

The pandemic or, it seems to me, the actions taken in the garb of measures to address the pandemic, has resulted in many people being rendered jobless and incomeless. I don't know whether to call what is happening a health crisis or a crisis caused by manipulated or negligent or incompetent political decision-making. But the outcome of it all is a humanitarian disaster. People have suffered innumerable indignities in India, and closer home in Goa.

Those who have suffered hugely included the general mass of people in Goa on account of the ill-advised steps of the Chief Minister such as deprivation of access to food by shutdown of even grocery shops or vending for substantial number of days initially, with no provision for delivery of provisions either for some days, deprivation of access to their regular and essential medical care of the old and the sick, and the deprivation of those rendered homeless (the legislation stipulating that migrant workers should not be charged rent and should not be evicted was either unimplemented or unimplementable), of those who have lost their incomes – both local people and migrant workers suffered immensely, particularly those who were at the lower end of the caste, class, and social and economic hierarchy.

There has been, continues to be, and forebodes to be in the future yet another kind of impact, on account of misgovernance or rather governance that suits the rich and powerful. That is the impact on the social, economic, civil and political rights of citizens. The steps that are being taken by the Governments of India and Goa at this time have no reasonable nexus with the stated objective of addressing COVID-19 and its attendant consequences. Or at least do not seem to have, otherwise one would not see duplicitous regulations and practices on the ground.

The most glaring example is the issuing by the two District Collectors of North and South Goa, of orders under section 144 CrPC, which prohibit Assembly or gathering of four or more persons, and taking out or organising of processions, taking out any procession or staging any demonstration on the road, street or thoroughfare, or holding any public meeting.

Let us examine some of the things that are happening in Goa. What is the purpose of introducing Section 144 CrPC? If 'social distancing' is required to be maintained and it is not maintained, then can't action be taken for violation of this regulation? Why is Section 144 CrPC required? A chain legal culpation then follows. Under other provisions of the law, such as section 188 Indian Penal Code, where it becomes then possible to implicate someone for disobeying the order under Section 144 CrPC. Thus, the State is dangerously – for the people – equipped, in the guise of Disaster Management, to quash all participation in democracy, including collectively questioning decisions, and having informed discussions, even though these can be done wearing masks and with 'social distancing'. Because Sec 144 CrPC trumps

it all.



COVID-19 cannot be a pretext to trample democracy
Several socially-conscious citizens were in fact not permitted to even participate in processes of assisting with provisions of food, with arbitrary and ever-changing orders regarding taking volunteers on board. Similarly several politically-conscious citizens have been denied the possibilities of standing up for brazen human rights violations of migrant workers, regarding access to food and access to shelter.

Today, you also have issues like the poor conditions of quarantine facilities, the failure to requisition adequate and decent shelter homes for homeless migrant workers, brazen environmental violations such as land filling of agricultural fields, unconscionable labour law amendments, and the lack of accountability of newly-instituted disaster relief funds by the State, and no possibility to make the public voice heard, except in a limited way through those who have access to social media, and no way at all to clarify detailed positions.

Also, how can anyone have confidence whether the measures being taken are really in the interests of health, when those at the helm are themselves are not following those measures? What confidence can anyone have in measures that are interpreted literally, such as no restaurants open means no pantry in the railways, no vendors on railway stations, no food and water to the passengers of the Shramik trains, not to mention deaths and vulnerability to disease for the migrant workers who have entrained? How can one explain the complete disregard for violations of rights of human beings to a decent shelter, when the authorities say that shelters are full, though there are umpteen governments schools which the Government could have easily acquired to provide shelter?

The citizenry is left with only the option of making endless online petitions, and befriending government officers which often only those with the necessary social and economic capital can (barring a few exceptional officers), and getting things done, or just letting go, while each day a different issue and concern grabs the headlines? How can one have confidence in measures such as curtailment or delaying of annual fishing bans ostensibly again because of COVID-19, risking workers being on the seas with the weather already disastrous and the rains already lashing - all with scant regard for the lives of these workers who are forced to work and risk life on pain of not being provided wages if they leave and go back to their home towns?

There have to be compelling grounds for the State to meddle with freedom of assembly, through which right everyone, as citizens and as people, could have more proactively dealt with all the above BRAZEN violations of human rights, happening in the name of COVID-19 measures. COVID- 19 cannot become a ruse to throw democratic norms and fundamental rights to the winds. The very fabric of democracy is being hopelessly ripped apart. The

measures to tackle COVID-19 cannot become the basis for trampling on democracy.

Measures like the imposition of Section 144 CrPC do not help redress COVID-19 and on the contrary set a chain of human rights violations in motion. COVID-19 cannot be a pretext to trample democracy

(First published in *O Herald*, dt: 2 June, 2020)



Share this...



Facebook



Whatsapp



Print



Email



Twitter



Reddit