

## TOPIC 1

### Does India need an 'Anti-superstition law'?

#### Relevancy

- GS Mains paper II
- Anti-superstition law
- Maharashtra action
- Pros and cons
- Religion, black magic, IPC

#### Why the need of anti-superstition law?

- India needs legislation on superstition though what all should it cover needs to be debated thoroughly.
- Every superstition cannot be removed by the force of law.
- And for that a mental change is necessary.
- Superstitious practices that are utterly dehumanising, brutal and exploitative need to be dealt with by a law that specifically addresses them.
- **Check on conmen**
  - The anti-superstition law also makes it possible to curtail activities of so-called godmen before they become too powerful.
  - There is a section in the Maharashtra legislation which specifically addresses and checks claims made by 'godmen' who say they have supernatural powers.
  - Once something is made illegal in the eye of the law it will not be possible for anyone to openly support fraudulent godmen.

#### Concerns regarding legislative action

- The domain of such a law is to curb superstition, associated primarily with religious and occult practices.
- But almost everything associated with any religion can be considered superstitious for the simple fact that there is no scientific rationale behind the same.

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- Going to a temple, a mosque, or a church can be termed superstitious because there is no scientific data to support the fact.
- Such practices can't be curbed because they don't harm anyone.
- The fundamental tenets of a liberal democracy give us the freedoms of conscience and to believe in things even when science and rationality don't support them.
- Government also needs implementation mechanisms for curbing such practices, active implementation and enforcement of existing laws need to be made more effective.

## **Positive example set by Maharashtra**

- Maharashtra has implemented the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013.
- In Maharashtra the fight continued for 18 years for such a law to be put in place.
- There were several groups which tilted the conversation by projecting it as a law against religion.
- This is a law that addresses exploitation in the name of religion.
- Opponents to the legislation in Maharashtra had claimed that the law would affect the religious practices of Hindus that it was anti-Hindu.
- But after examining more than 350 FIRs lodged across Maharashtra in the last four years it is found that these claims were unfounded.
- Data show that the accused persons belong to various religions.
- Instead there have been inhuman practices in the name of religion.
- For example, in Maharashtra, there were several cases where people murdered or brutally injured others and held them responsible for some deaths in their families, merely on suspicion.
- In Maharashtra, a developed State, around seven instances of human sacrifice have been reported since the passing of this law in 2013.
- Two such instances could have been prevented through timely intervention.
- Before this law, acts involving human sacrifice could not be stopped as they were preceded by some puja and offerings and not banned under any law but now they are.

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- The cognisance of human sacrifice is in the Indian Penal Code (IPC) only after the murder is committed.
- Thus, legislation has a capacity to act as a deterrent.
- The Maharashtra legislation has stopped the act of human sacrifice.

### **Conclusion**

- The present IPC is not equipped to take care of crimes committed on account of black magic and other superstitious practices.
- A separate law is necessary because the relationship between a devotee and so-called godman is of a peculiar nature, often marked by violence.
- Consider the Prevention of Domestic Violence Act, 2005.
- There are provisions in the IPC to punish violence, but the peculiar nature of the violence faced by women within the family needed a separate law.

## TOPIC 2

### Highlights of the Climate talks at Bonn

#### Relevancy

- GS Prelims, GS Mains paper II, III
- Climate talks. Bonn meet
- Paris accord
- Adaptation fund
- COP23, COP21
- Environment, United Nations

#### Recently

- Climate talks 'Conference of Parties to the Convention' or COP-23 held at Bonn was recently concluded.

#### The Paris Accord

- 'Convention' refers to the United Nations Framework Convention on Climate Change, which was born at the 1992 Earth Summit held in Rio de Janeiro, Brazil.
- Billed as an 'Implementation COP', the Bonn meeting was meant to further negotiations so as to come up with a 'rulebook' by 2018 for implementing the 'Paris Agreement'.
- At Paris the 'historic accord' took into form that the COP21 of 2015 delivered.
- 197 countries agreed to a target of limiting rise in global temperatures to 2 degrees Celsius above the pre-industrialisation era of the mid-19th century, with an "ambition" of 1.5 degrees at Paris.
- This would be achieved by all countries doing what they promised to do in terms of their stated 'nationally determined contributions (NDCs)'.
- On the contrary the Paris deal for lacks concreteness and contains no punitive measures for violations, relying exclusively on naming and shaming of the violator.

- United Nations Environment Programme recently said in its 'Emissions Gap Report, 2017', that even if all the countries did what they said they would do at Paris, the planet would turn hotter by 3 degrees which is a disaster.
- The EGR 2017 highlighted the urgency in climate change combat.
- At Bonn the developing countries played into the hands of the rich countries by consuming a full week in negotiating "pre-2020".
- The Paris Agreement comes into force in 2020.
- What the developed countries would do till 2020 is the subject of a 2012 agreement, called Doha Amendment (to the Kyoto Protocol).

## **What happened at Bonn/COP23?**

- Bonn has brought forth a bunch of agreements that are peripheral to climate talks such as:
  - agreement on power past coal' and eco-mobility
  - a 'gender action plan' to include women in climate activities
  - an insurance facility
  - a plan to have "indigenous people" (adivasis) to have a say in climate talks
  - a call for action from the UN Ocean Conference
  - an agreement to begin talking about what to do to bring down emissions that come from agricultural activities

## **Criticism of COP23**

- As per critics, COP23 achieved what it had to but not what it needed to.
- At COP23, political agreements did not sufficiently address the harsh climate reality that millions of poor and vulnerable people already face.
- Main issue of contention lies in securing funding for developing countries, especially for 'adaptation' (building defences against climate change-caused vagaries of nature, and 'loss and damage' (repairs and rehabilitation after a climate event, like hurricane, occurs.)
- In this the Bonn meeting has proved to be insufficient by action.
- The most that happened in Bonn was to hold the rich countries to the Article 9.5 of the Paris Agreement, which says that the developed world

shall “communicate” once every two years how much of funds would flow to the developing countries.

- **The Adaptation fund:**

- The quantum of finance remained elusive as ever.
- But some agreements on predictability of finance and discussions around Adaptation Fund were made.
- The Adaptation Fund, which is meant to help developing countries to build their defences against climate change-related vagaries of nature was linked to the Paris Agreement.
- The 10-year-old Adaptation Fund has a corpus of \$93.3 million, when the need for adaptation finance is tens of billions.
- Rich countries showed up to Bonn empty-handed and blocked progress on finance.
- In fact the United States is in the process of quitting the Paris Agreement, enlarging the hole in funding.

## **Conclusion**

- At Bonn, developing countries negotiated hard to get the rich countries report, by May 2018.
- Their progress under the Doha Amendment is rendered meaningless as just a year-and-a-half is left to 2020.
- The developing countries extracted a win over the developed world just a matter of satisfaction and nothing else.
- There has been too little positive momentum at the Bonn meeting.

## China strikes a deal on Rohingya crisis

### Relevancy

- GS Prelims, GS Mains paper II
- Rohingya crisis, China's ambitions
- Foreign policy, Three-point plan

### Recently

- China has been successful in striking a deal between Bangladesh and Myanmar over the issue of Rohingyas.

### About the agreement

- The [agreement has been reached between Myanmar and Bangladesh to repatriate Rohingya](#) refugees.
- It has been sealed after a three-month military operation by Myanmar in Rakhine which resulted in around 600,000 Rohingya fleeing the province to Bangladesh.
- It has led to a humanitarian crisis and a verbal disputes between Bangladesh and Myanmar.
- At this time, China stepped in with its three-point plan and both the countries accepted it.

### China's three-point plan

- Under the plan, Myanmar and Bangladesh were to hold bilateral talks and reach a repatriation agreement.
- This repatriation agreement has been achieved.
- However it involves a declaration of ceasefire in Rakhine to halt further displacement and bring immediate relief to Rohingya.
- This is the first point in China's plan which has not taken effect.
- If this were to happen, China promises to provide economic assistance for the development of the Rakhine region as part of a long-term solution.

## **Why China taking interest in this issue?**

- China doesn't step into domestic conflicts of other countries but is being proactive in this case.
- Beijing enjoys good relations with both Bangladesh and Myanmar; also, Rakhine is an important link in its Belt and Road Initiative.
- China is building a \$7.3 billion deep-water port in the province.
- It has also invested \$2.45 billion to build an oil and gas pipeline connecting coastal Rakhine to Yunnan.
- A protracted conflict in Rakhine will be against Beijing's economic interests.
- That is why China has put pressure on Myanmar and the signing of a repatriation deal suggests this pressure tactic is working.

## **Concerns regarding the deal**

- Details of the agreement including the number of Rohingya who will be sent back and the timeline have not been revealed.
- It is also not clear whether the refugees themselves want to go back to a place they had fled in such perilous circumstances.
- Resettlement plans have also not been put forward.

## **Conclusion**

- From the details of the plan it is clear that China sees the Rohingya crisis as an economic problem given that its solution is centred on development.
- While economic assistance is essential, the real problem is deeply political.
- There needs to be an accompanying political solution.
- Any proposal can only make limited progress unless Myanmar takes drastic steps.
- Myanmar needs to roll back the institutional barriers that render Rohingya second-class people.
- Unless they are accepted as equal citizens there cannot be a long-term solution to the Rakhine unrest.



## TOPIC 4

### Debate on release of movie 'Padmavati'

#### Relevancy

- GS Mains paper II
- Essay paper
- Sociology, Patriarchy
- Censorship, media, art

## Recently

- Recently, there has been an uproar with regard to the screening of a movie (*Padmavati*).

## What is the issue?

- Viacom18 Motion Pictures, the studio behind Sanjay Leela Bhansali's *Padmavati* has decided to voluntarily defer the December 1 release of the film.
- The movie is based on Sufi poet Malik Muhammad Jayasi's epic poem *Padmavat*.
- The film has been an issue of debate throughout the year due to criticism by aggrieved religious and political organisations.
- There have been protests peaking and threatening to turn violent this month in the run-up to the release.
- Protests were held in Chittorgarh as well.
- Rajasthan, Uttar Pradesh, Madhya Pradesh, Gujarat and Punjab have decided to disallow the screening of the film even as it awaits certification from the Central Board of Film Certification (CBFC).

## Reason behind this?

- Shri Rajput Karni Sena, an organisation of the Rajput community claims the film to be damaging sets at Jaipur's Jaigarh Fort.
- The Karni Sena claims the film distorts facts and hurts their pride and sentiments.
- The movie shows the queen dancing without a *ghoonghat* (veil) which is hurtful to the community.
- Also there have been allegations of an intimate dream scene between her and the villain of the piece, Allauddin Khilji.
- Though the filmmaker has clarified that the two characters don't feature together in any scene.

- A debate has been continuing on the sidelines about whether Rani Padmini was for real or just a figure of legends and myths, a figment of the poet's imagination, not a historical entity.

## Significance of this issue?

- A lot is at stake when it comes to the *Padmavati* issue.
- On the one hand is the question of censorship.
- On the other hand, the response to the film from various quarters exposes the deep-seated patriarchal, conservative mindset to the depiction of women on screen.
- **Issue of Patriarchy:**
  - The so-called Rajput valour, inherently patriarchal, glorifies this very concept of racial purity and jauhar.
  - Another crucial aspect is that jauhar is committed only when foreign invaders attack (all Muslims, before the British).
  - The question of honour, for women, has always been intricately linked to their chastity.
  - Men fight wars while women fight battles on their bodies.
  - Jauhar is about preserving this 'honour' of a woman's body, her community, and kingdom.
- **Censorship issue:**
  - The issue brings to light the continued threats and censorship imposed by extra-constitutional bodies and States on films like *Tamas, My Name Is Khan, Vishwaroopam, The Da Vinci Code, Aarakshan, etc.*
  - It has always been up to the judiciary to come to the rescue of films.
  - Even in the case of *Padmavati*, the Supreme Court dismissed a plea to stay the release and initiate criminal prosecution against Mr. Bhansali.
  - It made it clear that it wants the CBFC to come to an independent and considered decision on certifying the movie.

## What next?

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- At the moment things seem to be in a limbo and the film's team has been told to stay silent.
- With uncertainty over a big ticket film like *Padmavati*, 2017's box office revenues are set to fall.
- According to trade experts, there has been a slump in revenues since 2014 with the drop likely to get sharper this year.
- Business is where it eventually will hurt the most.