

## In Need of a Strong Policy Against Sexual Harassment



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## Lead Essay

### In Need of a Strong Policy Against Sexual Harassment

Recent reporting of the alleged sexual harassment of female colleagues by Dr. R.K. Pachauri, executive vice-chairman of TERI, has set off yet another debate on the efficacy of the Sexual Harassment of Women at Workplace Act, 2013 (hereinafter the Act) in preventing such incidents. The years of discussion and deliberation on this subject by legislators, activists, representatives of civil society organisations would have ordinarily meant that the Act would provide a strong legislative framework to deal with this menace. Sadly, this is hardly the case.

Five years after the gang rape of government social worker Bhanwari Devi in 1992 the Supreme Court issued guidelines to curb sexual harassment of women at the workplace, in its landmark judgment -Vishaka versus State of Rajasthan. The legislation giving statutory backing to what came to be termed as Vishaka Guidelines in common parlance, came into force almost 17 years later. Sadly, two years after the Act has been in force we are still unsure if all workplaces in India are complying with the provisions of this Act.

There has been a noticeable increase in the number of sexual harassment cases according to the data compiled by National Commission for Women. (Fostering Safe Workplaces 2015) The lacuna in the legislation and the laxity of the administration at all levels- the workplace, the state as well as the central government- has prevented the formulation of a strong narrative against sexual harassment of women in the workplace. The attitude of the ‘employer’ as well as the government is one of the main reasons why we discuss the issue of sexual harassment of women only when one of them musters the courage to complaint against an incident. Sexual harassment still remains a topic that gains traction after the ‘attack’ is made. What is required is that it assumes a precautionary role and is discussed prior to any unfortunate incident so that the same is avoided.

#### Why is there still a need to address sexual harassment of women at workplaces?

Despite an apex court judgment and legislation preventing sexual harassment there is still a need for us to discuss the issue because of the many flaws in the way the directions from the judiciary and executive are executed. This is evident from the fact that a number of corporate houses still remain non-compliant of the Act. Following is a tabulation of the data compiled by EY Fraud Investigation & Dispute Services through their recently conducted survey titled ‘Reining in sexual harassment at the workplace in India.’ The purpose of the survey was to gauge corporate India’s perception of the transformation being witnessed due to the enactment of the Sexual Harassment of Women at Workplace Act, 2013. (Fostering Safe Workplaces 2015)

Percent	Violations under the Act
31 percent	Total percent of respondent organizations who had <b>not constituted the Internal Complaints Committee (ICC)</b> as mandated by the Act, of which 36 percent were Indian and 25 percent were MNCs
40 percent	Total percent of respondent organizations who had <b>not trained their ICC members</b> although the same is mandated by the Act
35 percent	Total percent of respondent organizations <b>unaware of the penal consequences</b> for non-compliance when constituting the ICC
44 percent	Total percent of respondent organizations <b>did not display the penal consequences of sexual harassment at conspicuous places</b> as mandated by the Act. Amongst them Indian companies stood at 50 percent, MNCs at 40 percent and small and medium companies at a

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lowly 71 percent.

There is a need to strengthen our policy on sexual harassment for reasons more than just ensuring safety of women. For all the policies and schemes that aim to make women economically independent, it is required that women are considered as important contributors to the economy. And one important way to do this is by not considering them inferior to men when they are both contributing to the welfare of the organisation/company. Women already grapple with disparity in pay at work between the two genders, managing their societal roles along with having a career and in addition the lack of a no sound structure in place to prevent sexual harassment at workplace is only one more hurdle in their path. What is the reason that even till last year it would have taken 217 million women to enter the workforce in India to be at par with the number of men in the workforce?(Bhuyan 2015). The fact that working is often 'unsafe' for them can be a contributory factor for this absence of women in the workforce. Government, lawmakers as well as we as a society will have failed them if the issue of sexual harassment is not addressed with the sincerity it demands.

### **How can sexual harassment be made an effective policy tool?**

Just formulating legislation is not the answer to solving grievances, its proper execution is. The Act has not transformed the workplace for working women as is evident from the fact that a lot of corporate companies are still not compliant with the provisions of this Act. 'What gets measured gets done' is a well known management principle, and the absence of a centralised system to monitor compliance of the Act and a central repository of sexual harassment, cases filed and disposed off at workplaces, by the government in itself indicates the importance that government accords to this problem.(526 Cases of Sexual Harassment in 2014 2015)

In order to make the Act an important tool that would encourage deterrence in the number of incidents of sexual harassment occurring at workplaces, we need to strengthen the three pillars which support the foundations of a sound sexual harassment policy, these are discussed below:

#### **I. Manner of adjudication of cases**

Internal systems of adjudication need to be strengthened: Since the workplace is supposed to institute an Internal Complaints Committee (ICC) constituted largely of employees from within the company, the intention seems to allow for an opportunity to resolve the matter internally. In that case it extremely important that the internal systems of adjudication are not weak. Most of the complaints involve a 'competent' senior who, if found guilty, will have to be 'let go' in order to retain the complainant who often is an 'inexperienced' junior. (Namita Bhandare 2015) Organisations may often have to choose between meting out justice and retaining skilled professionals.

One way to surpass this dichotomy is through sensitization of members of the ICC so that they realise that sexually harassing a colleague or junior is a debilitating exercise that merits stern action. Additionally sensitization procedures should also focus on relating the harsh realities of impact of sexual harassment on the aggrieved woman. It is only when the offence of sexually harassing another is understood as a grave mistake will the ICC think it prudent enough to penalise the offender whatever position of seniority he may be in. A large part of responsibility for this lies with the Human Resource departments in the companies. Traditionally they have been involved in transactional issues which include hiring and firing, disbursement of salaries, statutory compliances, promotions and the like.(Sharma 2014) Dealing with cases of sexual harassment which are sensitive in nature is new for them. For this an important part of their training should involve knowing the provisions of the Act and the compliances associated with it. It is the HR department that has to take onus for training the ICC members and ensure that penal consequences of sexual harassment are displayed at conspicuous places.<sup>1</sup>

<sup>1</sup> Section 19(b) of the Act

<sup>2</sup> Section 16 of the Act says that the identity and address of the respondent (among other people) inter alia shall not be shall not be

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Do we need to keep the identity of the perpetrator a secret?: There is a grey area in the Act when it comes to understanding what should the course of action be when the ICC finds the respondent or the perpetrator of sexual harassment guilty.<sup>2</sup> Since the ICC arrives at its decision of finding the perpetrator guilty after a fairly detailed analysis of the issue which involves assessing evidence as well as statements of witnesses, there is no reason why we should assume that such a decision could be faulty and afford it the luxury to be confidential. To draw an analogy if sexual harassment cases were to be resolved by the Courts wouldn't the particulars of the respondent be known to all, that too when the matter is sub judice? A precedent worth noting has been set by the Supreme Court by allowing banks to publish the loan defaulters' names and photographs including that of the directors. The Court has urged that this 'name and shame' policy must be pursued by the banks. (Bad Loan Clean-up Must Co-opt 'name, shame' Policy 2016) So what is stopping companies from adopting this practise to 'name and shame' the perpetrator once the ICC has cogently reached a decision and found him guilty?

The twin purpose achieved by this action is instilling fear of loss reputation of the person associated with sexual harassment (and it will not just be the complainant that who will face the risk of harming her reputation in case her particulars are leaked) and preventing the same person from entering a new job with a clean slate, possibly preventing him from engaging in the same activity once again.

Through training of HR personnel, sensitization of members of the ICC and identifying the wrongdoer after due process in front of everyone, the endeavour is to stop letting sexual harassment be a taboo topic that cannot be discussed but a concern that transcends hierarchies of the workplace and is dealt with in a just manner. This is also pivotal in creating a safe and supportive environment for all employees irrespective of their gender or seniority status.

### **II. Accountability of the employer**

The Act as well as the Vishaka guidelines talks in great detail about the duties of the employer since s/he is the one who is responsible for maintaining a safe working environment at the workplace. The employer is liable to punishment in case of non-compliance with the provisions of the Act. Here again there is a disparity between the letter of the law and the manner in which it is implemented. In every organisation it becomes important that the employer comes to the forefront and ensures that the ICC is constituted as well as the compliance reports are filed.<sup>3</sup> The need of the hour is to assess whether the employers are being held accountable for the roles that have been assigned to them.

In the case of effective execution of sexual harassment policy it is essential that responsibility of sustaining the structure of this policy is pinned on one person. The employer is identified as that person by the Act as well as the guidelines. However we are still far from making the employer himself realise that he is of pivotal importance in holding the sexual harassment policy together.

Although we have a provision to penalise him for not submitting the number of sexual harassment cases filed with the annual report we have no way of determining if s/he has complied with this or not. Similarly we have no way of determining if every workplace has instituted an ICC or not, contravention of which is also liable for punishment. Therefore due to lack of taking initiative to figure the best method for determining the above we are diluting the accountability that the employer must undertake. We are relieving him from being responsible and further weakening the seriousness with which this issue needs to be dealt. Before moving to exploring newer avenues for making working life easier for women like proposing extension of maternity leave to 26 weeks in private as well as government organisations (Nair 2015), the present government should re-look at its prior half baked ventures in the same area. And further strongly urge that the companies to share the number of sexual harassment cases instituted/ resolved in their organisation and further the if systems were put in place to address these issues.

<sup>2</sup> Section 16 of the Act says that the identity and address of the respondent (among other people) inter alia shall not be shall not be made known to the public. However the proviso only prohibits sharing particulars of the complainant and witnesses in case information about the justice meted out to a sexual harassment complainant has to be disseminated.

<sup>3</sup> Contravention of these is liable to be punished under Section 26(1) with a fine which may extend to fifty thousand rupees

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### **III. The workplace environment**

For successfully combating the problem of sexual harassment it is important that everyone at the workplace must be on board. That this is an essential component for a strong policy against sexual harassment was realised by the legislators. They have made space to accommodate under the duties of the employers for organising workshops and awareness programmes for sensitizing of the employees. It is required that we consider sexual harassment as something that can be prevented rather than something that awaits occurrence and then solution. To make the workplace environment conducive for women to speak up against sexual harassment and men to abstain from it there have to be improvements made in the workplace environment.

This improvement would be a cumulative result if the other two aspects- improvement in the adjudication of cases and making the employer more obviously accountable- are worked upon. The idea behind this move is again to bring out the topic of sexual harassment from the realm of being something shameful to talk about. Since this is a facet that is difficult to monitor centrally, the way forward in this regard would be taking self-initiative. Assumption of responsibility by the employer for maintaining a safe workplace environment by adhering to the existing provisions will have a domino effect in influencing all persons in the workplace. Efforts to bring forth this accountability have to be taken by the Ministry of Women and Child Development at the Centre and State government level by tracking the sexual harassment cases that are filed.<sup>4</sup>

### **Conclusion- Next steps?**

International best practices in dealing with policy issues usually give interesting insights however the problem of sexual harassment of workplace especially for women is still something that does not have a fool proof solution even in other developed economies. The understanding of practice of sexual harassment is still restrictive in the United States. The Inter-American Convention on Violence Against Women (the Convention of Belem do Para), adopted in 1995, defines violence against women as including sexual harassment in the workplace. Sexual harassment is thus seen as a manifestation of general violence against women and not a form of discrimination at the workplace. (McCann 2005) European policies on sexual harassment have been developed mainly through Autonomous Framework Agreement on Harassment and Violence at Work, 2007. Legislations to deal with the same vary across countries and deal with violence and harassment through equal treatment legislations or general labour laws. Although Europe suffers from under-reporting of such cases because of the low rate of success in case court action is taken. (Violence and Harassment in European Workplaces 2015)

Since most other countries also have not found a stringent solution to the problem as yet, this may be an opportunity for India to lead the way. Parliament and the government of the day must take cognisance of the obvious flaws in the implementation of the Act in India. To start even a simple move by the government to institute a procedure to find out if workplaces are compliant with the provisions of the Act would have a strong impact on the effective implementation of the Act. There has to be a full throttle attack on addressing the issue of abysmal rate of female workforce participation. Future female employees need to be convinced that workplaces are conducive for their growth as professionals and safety. Increasing their participation in the workforce is good news for their personal growth as well as growth of the economy. By recognising that sexual harassment is a discriminatory practise for which all are committed to bringing the offender to the book, a strong, reassuring message will be sent out to women hopeful of gainful employment across the country.

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<sup>4</sup> <http://wcd.nic.in/sites/default/files/Implementionofsexualharssment.pdf>, accessed on 10.3.2016

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## Headlines

### **Global Central Banks Need Rating Codes, Asserts Rajan**

*(Free Press Journal, March 13, 2016)*

“Reserve Bank Governor Raghuram Rajan on Saturday called for a system for assessing the wider impact of monetary policies of global central banks, including unconventional tools and their spillover effect, and colour codes for rating them.”

“Asserting that unconventional monetary policy used by industrialised nations has impact globally, he said there was a need to discuss the issue and analyse its spillover effect. He suggested a traffic light system grading policies green, orange or red.”

Read more: <http://www.freepressjournal.in/global-central-banks-need-rating-codes-asserts-rajan/802729>

Date accessed: 14.3.2016

### **Cabinet Gives Green Signal to Rs 8,000 Crore Rural LPG Scheme**

*(The Indian Express, March 10, 2016)*

The Cabinet on Thursday approved a Rs 8,000-crore scheme to provide cooking gas (LPG) connections free of cost to women members of poor households. The Cabinet, headed by Prime Minister Narendra Modi, approved Pradhan Mantri Ujwala Yojana with an outlay of Rs 8,000 crore for three years.

Finance Minister Arun Jaitley, in his Budget for 2016-17, had announced the plan, saying the poor do not have access to cooking gas. He had stated that the government has decided to embark on a massive mission to provide LPG connections in names of women members of poor households. The move is aimed at empowering women and protecting their health.

Read more: <http://indianexpress.com/article/india/india-news-india/cabinet-gives-green-signal-to-rs-8000-cr-rural-lpg-scheme/>

Date Accessed: 10.03.2016

## Governance & Development

### *POLITICS AND GOVERNANCE*

#### **Subsidies Marked as Job-Generating Ploys**

(Jatinder S. Bedi, *The Tribune*, March 10, 2016)

The Government should not end up paying unintended subsidies for the mere transfer of employees, especially when it is taking hard measures to withdraw subsidies from the middle-class households, and even from the farmers despite a serious agrarian crisis. Measures such as universal health insurance announced in this Budget have social-security implications, even as more such schemes in other sectors can further enhance the coverage of the vulnerable sections of society.

Read More: <http://www.tribuneindia.com/news/comment/subsidies-masked-as-job-generating-ploys/206657.html>

Date Accessed: 11.3.2016

### *URBAN*

#### **A Disaster Waiting to Unfold? Here's Why Delhi Police, CPWD Raised an Alarm over the Stage at Sri Sri Event**

(Dinesh C. Sharma, *First Post*, March 10, 2016)

A team of the Central Public Works Department (CPWD), which visited the site of the World Heritage Festival and inspected the huge temporary stage, has reported to officials looking after Prime Minister's security that safety of the structure has been "compromised" and that it is not in accordance with design parameters set by the Bureau of Indian Standards (BIS) for such structures.

The CPWD report states that the stage measuring 40 feet in height, 200 feet in width and 1,000 feet in length has been found to be unsafe on four grounds. First, no ground preparation or compaction has been done for ensuring leveled ground for supporting the structure. In fact, Sri Sri Ravishankar has inadvertently admitted this himself in interviews by saying that not a single nail has been dug into the ground, without realising that it is not an engineering feat but a design flaw that has made the structure unstable. Second, the size of the base plates used is inadequate, which will result in excessive pressure on soil below. Third, splice joints have not been staggered creating weak links in vertical columns at same levels. Fourth, corroded and worn-out pipes have been used in erecting the whole structure.

Structural safety is a major issue, given weather warning issued by the India Meteorological Department (IMD) which predicts "thunderstorm accompanied with strong winds and isolated hailstorm" over Delhi and West Uttar Pradesh from 11 March to 13 March.

Read More: <http://www.firstpost.com/india/a-disaster-waiting-to-unfold-heres-why-delhi-police-cpwd-raised-an-alarm-over-the-stage-at-sri-sri-event-2667780.html>

Date Accessed: 10.03.2016

### *TECHNOLOGY*

#### **Digital Inequality Warning Sounded for Urban India**

(*IndiaSpend*, March 9, 2016)

Although Internet users in India are increasing rapidly, and the country is Asia-Pacific's fastest growing smart phone market, only 22% of the adult population in India uses the Internet, compared to the global median of 67%, according to this survey by Pew Research Center, a US research institute. India lags most major economies and performs worse than Nigeria, Kenya, Ghana and Indonesia, among other countries, the data reveal.

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Read More: <http://www.indiaspend.com/cover-story/digital-inequality-warning-sounded-for-urban-india-72771>

Date Accessed: 11.3.2016

### ENVIRONMENT

#### 310 Asiatic Lions 547 Leopards Died in Gir in 5 yrs

(*The Tribune*, March 09, 2016)

A question raised by a congress member in Gujarat state Assembly revealed that the Gir Sanctuary has lost hundreds of Asiatic Lions and Leopards in last five years. The Forest Minister Mangubhai Patel of Gujarat Government informed the state Assembly that "as many as 310 Asiatic Lions, declared as endangered species, had died in its only abode, the Gir Sanctuary in the Saurashtra region of Gujarat, in the past five years." The minister further revealed that along with lions, 547 leopards had also died in the sanctuary during the same period.

Read more: <http://www.tribuneindia.com/news/nation/>

Date Accessed: 10.3.2016

### AGRICULTURE

#### Maharashtra Government Lax in Tackling Drought, Says Opposition

(*The Times of India*, March 09, 2016)

Opposition leaders in the legislative assembly and the legislative council, Radhakrishna Vikhe-Patil and Dhananjay Munde, said the government had failed to tackle the worst-ever drought in the Marathwada and Vidarbha regions.

"Way back in 1972, the entire state had witnessed a drought. Despite the fact that the drought is more severe, the Fadnavis government has not taken stringent measures to tackle the situation. The day-long tour of Fadnavis and his cabinet colleagues was drought tourism. The CM did not implement even a single decision taken by his government in the last one year," Vikhe-Patil and Munde alleged.

Vikhe-Patil said when it was expected that after the CM's tour of the drought-affected villages in Latur district, he would declare a complete loan waiver to tackle the agrarian crisis. "It appears that he was not serious to work for the farmers' cause. We feel that after Fadnavis took over the reins in October 2014, Maharashtra has witnessed a sudden spurt in farmer suicides and that government has not taken critical measures to halt it. In the last three months, 224 farmers have ended their life," Vikhe-Patil said.

Read More: <http://timesofindia.indiatimes.com/city/mumbai/Govt-lax-in-tackling-drought-says-Oppn/articleshow/51317026.cms>

Date Accessed: 10.03.2016

### DEFENCE

#### Centre, Punjab Spar Over Bill for Pathankot Operation

(*The Huffington Post*, March 07, 2016)

The Punjab government has refused to pay a bill of Rs 6.35 crore to the Center for deployment of paramilitary forces during and after the terror attack at Pathankot air force base.

In a communication to the Center, the state government has said that the deployment of these units was in "national interest" and "expenditure thereon should not be billed to the state government", officials said here. NDA constituents Shiromani Akali Dal and BJP are in power in Punjab.

Whenever central paramilitary forces are provided to any state, their expenses are borne by the central government but it is adjusted against the state's budget later on, a home ministry official said in Delhi.

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The attack had probably originated in Pakistan and it threatened national security, the state government said in response.

Congress, meanwhile, dubbed the Centre's move to bill Punjab as a "travesty", making a strong pitch for waiver of all militancy related dues of the state.

Read More: [http://www.huffingtonpost.in/2016/03/07/punjab-pathankot-centre\\_n\\_9399238.html?utm\\_hp\\_ref=in-politics](http://www.huffingtonpost.in/2016/03/07/punjab-pathankot-centre_n_9399238.html?utm_hp_ref=in-politics)

Date Accessed: 10.03.2016

## Society

### COMMUNALISM

#### **RTI Response By AYUSH Ministry Says It Is Against Government Policy To Hire Muslims: Report**

(*Huffington Post*, March 11, 2016)

“In a startling response to a Right to Information query, the AYUSH Ministry has said that it did not hire Muslims for short-term positions as trainers for World Yoga Day as it was against government policy. AYUSH stands for Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy, and is the Ministry that promotes these branches of traditional medicine. The AYUSH Ministry, under Sripad Naik, organized the first World Yoga Day on October 15, last year. The RTI query filed by journalist Pushp Sharma sought to know how many Muslim candidates had applied and had been hired for short-term assignments during World Yoga Day.”

Read more: [http://www.huffingtonpost.in/2016/03/11/ayush-ministry\\_n\\_9440142.html?utm\\_hp\\_ref=india](http://www.huffingtonpost.in/2016/03/11/ayush-ministry_n_9440142.html?utm_hp_ref=india)

Date accessed: 14.3.2016

### GENDER

#### **Why Only of Women, for Women and by Women?**

(Aruti Nayar, *The Tribune*, March 10, 2016)

The yawning divide between the research of Women's Studies Departments conduct across the country and policy making is unfortunate. Studies at the Research Centre for Women at the SNDT Women's University, Mumbai reveal emerging gender trends, as do those at other Departments of Women's Studies. Why do we not use that data or inputs to synergise different facets of development at the ground level? Those studies, whether micro or macro, are just dumped or purely used for research purposes and not made available to the media, development agencies or educational institutions. For instance, if we want to find out if all violence is male generated or not, one can access studies conducted internationally or by the United Nations-sponsored organisations but there are rarely any in the Indian context. If at all there are, they are not readily accessible. These international studies cannot serve the purpose that those conducted in our own socio-cultural milieu would by revealing the changing patterns of gender behaviour.

Read More: <http://www.tribuneindia.com/news/comment/why-only-of-women-for-women--by-women/206658.html>

Date Accessed: 11.3.2016

#### **Maneka Gandhi's Altered Stance on Marital Rape Angers Activists**

(Jahnvi Sen, *The Wire*, March 13, 2016)

“The J.S. Verma committee set up in the aftermath of nationwide protests over the rape of Jyoti Singh in December 2013 recommended that marital rape be criminalised. “The law ought to specify that marital or other relationship between the perpetrator or victim is not a valid defence against the crimes of rape or sexual violation,” the committee said. The UN Committee on Elimination of Discrimination against Women also recommended that the Indian government criminalise marital rape. More than two years since the Verma committee report, it appears the current government has no plans to make marital rape a criminal offence. Answering a question in Rajya Sabha on March 10, Women and Child Development Minister Maneka Gandhi said, “It is considered that the concept of marital rape, as understood internationally, cannot be suitably applied in the Indian context due to various factors like level of education/illiteracy, poverty, myriad social customs and values, religious beliefs, mindset of the society to treat the marriage as a sacrament etc.”

Read more: <http://thewire.in/2016/03/12/activists-angered-by-maneka-gandhis-altered-stance-on-marital-rape-24649/>

Date accessed: 14.3.2016

## India and World

### *INDIA IN THE WORLD*

#### **Sharp Drop in Aid to SAARC Nations**

(Sahasini Haidar, *The Hindu*, March 10, 2016)

Contrary to the NDA government's "Neighbourhood First" diplomatic posture, the development assistance for all SAARC countries has been significantly reduced in the 2016-17 Budget. Except Pakistan, all other six members of SAARC receive significant financial assistance from India.

The slashing of the assistance to SAARC countries is in line with the cut in Budget to the Ministry of External Affairs this year that has fallen by about Rs. 500 crore, if one counts the allocation for the Ministry of Overseas Indian Affairs (MOIA) that was merged with the MEA this year.

Despite the expectation that Nepal will need increased assistance as it begins its reconstruction programme this year, the allocation has seen a drop of 28.6%. Sri Lanka and the Maldives have seen cuts of 54% and 78.1% compared with the previous year. And even the countries with the lowest GDP, Afghanistan and Bhutan, saw cuts this year of 23% and 10.8% respectively.

Read More: <http://www.thehindu.com/news/national/sharp-drop-in-aid-to-saarc-nations/article8332984.ece>

Date Accessed: 10.03.2016

## Opinions/ Books

### OPINIONS

#### Swadeshi Indology and the Destruction of Sanskrit

(Sanjay Krishnan & Teena Purohit, *The Wire*, March 10, 2016)

The petitioners agitating for the removal of Professor Sheldon Pollock from his position as editor-in-chief of the Murty Classical Library of India series seek to destroy the very thing they are claiming to protect: free and independent scholarship in Indology.

The dangerously flawed approach of the petitioners is reflected in their self-presentation and their style of argument. First, they self-righteously claim to be defenders of Sanskrit, valiantly committed to protecting Sanskrit scholarship from being colonised by foreigners. Second, they argue by spurious analogy that Sanskrit is a national possession: India owns Sanskrit, just as India owns its natural resources.

Building on this analogy, the petitioners assert that just as it is a grave error in judgment to surrender control of “our” vital resources to foreigners, “outsourcing” production of Sanskrit scholarship makes the nation vulnerable to cultural subversion. They insinuate that despite his qualifications as an Indologist, Pollock is motivated by an anti-Indian and, more precisely, an anti-Hindu agenda. The petitioners claim that the only way to combat such foreign subversion is to bankroll native scholars whose patriotism and religious convictions are beyond reproach.

At the root of the problem lies the petitioners’ refusal to see that it is by means of free and independent scholarly inquiry, not cultural nationalism, that the depth and complexity of Indological texts are best communicated. It is the impartial scholar, not the patriot defensive of “his” values and civilisation, who is able to induct students into the rich and often mysterious realms of classical and vernacular languages and literatures. As Pollock suggests, translation itself can transport us to “unfamiliar” places. This is very different from the stated aims of the petitioners, who want to turn Sanskrit into an expression of cultural pride, something akin to a bauble.

For good reason, these proponents of so-called Swadeshi Indology are fearful of impartial research. They disparage the collaborative and cosmopolitan nature of scholarship as “outsourcing.” They prefer a made-in-India study of Sanskrit that churns out made-to-order truths. Such a destructive vision should not be allowed to gain the upper hand. It threatens to destroy the integrity of academic scholarship and to degrade the public sphere.

Read More: <http://thewire.in/2016/03/10/swadeshi-indology-and-the-destruction-of-sanskrit-24450/>

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