposition, the BJP has not wavered from its stance and continues its battle for a Uniform Civil Code.

The Indian National Congress

The Congress believes that the implementation of a Uniform Civil Code is extremely difficult and not feasible at all. Again, the Congress stands for the secular and pluralistic nature of India something that it feels can be threatened with a UCC in place. The Congress fiercely opposes the BJP on the matter of a UCC.

All India Trinamool Congress

The TMC opposed the ban on the Triple Talaq. They believed that it would be a precursor to the UCC being implemented. TMC believes that the Uniform Civil Code would take the freedom from religious minorities such as the Muslims to practice their religion. The TMC believes that a UCC would attack the secularity of India.

People's Democratic Party

The current ruling party in Kashmir stands against the Uniform Civil Code. Even after being in alliance with BJP in the state, the party has deep ideological differences over the issue of Uniform Civil Code. Prominent party leaders from PDP also believe that it would be a political suicide to join hands with BJP on an issue such as this.

The Communist Party of India (Marxist)

The party firmly believes in the reformation of Personal Laws of various religions that need immediate attention. However, the party opposes the initiation of a Uniform Civil Code across the country. Moreover, the party has been at a clash with BJP on this issue. The party believes in national integration but not through a Uniform Civil Code as they believe that it will have reverse effects.

Nationalist Congress Party

The party has shown firm resistance against practices such as the Triple Talaq. However, it

does not believe in the integration of all Personal Laws to one Uniform Civil Code. In response to BJP's support for UCC, the party said that the BJP should focus on other burning issues in the country.

All India Majilis –e-Ittehadul Muslimeen

The party led by Asaduddin Owaisi stands firmly against the UCC. The party believes that a UCC would destroy the pluralistic nature of our country. The party believes that a UCC attacks the secular structure of the nation and has demonstrated against it through multiple judicial appeals as well. The party stands firmly against the BJP's stance on UCC.

Shiv Sena

Backing up the BJP on this, Shiv Sena firmly supports the UCC. The Shiv Sena believes that the injustices of various Personal Laws would eliminate with the Uniform Civil Code in place. Shiv Sena, like the BJP, believes that a UCC would strengthen the secular fabric of our country.

National Conference

The leaders of the National Conference stand against the UCC. They believe that it would be intolerable for the Muslim community. They believe that a community should have the freedom to practice their religion and follow their own customs and beliefs.

Janta Dal (Secular)

For the leaders of this party, it is hard to imagine a Uniform Civil Code that would not affect the religious freedom of various communities across our nation. The JD (S) much like many parties in the opposition stands against the UCC.

Aam Aadmi Party

Although the Aam Aadmi Party is not completely

against the implementation of a Uniform Civil Code, it wants to comply to everybody's needs and hence suggests special provisions for the Muslims, Christians and other minor religious groups.

Indian Union Muslim League

The Indian Union Muslim League is firmly against the implementation of a Uniform Civil Code in India solely because it violates the Muslim Personal Law. According to the National Secretary of the Party E.T. Mohammed Baseer, "the idea of a Uniform Civil Code is Communal and is against the secular character of the country."

Akali Dal

Although an ally of the BJP, which firmly supports the implementation of a Uniform Civil Code, Shiromani Akali Dal is not for the implementation of such a bill as it feels that doing so will lead India to lose its diversity in culture.

Samajwadi Party

Mulayam Singh Yadav wants the issue of implementing a Uniform Civil Code to be left to religious leaders and has decided to remain largely silent on the issue. He stated that, "I will not say much on this issue but there should not be dispute on it. The issue of uniform civil code should be left to religious leaders. On the issues of country and humanity everyone should be united."

References and Further Reading

- <https://www.onlinejournal.in/IJIRV2I3/002.pdf>
- http://shodhganga.inflibnet.ac.in/bitstream/10603/54472/11/11_chapter%204.pdf
- <http://ili.ac.in/pdf/paper217.pdf>
- <http://iclrq.in/editions/jan/2.pdf>

AGENDA 2: MAKING HINDI THE NATIONAL LANGUAGE

“India is not Hindi, and Hindi is not India”

- Srujana Deva

Although, most of the national business of India is done in English, Hindi too is the working language of our country. 425 million people in India consider Hindi as their first language, and 120 others consider it as their second, making it the most popular language spoken over the country. The Indian Constitution clearly states that Hindi is an official language of the India and not the national language. According to a 2001 census, around 42.2 crore people listed Hindi as their mother tongue, of which 25.79 crore spoke Hindi in its pure form, and another 16.41 crore in 49 mother tongues similar to Hindi. 41.03% of the population of India in 2001 considered Hindi as their mother tongue.

Being observed by Chief Justice S.J Mukhopadhyaya and Justice A.S. Dave of the Gujarat High Court, a majority of the population of India declared Hindi as their National language to which there was no record suggesting that any provision that had been made or order issued declaring Hindi as a national language of the country. The court observed, “Normally, in India, majority of the people have accepted Hindi as a national language and many people speak Hindi and write in Devanagari script but there is nothing on record to suggest that any provision has been made or order issued declaring Hindi as a national language of the country.”

Being opposed by many, the BJP government wants Hindi to be promoted as a national language in the country since it came into power in 2014. By boldly promoting Hindi, the government is refusing to make the false choice

and laying the foundation for a more united nation. It had decided to promote the use of Hindi in routine conversation in government offices and plans to make the language more popular in the Northeast and South India. The masses supporting the BJP backed this claim by putting forward points such as , “Hindi is easier to learn” ,”Hindi as better learning outcomes more productivity and innovation” ,”Hindi is an elite more connected to the masses” and “Having Hindi as a national language will have a more inclusive and prosperous economy” and many more.

Majority of the population who in this case was against this ideology of the BJP was affected by this claim and put forward rational arguments such as “Promoting Hindi as a national language will be jeopardising the ‘Unity in Diversity’ that has lived long enough in the country.” “The irony is that Hindi in India does not enjoy the status of a national language. It is not the language aspiring India wants to learn, yet the government wants to spend millions of dollars promoting it as the official language of the UN,” said Priyadarshan, a New Delhi-based Hindi novelist, critic and journalist. The nation feels that rather than just promoting Hindi as the national language of the country, the other 22 minor languages in the country should also be recognized on the same platform and should be given the equal amount of resources in order to get developed. Deva, a very strong opponent to the imposition of Hindi in South India stated that “Homogeneity is not our identity. We thrive in diversity and I feel that the government is trying to weaken us by tampering with our diverse linguistic and cultural heritage.”

Not very long ago, a debate ensued between Shashi Tharoor and the External Affairs Minister, Sushma Swaraj about making Hindi an official language at the UN. It was brought forth that a majority of our nation spoke Hindi as their mother tongue and making it an official language in the UN would only increase our soft power in the global community. Sushma Swaraj also brought forth that Hindi was also the official language of a few other countries like Suriname and versions of it were used in countries such as Trinidad, Tobago and Fiji. However, it was counter argued by Tharoor that Hindi simply wasn't our national language and it was only a move to consolidate the Hindi hegemony over the country. It was also highlighted that parts of

South India and North East had their own languages and sets of dialects and Hindi was almost an alien language.

The debate about Hindutva hegemony over the country runs strong. Hindi being made a national language is a debate that has taken a political turn and something that needs to be delved into in the committee's discussions.

References and Further Reading

- <https://timesofindia.indiatimes.com/india/Nearly-60-of-Indians-speak-a-language-other-than-Hindi/articleshow/36922157.cms>
- <http://www.thehindu.com/news/national/Hindi-not-a-national-language-Court/article16839525.ece>

AGENDA 3: MAKING COW THE NATIONAL SYMBOL OF INDIA

Introduction

The perilous frenzy over cow slaughter has raised many questions about secularism and intolerance in our nation.

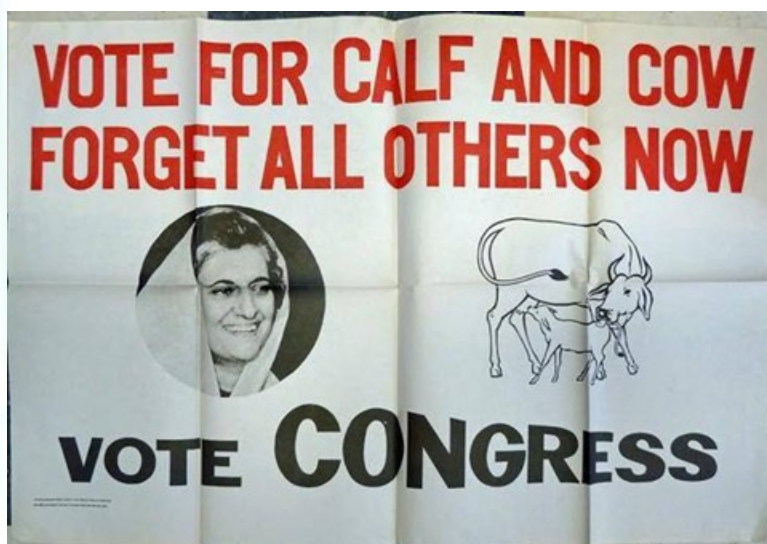
Proposition

The cow has been considered a sacred symbol in the Indian subcontinent for almost three millennia now. This cud-chewing bovine carries immense religious and social significance for the people of our nation even today. Considering its long history of sacredness, there have been calls around the nation for designating cow as the national symbol of the country.

The argument for making cow the national symbol draws its legitimacy from the ancient Hindu scriptures and texts. The Vedic scriptures first highlighted the chastity and the divinity of the animal by stressing on the sacrilege one commits when she kills a cow and eats cow meat. In the *Mahabharata*, Pandava king

considered cows to be holy and the epitome of a maternal symbol, since it provides us with milk. In the *Bhagvata Gita*, Lord Krishna calls the cow to be the originator of life. Moreover, in the Indian mythology, Krishna was a cow herd. Revering cows is considered to be auspicious because it is seen as worshipping Lord Krishna.

Apart from mythological and religious significance, the cow and its progeny also carry



economic importance and benefits to health of humans. Cow dung is a rich source of methane; thus, many rural Indian households use it as a source of heat and electricity. It is used as manure and an insulator as well, covering the walls of mud-houses in villages across the nation. Cow also provides us with life sustaining milk and other dairy products, which are highly nutritious and an essential part of our daily diet.

It is believed that by designating the cow as a national symbol, the animals will be protected and looked after with much more care and intensity. Moreover, the Indian Constitution, in Article 48, mandates for “prohibiting the slaughter, of cows and calves and other milch and draught cattle”. Recently, the Rajasthan government, foreseeing the importance of cow in our daily lives, appointed a cow minister. Moreover, the Rajasthan High Court even recommended the cow to designated the status of the ‘national animal of India’.

The aforementioned reasons have served the premise for the batting of cow as a national symbol. The divinity of the animal and its contribution to India’s cultural life demands a higher status for these noble, peace-loving creatures

Opposition

On the one hand, cows may be considered a symbol of peace and purity; on the other hand, however, cows are seen as a symbol of polarisation and a legacy of the caste system of ancient India which is still prevalent in modern India.

The politicisation of cows has led to the ban of cow slaughter across many states in the nation. It is believed that making it the national symbol would further exacerbate this violent political

campaign of ‘beef ban’. The ban on the slaughter of cows is seen as an attack on the secularity of India and a method of disenfranchising the non-Hindus and the lower Hindus of the society. Historically, beef, due to its cheap prices, has formed a staple for the Muslims, Scheduled Castes and the lower Hindus of India. Thus, banning the slaughter of cow deprives these communities an essential part of their diet.

Moreover, the cry for banning the slaughtering of cows has transformed itself into a jingoistic tool employed by right-wing Hindutva groups across the nation. Attacks on Muslims and lower Hindus for allegedly possessing beef have increased over the past decade. Mob lynchings and violence by cow vigilantes is a common sight across the nation. The violent campaign has mushroomed into attacks against religious minorities and their belief systems, especially the Muslims.

Looking at the political atmosphere of our nation, making cow and its progeny the national symbol of India would only balloon this intolerant movement into one that polarises our nation. Indeed, it lay the foundation of a non-secular, sectarian and violent India, something that goes completely against the peaceful and the pure nature of the “holy cow”.

References and Further Reading

- <https://www.bbc.com/news/world-asia-india-34513185>
- <https://theconversation.com/hinduism-and-its-complicated-history-with-cows-and-people-who-eat-them-80586>
- <https://thewire.in/books/cow-religious-symbol-emergency>

LIST OF SPECIAL INVITEES TO THE LOK SABHA

1. Mayawati –President of the BSP
2. Amit Shah- President of the Bharatiya Janta Party
3. Mohan Bhagwat- Head of the RSS
4. Ramachandra Guha- Historian and author
5. Barkha Dutt- Journalist
6. Arnab Goswami - Journalist
7. Arundhati Roy- Author and Political Activist
8. Kanhaiya Kumar- Political Activist
9. Syed Mohammad Rabe Hassani Nadvi- Head of the All India Muslim Personal Law Board
10. Hardik Patel- Political Activist
11. Baba Ramdev- Religious leader and activist
12. Irfan Habib- Historian and author
13. Madhu Kishwar- Political Activist
14. Rajnikant - Politician
15. Kapil Sibal - Lawyer

(These invitees will not be a part of the voting procedure. However, they will enjoy all other privileges of a Member of Parliament, such as the ability to propose a motion.)

COMMITTEE EXPECTATIONS

The Government is expected to set forth the guidelines and the specification of all the clauses in the legislation.

For instance, in the third clause (regarding the cow as the national symbol), the government should specify what this national symbol would be. The following questions may be considered: Will cow replace the tiger as the national animal or will it be another national symbol under a different name?

On the other hand, the Opposition is expected to stall the efforts of the Government in passing the legislation.

POSITION PAPER GUIDELINES

Position papers are usually one to one-and-a-half pages in length. Your position paper should include a brief introduction followed by a comprehensive breakdown of your party's position on the topics that are being discussed by the committee. A good position paper will not only provide facts but also make proposals for resolutions.

A good position paper for the Members of Parliament will include:

- A brief introduction to your party's history concerning the issues addressed by the bill and the premise on which is based;
- Your party's stance and its policies with respect to the issues addressed by the bill;
- How your policies affect India;
- Quotes from your party's leaders (or your own) about the issues;
- Statistics, facts and figures to back up yours and your party's position on the issue;
- What could the possible consequences be of passing the proposed bill and consequently should it be passed or stalled;
- Actions taken by you in your respective constituencies or your parties with regard to the issue;
- What you and your party believes should be done to address the issue;
- What your party would like to accomplish in the committee's bill; and
- How the positions of other parties affect your party's position.

For the special invitees:

Politicians: Follow the same guidelines, and specify the support for any specific party in terms of these issues

All others: expected to specify your individual stance on the issues addressed by the bill and the possible consequences of passing the bill. Explore the premise on which the BJP's argument has been built for a deeper understanding of the issues. You need to specify if you particularly support (or condemn) any party in the Parliament or their ideologies. Otherwise follow the same aforementioned guidelines

The format that needs to be followed by everyone is:

- Font Size: 12 pt (Garamond)
- Line Spacing: 1.15
- Justified alignment
- No indents after paragraph change
- Detailed bibliography in any format
- On the top left corner of the first page the individual's name, political party and the constituency should be mentioned (special invitees may just mention their names)

SAMPLE LOK SABHA BILL

Bill No. XXX of 2016

THE CONSTITUTION

(ONE HUNDRED AND XX AMENDMENT) BILL, 2016

A

BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (ONE HUNDRED AND XX AMENDMENT) Act, 2016.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

2. In Article 356 of the Constitution,

(A) The following words shall be added at the beginning of Clause (1): “Subject to Clause

(1)(A) of this Article,”

(B) The following clause shall be added as Article 356 clause (1)(A):

“(1)(A) (i). Not less than fourteen calendar days prior to the issuance of any proclamation under clause (1) the President shall issue a notice to the State Government concerned informing the State Government that the President intends to issue a proclamation under clause (1); setting out the grounds on which the President is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of this Constitution; and identifying the steps that need to be taken by the State Government to redress the situation to the satisfaction of the President;

(ii) The President shall take into due consideration any action taken by the State Government, or communication received from the State Government through the Governor of the State, pursuant

to the notice issued by the President under clause (1) (A)(i) before issuance of any proclamation under clause (1) and may also call for a fresh report from the Governor of the State;

(iii) For the purposes of this Article, the situation in which the government of the State cannot be carried on in accordance with the provisions of this Constitution shall **include** the following:

- (a) Loss of support of the majority of members of the State Legislative Assembly for the State Government as proved in a no-confidence motion passed by the State Legislative Assembly;
- (b) Break down of law and order and security in the State, including armed rebellion in the State;
- (c) Repeated Failure of the State Government to comply with any orders of the Supreme Court of India or the High Court of the State; or
- (d) A judicial determination by the Supreme Court of India that the government of the State is not being carried out in accordance with the provisions of the Constitution."

3. The following to be added in clause (3) :-

(A)After the words "approved by resolutions", the words "of a majority of not less than two-thirds of the members of each house of Parliament present and voting" shall be added;

STATEMENT OF OBJECTS AND REASONS

1. The Constitution Amendment Bill proposes certain amendments to Article 356 of the Constitution ("Provision in case of failure of Constitutional machinery in States") to further secure federalism and democratic rule.
2. The Constitution Amendment Bill proposes that the majority required for approval of the proclamation of President's rule by Lok Sabha and Rajya Sabha be increased from simple majority to special majority in each House (para (3) of the Bill).
3. The Constitution Amendment Bill also proposes that notice must be issued by the Union to the concerned State Government, fourteen days prior to issuance of any proclamation of President's Rule, setting out the grounds on which the President is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of this Constitution; and identifying the steps that need to be taken by the State Government to redress the situation to the satisfaction of the President. The Bill would require that the President take

into due consideration any action taken by the State Government, or communication received from the State Government through the Governor, pursuant to the said notice and that the President may also call for a fresh report from the Governor (para (2) (C) of the Bill).

4. The Bill also proposes that the grounds on which a determination may be made whether a situation has arisen in which the government of a State cannot be carried on in accordance with the provisions of the Constitution shall be restricted to one or more of the following (para (2) (C) of the Bill):

- (a) Loss of support of the majority of members of the State Legislative Assembly for the State Government as proved in a no-confidence motion passed by the State Legislative Assembly;
- (b) Break down of law and order and security in the State, including armed rebellion in the State;
- (c) Repeated failure of the State Government to comply with any orders of the Supreme Court of India or the High Court of the State; or
- (d) A judicial determination by the Supreme Court of India that the government of the State is not being carried out in accordance with the provisions of the Constitution.

5. The Bill seeks to achieve the above objectives.

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