



Research Paper

Gandhi Swaraj Manifesto for the Indian democracy in the Post Covid era

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Abstract: India achieved Independence in 1947, but its Independence was vastly different from Swaraj envisioned by Gandhi. Gandhi presented his concept of Swaraj as a 'soul force' aimed at the moral transformation of individuals into duty-bound citizens who could strive for the political Independence of their nation. Gandhi wanted the ideals of non-violence to seep into the core of independent Indian polity and the conduct of citizens and the state as he asserted that without such transformation, political Independence could become a recipe for despotism even in liberal democratic societies. This article highlights the incomplete mission of attaining Gandhian Swaraj as the root of contemporary problems in the Indian polity.

This paper takes help from the four significant ideas of the Gandhian constructive program to provide solutions to the major contemporary problems faced by the Indian polity at the beginning of the new decade. The Farmer protests over the set of farming laws passed by the Union legislature find their resonance in Gandhi's Swaraj plan for Kisans. Gandhi argued that generating acceptability for the reforms within the people is the first step in introducing reforms. The Gandhian focus of abolition of untouchability translates in the contemporary context into providing employment and educational opportunities along with protection from caste-based violence to the vulnerable sections of society. Finally, Gandhi's appeal for non-violence to permeate within every structure of the society as a notion of Swaraj urges us to evaluate the relevance of extraordinary laws like the Unlawful Activities (Prevention) Act. This article deploys the Gandhian idea of Swaraj to interrogate the impact of misuse of extraordinary laws on the quality of democracy in India.

The Corona Virus Disease (COVID) of 2019 has provided us with a pause wherein we can evaluate our goals for our future. This pause has allowed us to re-analyze the work of Mahatma Gandhi and incorporate his suggestions as we pursue our collective destiny in the post-Covid world. The article refers to the collected works of Mahatma Gandhi and the commentaries on Hind to present the relevance of the philosophy of Swaraj for modern times. The article concludes by asserting that the philosophy of Gandhian Swaraj, driven by truth and non-violence, can enhance the quality of Indian democracy in the post-Covid era.

Keywords: Gandhi, Swaraj, Democracy, non-violence

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I. Gandhi's Idea of Swaraj

Swaraj for Gandhi is an ongoing process. It is the varying degree of self-control or Swaraj that differentiates a person from an oppressor to a Mahatma. Similarly, it differentiates a state caught in the relationship of subjugation and domination from a state that has secured freedom and prosperity for all of its citizens. He envisioned a similar path for India and all the subjugated races of the world. In his seminal work Hind Swaraj, we may find a glimpse of Gandhi's idea of Swaraj and a path to attain it. Mohandas Karamchand Gandhi was a product of his time, and his views on Swaraj have evolved, which we may locate in the Collective Works of Mahatma Gandhi (CWMG from hereon). Gandhi's Hind Swaraj is a work of philosophy as well as

practice. It has been forged through his experiments in South Africa, literary influences from the west, religious influences from Hinduism, his interaction with stellar philosophers and economists of his times as well as his convictions. Ideas ranging from Ruskin's economic humanism to Thoreau and Tolstoy's non-violence and civil disobedience find their Indian roots in his works. The idea of soul and organization of state inspired by Plato found its philosophical expression in Gandhi's praxis as well (Parel, 2009, p. xxxv). Hind Swaraj is not a utopia; instead, it provides the normative foundations of political practices of independent India.

The meaning of Swaraj for Gandhi has a dual connotation in the form of inward and outward freedom. The inward freedom is attained when an individual attains the reformation of the soul. The inward dimension of freedom implies liberation from fear and insecurity and adoption of the creed of truth and non-violence as the essence of one's being. The moral obligation of having duties of welfare towards each other can imbue non-violence in the soul of people. Gandhi did not promote the idea of isolation of civilization; instead, he advocated contact between civilizations (Parel, 2009, p. xxiii). For Gandhi, the internal Swaraj had to precede the transfer of power or the political self-government, and both have to be attained in the same way; through non-violence. However, how does the word Swaraj differ from Independence? Gandhi states-

"I submit swaraj is an all-satisfying goal for all time... it is infinitely greater than and includes Independence. It is a vital word. It has been sanctified by the noble sacrifices of thousands of Indians. It is the word which, if not penetrated the remotest corner of India, has at least got the largest currency of any similar word. It is a sacrilege to displace that word by a foreign importation of doubtful value..." (CWMG 21, 17 November 1921, p. 458).

Gandhi wanted to not coerce but convert the oppressor as the method of non-violence and self-suffering is a method, he deemed infallible. This method alone, Gandhi argues, can deliver something more than Independence to India. The moral worth of Swaraj attained through non-violence shall inspire other races to fight against the British in a similar way which would lead to the deliverance of weaker races of the world from the western exploitation (CWMG 35, pp. 456-457). For Gandhi, Swaraj does not stop at the change of Government but also involves a real change of heart of people. Hence the abolition of untouchability, development of Hindu Muslim Unity, adoption of charkha, and economic equality, which is to be achieved through non-violence, are some of the preconditions of Poorna Swaraj which means complete Independence (ibid.).

II. Citizenship in the India of Gandhi's dream

Gandhi was aware that the Congress-led Indian national movement was being criticized as the movement by the elites aimed at replacing the British at the helm of governance and administration. Gandhi argued that Swaraj would be much more than this. Swaraj for Gandhi is a "poor man swaraj or Ramrajya" symbolized by the just and equitable relationship between tiller and landowner as well as labour and capital. Swaraj for India will not allow the persistence of exploitative relationships in any form of society. The exploitative relationships between state and citizen, landlord and tiller, capital and labour, Hindu and Muslim shall cease to exist. Gandhi argues that truth and non-violence shall be the creed of this Ramrajya. It would not be merely a policy; rather, it would be the 'basic structure' of Indian polity in legal as well as in moral terms. It shall be a creed undeterred by the realism of governance of Indian polity. The primacy of moral force over the legal-bureaucratic rationality is the hallmark of the Gandhian way of governance. The principle of non-violence shall be the legal philosophy of criminal and civil laws, and the due process of law shall be based upon the principle of non-violence. (CWMG 45, March 31, 1931, pp. 370-371).

Through Hind Swaraj, Gandhi tried to give the idea of Indian political philosophy as he updated the conception of Dharma and tried to infuse it with the ideas of liberty, democracy, citizenship (Parel, 2009, p. xvi). He interpreted Dharma as a cardinal virtue of citizenship derived from the religious text but secular in practice. Gandhi's conception of Dharma can be translated into the primacy of duties and welfare of others before exercise of their rights. Gandhi's idea of Dharma is inspired from Gita and Ramayana but is translated into the language of politics. The idea of Dharma is a unique mix of religion and politics wherein morality from religions is imbued into political strategies. Gandhi asserted that the idea of moral citizenship shall be the feature of independent India. Parel highlights that Gandhi was not averse to the idea of civil liberty, rights, freedom from women, and other ideas of the enlightenment traditions; instead, he wanted these values to be harmonized with the idea of Dharma which means economic development should be harmonized with spiritual progress, liberty with swaraj and rights with responsibilities (Parel, 2009, p. xvii). Gandhi believed that the value of true citizenship is serving the nation to which they belong, and it is through the performance of duty that Swaraj can be preserved.

“Swaraj of people means the sum total of swaraj of individuals and such swaraj comes only from the performance by individuals of their duty as citizens. In it no one thinks of their rights, they come, when they are needed, for better performance of duty” (CWMG 69, 13 March 1939, p.54).

Gandhi imagined Indian national identity as the ‘Prajā’ of the Ram Rajya in Hind Swaraj. The Praja was to never deploy violence in attaining national liberation as well as running the self-governance after Independence (Parel, 2009,p.xxx). The fundamental transformation of the potential citizens or ‘Prajā’ has to take place before the political Independence of India is achieved. The Praja (nation) will be the highest form of political community and shall take priority over the sect or religion. Based on his experience of collaborating with the Muslims in South Africa, he was willing to trust Muslims. He believed that Muslims could also become a valued part of this Praja under Ramrajya. He promoted the idea of toleration within the larger and deeper national identity (Parel, 2009,p.xxxii).

III. Constructive programme

Dennis Dalton highlights the structural critique of colonialism that Gandhi provides, which is linked with his criticism of Modern civilization. Gandhi argues that the idea of Swaraj is beneficial not merely for the Indians but also for the British as they suffer from a colonial mentality that forces them into the system of domination and culture of oppression. The Swaraj will also imply the freedom for the oppressor as well from ‘domination subordination symbiosis’ leading to their mutual liberation (Dalton, 1996, p.97). Gandhi states that India has to forge its own path towards Swaraj by not attaining just home rule as within the system of Modern State based on Modern civilization, British oppressors will be replaced by the Indian faces. The republic without Swaraj shall be ‘Englishtan’ and not Hindustan (Parel, 2009, p.iv). India needs an innovative Indian civilization that will lead to the reduction of political violence, spiritual and moral growth of the individual, economic prosperity, and fraternity driven by compassion (Parel, 2009, p.iii).

The constructive program of Gandhi is a blueprint of the non-violent attainment of Swaraj. The comprehensive nature of the constructive program stresses that the idea of Swaraj should permeate in all the spheres of collective existence ranging from communal harmony, education, upliftment of women to economic equality. It was envisioned that the constitution of India would be a social document that will lead to social revolution after the attainment of Independence, but Dalton highlights that Gandhi argued that political Independence would only have a meaning once we have attained the social reforms that did not depend upon transfer of power from British to India. This agenda for social reform is called constructive program. (Dalton, 1996, p.106). This paper identifies four major themes which will cover the Gandhian manifesto for Indian democracy for the new decade. The four themes are removal of untouchability, collective decision-making, Hindu Muslim unity, and creed of non-violence.

3.1 Removal of untouchability and caste-based discrimination

Gandhi considered untouchability to be the blot on Indian civilization. He argues that merely providing Harijans with few schools shall not solve the problem of caste; rather, one must remove the air of superiority towards them and restore what has been robbed from them. Gandhi argued that this reform should precede political Independence, not follow it. Untouchables are stripped of the opportunity to gain education and social status and also to even aspire for basic human rights. Gandhi was aware that Independence would be meaningless if untouchables did not benefit from it; hence Gandhi argued that Swaraj would not merely be freedom of the elites; rather, it would mean

“Freedom for the meanest of our countrymen.” “I am not interested in freeing Indian from English yoke. I am bent upon freeing India from any yoke” (CWMG 24, 12 June, 1924, p.224).

For Gandhi, social reforms cannot wait for political freedom; rather, the movement for Swaraj shall be a movement of self-purification (ibid.). Our acceptance should not be driven by some political expediency rather, we should purify ourselves from the ingrained acceptance of discrimination based on caste. We must purify the stain on Hinduism and the stain on our soul, which has led us to treat a particular section of our society as sub-human. Gandhi argues that this “self-purification is an indispensable condition of Swaraj” (CWMG 47, 2 August, 1931, pp. 246-247). Gandhi asserts that the orthodoxy cannot be challenged directly with violence; instead, through satyagraha, the heartfelt appeal should be made to the orthodoxy to convert their hearts. Gandhi believed that through patient self-suffering, the heart of the orthodoxy could be transformed (CWMG 54, 15 April, 1933, pp. 416-17). Shastras are not above universal morality, and they do not promote untouchability based on birth; hence there cannot be any justification for untouchability.

The central government has taken various steps for the upliftment of the Scheduled caste and Schedule tribes in the form of 'Standup India,' which aims at facilitating bank credit to Schedule caste, Schedule tribes and women in India. The purpose of such a scheme is to ensure the financial independence of the vulnerable sections of Indian society. However, the central government has an uphill task ahead in the form of curbing caste violence in India.

The study by factly reveals that violence against Schedule Caste has risen as 23 persons out of one lakh population of Schedule Castes registered the cases of atrocities against them. The year 2016 witnessed a dip in this number to 20.3 but steadily increased to 22.8 in 2019. Various newspaper reports on the violence against the Schedule Caste have stirred the conscience of the nation. In 2016, 40 Dalits were humiliated at Una for engaging in their traditional occupation of skinning the cow for leather. Rape as a weapon of dehumanizing the Dalit community is frequently utilized by the upper caste as the data from National Crime Records Bureau (NCRB) revealed that rape vulnerability had increased to 44% in the last decade. In 2019, Dalit women constituted 11% of the reported rape cases, according to the NCRB data. The presence of caste-based discrimination in our society reflects the persistence of violence in our collective existence.

3.2 Farmers and the issue of Representation

Gandhi suggested that the focus of our existence should be built around self-sufficient villages. Villages as a center of existence for Gandhi also holds a moral premise as well. For Gandhi, villages symbolized a particular way of existence; simple, limited in their demand for luxuries, and a closely-knit system of belonging. Villages demonstrated the intergenerational associative bond that existed between families who were there for each other during the time of need as well as celebration. After living in the metropolitan like London, Gandhi romanticized village normativity. The modern ideas of individuality and competition were antithetical to the associative living in the villages; hence Gandhi encapsulated his idea of Oceanic circles because the democracy practiced by the Modern State would be hollow democracy as it would replace individuality with traditional, familiar solidarities.

The Kisans (Farmers) constitute another important element of Gandhi's constructive program. His first experiment with Satyagraha in India involved farmers as he was aware of the non-violent potential of the Kisan satyagraha. The Satyagraha at Champaran, Bardoli, Kheda, and Borsad remained non-violent. In Champaran, non-violence as a political strategy attained success within six months. Although Gandhi was against using farmers for political gain, he found farmers appreciative of the idea of non-violence and attained success (Gandhi, 1945, p.16). It is safe to assume that Gandhi would have approved the civil disobedience of farmers as it fulfilled the condition of addressing the local wrong, not the general issue. Gandhi asserted that

"The issue must be definite and capable of being clearly understood and within the power; of the opponent to yield. This method properly applied must lead to the final goal" (Gandhi, 1945, p.22).

S.N.Sahu(2020) writes that after the famous Champaran Satyagraha by Gandhi, the British brought out Champaran Agrarian Bill in 1917, which sought to abolish the forcible cultivation of Indigo. The satyagraha of Gandhi was also a consultative process as he sought to negotiate the demands of farmers with the colonial bureaucracy. As the Champaran Agrarian bill was introduced in Bihar-Odisha legislative assembly, the bill was sent to the select committee for scrutiny, and Mahatma Gandhi also demanded to study the bill. Sahu highlights the transparency displayed by the British Government eventually led to the resolution of the crisis. This resolution was the victory of Champaran farmer satyagraha led by Gandhi.

The absence of Gandhian leadership might be a big handicap for the 2021 Farmer's protest, which has led to the fragmented politics of farmers and the violence at the historic Red Fort. In the realm of placating the farmers, the central government has taken a bold step by recalling the three farmer bills on November 19, 2021. The cause of the farmer protest was the lack of representation and inability of the government to convince the farmers about the efficacy of government policies in the agricultural sector. The Gandhian idea of providing representation to the farmers in programming the agricultural reform can prevent such agitations in the post-Covid India.

3.3 Hindu Muslim Unity in India

In his speech on fundamental rights, Gandhi highlighted his basic features of Swaraj, in which he recognized tolerance as the fundamental value that a newly independent India should profess, especially in the

case of Muslims. Gandhi emphasized the need for the state to establish religious neutrality as its primary mode of interaction with the religion.

The 'Reader' in *Hind Swaraj* posits a direct question to Gandhi that how will two incompatible religions exist together as one nation? With a set of contradictory beliefs over idols and cow, what can be the possibility of the harmonious existence of Hindus and Muslims? On the issue of cow protection, Gandhi argues that since cow holds immense importance for the agricultural economy of our villages, we must exhort our Muslim brothers to join the Hindus in protecting the cow. Even when the Muslims are not willing to spare the cow, one must sacrifice himself to save the cow than to kill the Muslim brother. Gandhi is optimistic about the potentiality of Hindu Muslim co-existence as he argues that with proper imploration, Muslims will respect the religious sentiments of Hindus. Gandhi did not subscribe to the idea of nationality determined by religion. He believed that foreigners do not destroy a nation; instead, they merge in it by contributing uniquely to the content of the nation. Gandhi believed in the inclusionary idea of the nation, which allows communities of all kinds to exist together. Gandhi argued that enmity between Hindus and Muslims is flamed by the British, and once they both realize that they have common ancestors, they will become tolerant of divergent views of each other and their enmity will subside. (Gandhi, 1938, pp. 54-56).

After the election of Narendra Modi as the prime minister of India in 2014, there was scepticism amongst the minority community regarding their future and level of participation in the democracy. Amin Pathan (2020) in his opinion piece in *Indian Express* highlights that central government under the leadership of Prime Minister Modi has valued human dignity before anything else which gets symbolized in the abolition of triple talaq and removing the obstacle of mahram for women while proceeding to Haj. He also lauds Modi's patronage to Ajmer Dargah. It can be asserted that Prime Minister Modi's goodwill towards Muslims and Muslim nations is consistent with Gandhi's as both claimed themselves as Hindu nationalist. Such acts can promote the value of tolerance among people and the nation can move towards achieving the Gandhian dream of Hindu Muslim unity. However, the government faced another challenge in the form of Citizenship Amendment Act agitations.

The citizenship amendment bill was passed by the parliament on 11 December 2019, which amended certain sections of the 1955 Citizenship act to clear the pathway for citizenship for non-Muslim religious minorities from Afghanistan, Pakistan, and Bangladesh who have entered India on or before 31 December 2014. With this provision, the requirement of naturalization was relaxed from eleven years to five years. This bill was criticized for being non-cognizant of persecution faced by Muslim minorities in these countries as well as in other countries like China and Myanmar, which were not covered by this act. Although the government policies demonstrated Gandhian intent, the Gandhian politics of reaching out to the masses and building confidence should be incorporated simultaneously to achieve fruitful results to attain communal peace in post-Covid India.

3.4 Freedom of expression as Swaraj

After being charged with sedition, Gandhi developed a strong opinion against the laws of sedition. Guha, in his book *Democrats and dissenters*, notes that after coming out of jail in 1922, Gandhi criticized sedition as

"established by the naked sword, kept ready to descend upon us at the will of the arbitrary rulers in whose appointment the people have no say" ... "The 'repeal of that Section and the like means the repeal of the existing system of Government, which means attainment of swaraj. Therefore the force required really to repeal that Section is the force required for the attainment of swaraj."

In 1919, the colonial state introduced the Anarchical and Revolutionary Crimes Act to counter anti-British/revolutionary activities against the state. Gandhi decided to launch satyagraha against the extraordinary powers it gave to the state. This act allowed the British Government to arrest and imprison anyone for two years without a trial under the suspicion of terrorism. A similar law is in existence in Jammu and Kashmir called Jammu and Kashmir Public Safety Act 1978. Clause 13 of the act, which covers the grounds of detention, has a subclause that empowers the Government to not disclose the grounds of detention to the detenu if they think that it will endanger public interest. Clause 18 is concerned with maximum period of detention. Subclause 18 (1) (a) states that a person may be detained up to 12 months acting in the manner prejudicial to maintained law and order, and subclause (b) states that a person may be kept under detention for up to two years if he/she is a threat to the security of the state.

The most important thing to note here is this act empowers the Government to detain anyone under the presumption that a person might act in a way prejudicial to public order or the security of the state. The grounds of order cannot be invalidated for being vague, not relevant, and non-existent if the officer is satisfied that the preventive detention is justified.

The Indian state has enacted various extraordinary laws since Independence. The official justification provided is that they are required to address extraordinary circumstances like terrorism and resolve the crisis of national security. The ordinary provisions in the Criminal Procedure Code and Indian Penal Code are not stringent enough to respond to terrorism or to punish terrorists in a time-bound manner. To expedite the evidence collection, detention, and statement recording procedures under the pretext of national security, extraordinary powers are vested on the executive branch of the Government. However, to brand these laws as extraordinary would be a misnomer as they are being used ordinarily to arrest dissenters who have criticized state and central Government. Detention enforced through these laws creates a crisis of civil liberties.

Ujjwal Singh argues that various sections of Anti-terror laws stifle dissent and aim towards depoliticizing mass societies where the value of freedom and democratic deliberations are gradually eroded (Singh, 2008, p.197). The presence of these laws generates fear in the mind of the population, thus reducing space for criticism and democratic dialogue. Singh argues that these laws are used to create suspect communities as these laws are deployed to arrest people from religious minorities, immigrants, human rights activists, and political groups critical to the Government. The stringent bail conditions create an excuse for the excessive period of detention. The most nefarious aspect of these laws is the 'permanence of temporary' as extraordinary features of anti-terror laws that were earlier introduced to deal with terrorism got absorbed in the ordinary legislation like Unlawful Activities Prevention Act (UAPA). UAPA exists without legislative safeguards and enjoys the status of a permanent law empowered with extraordinary features of the laws with sunset clause (ibid.). Singh asserts that these laws reflect a strong ideological content as these acts extend the scope of terrorism to include political speeches and call for democratic political action.

These extraordinary laws have not adequately addressed the issue of terrorism; rather, they have legalized human rights violations making the state structures more violent. The Union minister of state for Home G.Kishan Reddy stated in Rajya Sabha

"The total number of the persons arrested and the persons convicted in the years from 2016 to 2019 under the UAPA in the country are 5,922 and 132 respectively. The NCRB does not maintain this data on the basis of religion, race, caste, or gender,"

The conviction rate under UAPA is a mere 2.2%. Furthermore, in the year 2019, 96 persons were arrested for sedition (Section 194A Indian Penal Code), but only two were convicted, and 29 persons were acquitted. Of the 93 cases of sedition, the charge sheet was filed in 40 cases the same year. The frequent exercise reduces the quality of democracy depoliticizes civil society completely. The utility of these laws has been questioned as there has been no substantial gain in the national integration. These laws have instead attracted criticism from international human rights organizations and global civil society. Dilution of extraordinary laws shall be a hallmark of post Covid era in India.

IV. Conclusion: Gandhian Swaraj manifesto for the new decade

The decade of 2010 was a violent decade. The global Corona Virus pandemic has allowed us to reflect and re-evaluate our national goals for the next decade. This paper argues that the goal for India in the post-Covid world should be to realize the idea of Gandhian Swaraj. This paper has highlighted that we have attained home rule but not self-rule, and violence has percolated in our soul as well as the structures of the Modern State. The value of Swaraj as a moral force has not diminished in the 21st century. Swaraj not merely transforms individuals into more compassionate moral beings but also increases the quality of citizenship as well. Gandhi's unwavering focus on non-violence emerges out from his critique of modern civilization, which is dependent upon the exploitation of people. The modern factories perpetuating the conflict between labour and capital cannot allow non-violence to sustain in society. By complimenting liberty with economic equality, Swaraj attempts to cure class war without violence. The post-pandemic world provides us with a lot of possibilities to resolve the burden we have inherited from our last decade and bring us closer to the ideas of Swaraj that Gandhi imagined for an independent India. This paper argues that some of the crises that are presently looming in our polity can be resolved if we turn to Gandhi for solutions. Gandhi asserted that before adopting the weapon of satyagraha, we must be trained in the ways of non-violence. Our soul should be purified. The soul-purification

aspect should be covered in our education, wherein we are trained to let go of all the prejudices we have towards people from the lower caste. Through self-purification and divesting prejudices from our soul, we may eventually annihilate the caste system, not merely from our society but from our minds as well. The farmer crisis highlights the problem of representation that Gandhi feared would arrive in India post-independence. Gandhi feared that voices of representatives would triumph over the voices of the people, and the redaction of farm laws points towards the same malady. Gandhi states-

“A superficial study of British history has made us think that all power percolates to the people from parliaments. The truth is that power resides in the people, and it is entrusted for the time being to those whom they may choose as their representatives. Parliaments have no power or even existence independently of the people” (Gandhi, 1945, p. 2).

Gandhi suggested that India must prepare itself before transitioning into democracy as the state would not be able to introduce reforms if the citizens are not welcoming of them or the public opinion is not supportive of it. The nation has to be prepared for such reforms, or else democracy might not live for long (CWMG 46, 28 May, 1931, pp.166-67). The laws must reflect the aspirations of the people impacted by them. The Champaran experience suggested that the laws must be taken back, be redrafted after taking farmer groups into confidence.

Gandhi argues that Swaraj also means freedom from fear. As Hindus and Muslims come together, they shed their fear at the same time and become liberated together. Freedom from fear can be achieved through mutual trust and adoption of the creed of non-violence. The government needs to institute trust-building mechanisms to bridge the gap between Hindus and Muslims. Finally, the Government needs to repeal UAPA and other extraordinary laws to inch towards the society that values free speech. The end of the regime of fear may constitute the beginning of Swaraj.

“The restoration of free speech, free association, and free press is almost the whole Swaraj” (CWMG 22,12 January 1922, pp.176-178).

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