

# RGICS

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## Violence in the Name of the Cow

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## Violence in the name of the cow

### I. Introduction

In the last two years, post the 2014 Lok Sabha elections, there has been a sudden surge in cow vigilantism. Reporting of multiple atrocities being inflicted on Dalits and Muslims by cow vigilantes in the name of protecting the sacred animal of the Hindus, the cow has become frequent. According to recent media reports, individuals involved in any form of cattle slaughter is being severely punished. For instance in Madhya Pradesh two women were thrashed for carrying beef at a railway station. However it was later clarified by the Home Minister that the meat was that of a buffalo and not a cow<sup>1</sup>. Similarly in Gujarat, a Dalit family was skinning a dead cow which had been killed by a lion and yet the family members were beaten up badly<sup>1</sup>. This incident suggests that without proper verification individuals belonging to minority communities such as Muslims and Dalits are being targeted.

A large section of Hindus believe that the cow is a sacred animal and needs to be revered. However, there are various communities within the Hindu fold, especially in southern and north-eastern part of country where beef eating is an acceptable norm. For communities traditionally engaged in occupations of livestock, animal husbandry, farming and dairy cows, calf, bull and bullocks are important resources for their livelihood. It is a common practice among them to sell old and stray cattle instead of abandoning them. In return, it helps them to generate some money and reduces their cost of rearing unproductive cattle. Dalits also benefit from stray, unused and dead cow in rural parts of the country. Let's take the example of the Dalit community referred to as Chamar in North India and by various names in southern and central parts of the country, that has been engaged in leather tanning occupations for centuries. Many of these communities not only eat beef but they also skin dead cow and produce quality raw material for Indian leather market.

The communities mentioned above do not belong to either Muslim and Christian religious groups, however they constitute a large number of India's poor and disadvantaged population. However, we find that Cow slaughter is identified with beef eating practices and hence the government of India by prohibiting cow slaughter has also restricted beef consumption in India. The ban on cow slaughter is drawn from Article 48, Directive Principles of State Policy in the constitution which states that, "The State shall endeavor to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle."

The last century has seen a surge in campaigns urging Hindus to protect the cow and in turn also protect Hinduism from foreign onslaught. The practice of cow worship is traced back to the Vedic times by Hindu fundamentalists and cow slaughter is blamed on the advent of Muslims in India. In this backdrop where minority groups are being identified as practitioners of cow slaughter it is important to reflect on the significance of the cow through the ages - from ancient India to the Mughal period to Colonial India and finally the current context. The paper will identify how the cow vigilantes also known as the gau rakshaks have evolved in India. Tracing the evolution of cow vigilantism in India this paper will focus on recent activities surrounding cow slaughter and identify how the 'cow' is being used as a political tool. This paper will also demonstrate how the cow is being used to increase discrimination in India on the grounds of caste and religion.

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<sup>1</sup> <http://indianexpress.com/article/india/india-news-india/beef-madhya-pradesh-video-cow-vigilantes-gau-rakshaks-2938751/>

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### II. Historical Narratives on the ‘Holy Cow’

#### *Ia. Ancient India*

In this section we will be drawing upon Prof Jha’s much acclaimed work, “The Myth of the Holy Cow” (2009). It is ironic that the Hindu fundamentalists are tracing cow worship to the period when cow sacrifice was a common practice and so was beef eating. There is a constant reference to the Vedic period and the idea that the cow is sacred is traced back to this particular point in history.. According to cow vigilantes beef eating practices are considered to be an imposition of Western ideals which is polluting Indian culture. In fact the cow vigilantes are propagating that due to colonization beef consumption was introduced in India.<sup>2</sup> However historical evidence points to contrary evidence. In this context it is important to understand the significance of the cow in ancient India.

The nomadic Aryans who are considered to be the origins of Hindus were practitioners of cow slaughter (Chakravarti, 1979; Jha; 2009; Deshpande, 2015). An analysis of the Indian scriptures, particularly the Vedas highlights that among the Aryans, animal sacrifice was dominant till the practice of settled agriculture emerged (Puniyani, 2013). All ceremonies and rituals were characterized by cow and bull slaughter (Chakravarti, 1979). In fact it is mentioned in the RigVeda, the oldest Indian religious text, that during the first half of the nineteenth century the sacrifice of the cow and the horse also known as gomedha and ashwamedha was a common custom in Hindu rituals (Jha, 2009). In fact the cow was regularly sacrificed to the Gods by the Aryans. Cattle was precious resource and yet cattle was sacrificed to propitiate gods. The Vedic gods were believed to have preferences for the meat of certain animals, for example Indra liked bulls, Agni liked cows, bulls and horses, Maruts and Ashwins were offered cows. The Vedas also mention the 50 animals that can be sacrificed. Infact the “Taittiriya Brahmana categorically tells us: ‘Verily the cow is food’ - atho annam vai gauh (Jha, 139; 2009). Though the cow has been praised in several instances in the Rig Veda as “the mother of Rudras, the daughter of the vasus, the sister of Adityas, and the centre of nectar”, nonetheless this reference is made only to the milch cow (Kane, 1974).

Apart from the Rig veda, other Brahmanical texts like Grhyasutras and Dharmasutras also mention meat eating- namely beef. Sacrificing cattle was part of most rites and rituals and flesh of cow or bull also formed a part of the meal given to guests. The sacrificed animal was also distributed among those present. Infact the Rgveda mentions the word Atithinir- which can be understood as ‘cows fit for guests’ ( Jha, 33:2009 ) Other than consumption of cow/bull meat, cow hide was also used to cover the upper body during the sacred thread ceremony. Vedic texts also mention the usage of cow fat to cover the corpse and sometimes a bull was burnt along with the corpse.(Jha,2009;139-140). There are detailed references to killing of cattle during death ceremonies with cows/bulls- use of cow fat, burning of bull, feeding beef during shraadh ceremonies are some of them. Cows meat was said to satisfy the ancestors (pitri) for a year and meat of rhinoceros for an endless period of time (Jha, 2009;35) The sterile cow which could no longer produce milk was always a part of the gomedha (Kane, 1974). In addition to public sacrifices the cow was also a part of daily domestic rituals. For instance the RigVeda mentions of a Vedic hero Atithigva whose name literally means ‘slaying cows for guests’ (Jha, 2009) and the oxen was regularly sacrificed during marriage ceremonies. According to the Sankhyayana (Vedic text) a bull or a sterile cow should be killed both in the house of the bride and the bridegroom on the day of the wedding (Kosambi, 1964; Chakravarti, 1979). While today the conservative Hindu would identify beef eating with cannibalism, it is important to note that during the Vedic times the upper caste Brahmins had beef on their diets (Kosambi, 1964). In fact the Satapatha Brahmana (text describing Vedic rituals) points out that the

<sup>2</sup> <http://indiatoday.intoday.in/story/beef-ban-and-bloodshed/1/493111.html>

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Rishi Yajnavalkya was in particular fond of tender beef (Kosambi, 1964; Chakravarti, 1979). Rishi Yajnavalkya also stressed that beef should be served during funerals because the aroma of beef was considered to be an “ailment for the spirits” (Chakravarti, 1979; Jha, 2009). Even among the major epics of the Hindu tradition Mahabharata and Ramayana beef eating and cow slaughter mentioned quite explicitly. For instance in the kitchen of King Ratniveda two thousand cows were slaughtered everyday and offered to Brahmins. Similarly in Ramayana, Rama is welcomed by Bharadvaja by slaughtering a calf in his honor (Parel, 1969). In fact references of beef eating can also be traced in ancient Tamil texts also known as Sangam literature (Rao, 1996). In addition to the lower caste Panar community, references of beef eating by Mazhavar kings have also been found in ancient Tamil texts (Rao, 1996). These instances from ancient India suggest that though cow slaughter is being associated with lower castes such as Dalits and minority communities such as Muslims and Christians, yet as the Vedas indicate beef eating was common among upper caste Brahmins. It is also important to understand that while the cow is being projected as a symbol of sacredness for the Hindus in the current scenario nonetheless during the Vedic times cow slaughter was an integral part of Hindu rituals. What could have led to the misinterpretation of the sacredness of the cow could be certain rules that have been laid down. For example, the killing of a cow belonging to a Brahmana was forbidden (Atharva Veda), similarly a killing of a milch cow without reason required penance. Atharva Veda says, “O warrior, do not desire to eat the Brahmana’s cow, she is not to be eaten.” (Jha, 2009: 39) It is mostly likely that these lines have been handpicked and used to spread false notions about cow being sacred during Vedic times. Evidence also shows that , other parts of the cow was used in various other ways- for making bowstring, making leather straps for chariots, leather thongs for musical instruments etc.

When did the change begin? Historians note that it is in the later Vedic Age period that ritual killing of cattle was replaced by rice and barley. The reason behind this change has been credited to new technology which led to the emergence of new agrarian settlements. (Jha, 2009: 41) Jha further writes that “ the general Upanisadic idea of ritual killing of animals as futile gained in strength and may have culminated in the doctrine of Ahimsa which was the defining trait of Jainism and Buddhism” (Jha, 2009; 42). It was when the concept of ahimsa evolved with the advent of Buddhism and Jainism that the cow from a sacrificial animal became a sacred animal. The religious philosophy of Buddhism and Jainism was based on ahimsa that preached renunciation and non-violence. Ahimsa is rooted in Jain and Buddhist teaching and it is important to renounce the desire of killing other beings in order to practice ahimsa. For instance one of the tenets of Jainism is to avoid hurting of insects, reject agriculture and practice vegetarianism (Lodrick, 2005; Jha, 2009). Similarly when Buddhism adopted by King Ashoka was being spread proclamations were engraved on the edicts that prohibited animal slaughter (Lodrick, 2005). But in one of his edicts it is mentioned that peacocks and deer are part of the royal diet and in the list of animals which cannot be slaughtered did not include the cow. Kautilya in Arthashastra does not permit the killing of calf, bull or milch cow, however he recommends use of cow bones and dung and asks butchers to sell only fresh meat. He was also not against consumption of cow meat after its natural death (Jha, 2009: 67) Scholars suggest that Buddhism and Jainism emerged as alternatives to the Vedic order and by negating animal sacrifice and promoting ahimsa the ascetics and Kshatriyas were challenging the religious domination of the Brahmins (Lodrick, 2005). Even though Buddhism and Jainism spread the concept of ahimsa it took centuries for mainstream Hinduism to crystallize and accept the notion of ahimsa (Lodrick, 2005). At the same time , Buddhists do not shun meat in their diet; Buddha’s opposition was mainly to animal sacrifice. There is evidence to show that beef eating continued during the times of the Buddha. Also killing animals for rituals also continued during the times of Buddha. The last meal of Buddha, as per Mahaparinibbana Sutta, was pork. (Jha, 2009: 63). Buddhist texts mention animal food like venison, beef, sheep etc. It is only when the religion split that the Mahayana branch forbade meat altogether and texts were added saying that the Buddha instructed

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his followers to shun meat. We would to mention here that there are several debates on eating of meat by Buddhists and we do not intend to enter that debate here. We just wish to highlight the issue of meat eating. Another aspect that needs to be mentioned here is that there was a discord between Jainism and Buddhism which were based on similar principles on the question of meat eating. For Jainism, ahimsa meant rejection of anything that may contain even the germs of life. Prof Jha mentions that there are references in texts (Dasavaikalikasutra, Vipakasutra) that indicate that Jain monks ate meat and fish. One text refers to Mahavira asking for meat of cockerel instead of a pigeon. (Jha, 2009: 73) Monks were directed to adjust to the surroundings they were in and meat eating was permitted under certain circumstances. However there are several other texts which talk about how meat is poison and one would rather die than eat meat. Jha concludes by saying that both Jainism and Buddhism rejected animal food unless it was necessary to consume it. Buddhism which travelled to other countries has moved away from this belief while Jainism largely confined to India has now totally rejected consumption of meat.

The question now arises, when did the cow then become holy? Jha (2009) writes that it around the first millennium AD that there was a change as reflected in the Dharmashastras. This change he says is rooted in the expansion of agriculture as a occupation largely due to land donations to the priestly class. The Puranas documented this new attitude towards cattle killing and hence sanctity of the cow and the worship of cows as a deity have been written extensively. . In the Puranas, the cult of Lord Krishna's association with the cow establishes the cow as a symbol of purity which then became a popular Hindu belief .Subsequent law books of Parasara and Devala talk of punishments for killing of cows and the penance required if a cow is killed. There is a connection between the Brahmanical rejection of cow meat and cow slaughter and beef meat becoming taboo among upper castes. Parallel to the cult of lord Krishna, the Vijaynagara Kingdom in South India, witnessed the rise of Vaishnavism that held Lord Vishnu as the supreme Lord. Since Lord Krishna is considered to be an incarnation of Lord Vishnu hence in Vijaynagara Kingdom the priestly class, in particular the Brahmins gave up the custom of beef eating. Following the priestly class gradually the kings and trading class also refrained from beef eating (Smith, 2006). . In addition it should also be noted that though beef eating is often associated with Muslims, yet cow slaughter was not practiced during the Mughal era.

### *Iib. Medieval India*

With the advent of the Mughals in India in the latter half of medieval India a restricted ban on cow slaughter was issued to accommodate the beliefs of the Jains and the Brahmins as well (Jha, 2013). In particular the Mughals not only prohibited cow slaughter, but also severely punished those who engaged in cow slaughter. Emperor Babur who established Mughal rule in India prohibited cow slaughter and also advised his son Humayun to respect the cow to avoid hurting the sentiments of the Hindus (Jha, 2009). Additionally there is a record of a case which mentions that the Emperor Akbar had exiled a well known Muslim saint to Bhakkar on the charge of cow slaughter (Khan, 2001). Since Akbar patronized and encouraged Hindu culture he banned beef from being served in the court to respect the sentiments of the Rajputs (Sen, 2004).. Even in the reign of Shah Jahan and Aurangzeb cow slaughter was banned and in places such as Surat riots erupted when English merchants tried to obtain beef (Bayly, 2000; Khan, 2001). Shivaji too , denounced cow slaughter which further encouraged the view that the cow is sacred and needs to be protected.. Drawing from these instances it could be said that the Mughals prohibited cow slaughter to largely to accommodate Hindu sentiments. However with the arrival of the British in India and the downfall of the Mughal Empire, the cow gradually became a tool of communal tensions during the independence movement.

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### *Ic. The Independence Movement and the Rise of Gau Rakshaks*

In their process of colonization, the Indians were introduced to western cultural ideals and values. These ideals included the use of English language, banning of Sati and abolition of child marriage, introducing widow remarriage and the promotion of Christianity through Christian missionary schools (Cohn, 1996). As a repercussion many individuals like Swami Dyananad Saraswati started protesting and created alternatives to preserve Indian tradition (Cohn, 1996). Hence within the backdrop of the independence movement Swami Dayananad Saraswati started the Arya Samaj which was an Indian religious movement which promotes Hindu practices and beliefs formulated from the Hindu sacred texts such as the Vedas (Veer, 1994). Swami Dyananad Saraswati in his writings propagated the imagery of cow as the ‘mother of the nation’. He argued that cow slaughter would result in scarcity of milk and hence increase malnutrition and physical degeneration of the people. He wrote, “The cow does more good to society than dead- it feeds more people through its milk, or helps to raise more grains through its agricultural labour, than it can feed through its flesh once slaughtered” (Bapu, 2013). With the formation of the Arya Samaj and the cow being projected as a sacred animal, gradually the cow became a political tool and medium of mass mobilization (Veer, 1994; Bapu, 2013). Consequently in the 1800s the cow protection movement was started by the Arya Samaj to prevent cow slaughter (Freitag, 1980). By the 1870’s the movement gained widespread momentum in Punjab and other North Indian provinces such as Benaras and Haridwar (Gupta, 2001). The cow protectionists demanded a ban to prevent the supply of beef to the British army, eating of beef in general and killing of cows on the occasion of Bakr-id by Muslims (Adcock, 2010). The popularity of the movement resulted in the establishment of the first *gaushala* (cattle sanctuary) in Rewari in 1879, which was followed by the formation of the *gaurakshini sabha* (cow protection society) in Agra in 1881 (Bapu, 2013). Eventually various such societies were formed in Calcutta and Bombay. The growth of the cow protection movements happened in two distinct phases- the first was the urban phase (before 1890), and the second was the rural phase (after 1890) (Frietgag, 1980).

The mobilization of the movement in the urban areas was fuelled by power holders from different occupational, neighborhood and interest groups (Frietgag, 1980). In the rural areas, hierarchical relationships which were shaped by caste, kinship and patron-client ties were used to mobilize individuals from lower castes (Frietgag, 1980). In this context it is important to note that upper caste Hindus and power holders included Brahmins, Rajputs, the peasants, the taluqdars, the zamindars and the shopkeepers. It is noteworthy that the Chamar community in particular, the butchers and leather tanners, were excluded from the cow-protection movement (Freitag, 1980). The cow protection movement was further supported and patronized by the wealthy lawyers, businessmen, landlords, schoolteachers and Hindu princes as well (Adcock, 2010). The movement also witnessed support from the dominant caste groups such as the Jats of eastern Punjab and the Ahirs of the United Province (British India), who sought this movement as a medium to attain higher status in the Indian society (Adcock, 2010). In Uttar Pradesh particularly new sabhas and gaushalas emerged in the late 19<sup>th</sup> century and with the help of print media mass posters and pamphlets were printed and circulated to propagate the idea of cow protection. A newspaper titled *Gausewak* was published at Benaras to further reach out to the Hindus and spread the movement (Gupta, 2001). Though the cow protection movement had gained momentum, it was not until 1893 that the movement took a communal turn.

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### **II.c.i Legislation and the Year 1893**

With increasing agitations against the Muslims and petitions which were filed by the cow protection societies, the Allahabad High Court in 1886 declared that the cow was not a sacred object and hence it could not be covered under the ambit of section 295 of the Indian Penal Code. Hence, the Court also declared that the slaughtering of cows by Muslims could not be held guilty on the grounds of religious violence (Bapu, 2013). This further intensified the agitations in the United Province (British India), which led to the formation of three cow protection organizations, in Allahabad (Sarkar, 1989). The movement reached its peak in the year 1893 when one of the first Hindu-Muslim riots broke out in Mumbai. The riots erupted in the backdrop of the launch of a militant cow protectionist movement by the *Gaorakshak Mandali* to prevent cows from being slaughtered (Menon, 2012). However the riots spread across India and particularly Northern India witnessed the maximum number of riots (Sarkar, 1989). Muslims in the region of Azamgarh, Ballia and Mhow in UP on the occasion of Bakr-id, were targeted severely by the members of cow protectionist societies (Adcock, 2010). Post these communal tensions the upper caste Hindus were united on the issue of the cow being protected as they considered the cow as a symbol of sacredness (Sarkar, 1989, Gupta, 2001).

Additionally an organizational base built by the help of associations such as Arya Samaj and Sanatan Dharma Sabha and through various communication channels such as pamphlets, events and preachers gave the cow protection movement national significance (Frietgag, 1980; Menon, 2012).

### **II.c.ii Focus on Uttar Pradesh**

Tracing the history of the movement in Uttar Pradesh is important because even in the current turn of events, the first incident of cow vigilantism occurred in Dadri, a village in UP. Though the cow protection movement was a national phenomenon, yet the movement garnered a lot of support in parts of Northern India. The cow protection movement had a huge impact in the colonial province of Uttar Pradesh because two fifth of the population was dominated by Muslims (Bapu, 2013). Because of the presence of a large number of Muslims in colonial Uttar Pradesh, the Gaurakshak Mandalis could mobilize the Hindus (except the Chamars) and develop an aggressive upper caste Hindu identity (Bapu, 2013). The intensification of the cow protection movements and the growth of anti-Muslim sentiments over the issue of cow killings, led to severe riots in the Kattarpur village in UP. A total of 47 burnt bodies of Muslims were recovered after the violence on the occasion of Bakr-id in 1918. Due to the rise in Hindu aggression over cow killings in 1918, the Muslims in the Gorakhpur district of UP did not celebrate Muharram. In addition to these communal tensions, Muslims were compelled by the Hindu groups to sign agreements (*ikrarnamas*) promising not to kill cows (Bapu, 2013). Subsequently, the cow protectionists also began to propagate economic boycott against the Muslims. They distributed pamphlets and stuck posters in the villages, which asked their Hindu counterparts to take oaths against buying anything from the Muslim shops (Gupta, 2001).

The appeal for cow protection was mainly raised by the upper caste Hindu men, comprising of Brahmins, school teachers, rajputs and traders which were later extended to the intermediate castes such as the Yadavs (Gupta, 2001). It is important to note that in Uttar Pradesh the movement also divided the Hindus. The sale of cows was in particular prohibited to Chamars, Nats, or Banjaras (Prior, 1990; Gupta, 2001). In Uttar Pradesh, in order to increase support for cow protection movements' visual images of cows were circulated and pasted in villages and towns through campaigns. Images of the cow were shown depicting divinity from the Hindu cosmology and her body was portrayed as a 'proto-nation'. The cow as a 'universal mother' had an emotional

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and religious appeal to the Hindus, and the aim was to penetrate into their psyche through these campaigns. The Hindus had begun to regard the killing of the cow as 'matricide'. Therefore, myths had been reinvented and reinterpreted in these images to aid the Hindu nationalist aspirations. For instance images of women milking the cow and being transformed into Yashoda and Goddess Ashtabhuj Devi and attacking two butchers who had killed a cow were circulated (Prior, 1990; Gupta, 2001).

It would be incomplete to talk of cow protection during the independence era and not mention Gandhi's position on this issue. It is important to understand the thoughts of a crucial leader such as Gandhi on the movement which was spreading communal tensions across the country. Though Gandhi was against cow slaughter according to Hindu traditional beliefs, nonetheless he did not coerce his belief system on non-Hindus (Gandhi, 1909). Acknowledging the presence of Christians, Muslims, Parsis and other religious groups in India, Gandhi asserted the fact that Hindu religious beliefs cannot be imposed on these groups (Gandhi, 1909). In addition Gandhi was also aware that many poor Hindus, particularly untouchables used to slaughter the cow and sell its meat for economic purpose. . In such instances, Gandhi suggested that it was the duty of the government to create opportunities for the poor and the untouchables to prevent the cow from being slaughtered (Harris, 1992). Even though Gandhi was against the imposition of the Hindu belief system on other religious groups, post independence the cow protection movement took a political turn.

### III. Post Independence

The supreme decision making body of RSS the Akhil Bhartiya Pratinidhi Sabha (ABPS) after 1951 convened nine national level meetings on the issue of cow slaughter .In 1967 the Rashtriya Swayamsevak Sangh (RSS) mobilized a large number of Hindu saints and demanded a complete ban on cow slaughter (Mofidi, 2014). The campaign by the RSS gained immense popularity among the rural population and compelled then Prime Minister Indira Gandhi to set up a committee comprising RSS chief M.S.Golwalkar, Shankaracharya Puri, Verghese Kurien Chairman of NDDB and Justice Sarkar, Chief Justice of the Supreme Court to investigate the possibility of a ban. However a ban was not imposed and after several meetings the committee was dismissed (Rosser et al, 2005). Additionally it is also important to note that while the cow protection movement had gained considerable momentum in Northern India, yet the Dalits and lower castes in South India refuted the idea of worshipping the cow as a sacred animal (Corbridge and Harriss, 2000). However post independence most States of India including Southern States issued bans on cow-slaughter with the exception of Bengal and Kerala. Hence as a result post independence Vinoba Bhave demanded a ban on cow slaughter in Kerala and Bengal (Raj, 1979). Despite Vinoba Bhave going on a fast demanding a blanket ban be issued on these states, yet the Supreme Court declined from issuing a blanket ban on cow slaughter in these two States (Raj, 1979).

Now that we are discussing RSS it is important to see what the position one its central ideologues took with regard to cow slaughter. Veer Savarkar who had coined the term Hindutava to organize Hindus into a collective identity also believed that the cow should be killed after its usefulness is over. He argues that if we want to maximize the usefulness of the cow then assigning holy status to cows need to be given up. In terms of divinity, he placed God as the Highest, followed by man, and then the animal kingdom. Therefore, he regarded the worship of cow as divinity above man, as an insult to man. He suggested that an animal which has no sense of cleanliness and lays in its own filth cannot be considered divine. Hence, he had prescribed for a utilitarian approach- *upayuktavadi*, where good care of cow was required as long as it is useful, and he saw no reason in why the cow should not be killed once it has become unproductive (Nandy, 2009).

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An understanding of cow vigilantism from pre-independence era to post independence India is important as it emphasizes the fact that a group of Hindu nationalists have used the cow to impose the Hindu identity. Within this backdrop, the current turn of events by cow vigilantes will indicate how post the Lok Sabha victory of the Bharatiya Janata Party in the year 2014, the entire nation is gripped with communal biases.

### IV. Current Context : Gaurakshaks and Communal Tension

As we have pointed out in the earlier sections the Hindu right wing organizations started the anti-cow slaughter campaign in late nineteenth and early twentieth century. At that time, it started as a campaign to attack Muslims and polarize people on religious lines. Since then, these groups have targeted the Muslims on cow slaughtering. In India, Muslims own most of large, medium and small-scale cattle slaughtering enterprises, which helps Hindu right wing group to corner Muslims on this issue. However, in all these years, these campaigns and their leaders were silent on the fact that cattle to these slaughter houses are sourced from poor and disadvantaged non-Muslim communities. Slaughtering of cattle (including cow) is essentially an economic activity in a very complex and large system of animal husbandry. This occupation has several other economic activities such as dairy, farming, meat production, leather production and trading horns and other non-consumable parts of cattle. We can draw a parallel here to our discussion in the historical section on use of cow/bull body parts for several other purposes which continue to be the trend today. All these activities are inter-related and have been means of livelihood for millions of people in India across religious, cultural and caste identities. Any change in either of these economic activities will have adverse implication on other activities in the network.

Vigilantism in the name of cow protection has always used religious sentiments of selected upper/dominant castes Hindus against Muslims and Dalits. Muslims own slaughter houses and Dalits are engaged in skinning dead cows in rural areas. Both of these occupations involves dealing with dead cattle and therefore, commonly seen as dirty activity. This commonly shared attitude towards both of these economic activities helped Hindu right wing organizations to develop anger and hate for Muslims and Dalits amongst a section of upper caste Hindu communities. Furthermore, often these self-proclaimed cow protectors have been observed misusing emotional sentiments of upper caste towards sacredness of cows to instigate violence against Muslims and Dalits. The violence in the name of cow protection is combination of oppressive caste system and hatred communalism.

#### IV a. Who are the Self-Proclaimed Gau Rakshaks?

As already discussed earlier on after independence, it was RSS, which was in the forefront of cow vigilantism. It had organized several campaigns and violent protest in the past on this issue.. However, as part of recent development on this issue, various smaller groups have mushroomed across the country entirely focussing on cow protection. According to a report published in 'The Hindu', as many as 200 cow vigilant groups have sprung up in Gujarat alone<sup>3</sup>. Similar groups have mushroomed in other parts of the country as well. Some of these groups are legally registered but most of them are operating illegally. Most of the violence unleashed by these groups has a pattern, often victims are Dalit and Muslims and oppressors hail from upper caste communities. Bhartiya Gau Raksha Dal (BGRD) is one such group registered as a not-for-profit company and

<sup>3</sup> Langa Mahesh, 2016, 'Gujarat Plagued by Vigilantes', The Hindu, July 22, 2016, retrieved from:

<http://www.thehindu.com/news/national/other-states/vigilantes-are-the-new-security-threat/article8882354.ece>,

accessed on 20.10.2016

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claims to have its operation in almost every state. Unlike traditional self-proclaimed cow protection groups the RSS and VHP, most of new cow protector groups are very small and informally organized; but they are highly efficient in their task. Most of these groups do not have any webpage or formal organizational set-up. They are active on social media such as twitter, facebook and whatsapp group to monitor transportation of cattle and gathering mob.

According to a report published in the 'Live Mint', the head of BGRD Mr. Pawan Pandit claims that he comes from a Brahmin community in Haryana and his group has around 6,000 full time members, mostly Brahmins<sup>4</sup>. There is no detailed study, which could explain the profile of people engaged in these groups. However, few journalistic investigations of these groups explain the background of people engaged in cow vigilantism. According to Live Mint the 'Bhartiya Gau Rakshak Dal' Mr. Pawan Pandit is from Bhiwindi town of Haryana and a software engineer by profession<sup>5</sup>. Similarly the 'Indian Express' explored the background of some cow vigilantes active in Delhi NCR and found that all of them hail from an educated urban middle class background. According to the report, 25 year old Akhilesh Singh is an engineer by profession and employed in a Central Telecom firm in Ghaziabad. He is an active member of 'Yuva Jagran Chetna Kendra' - a group engaged in cow vigilantism. Similarly, 21 year old Himalaya Sharma a B.Tech student associated with ABVP (Akhil Bhartiya Vidyarthi Parishad), Ashoo Mongia of Rashtriya Gaoraksha Sena, 37 year old Sunil Singh of Hindu Yuva Vahini, Sivshankar Swami of 'Samastha Hindu Aghadi and Sajjan Bharwad from a group in Gujarat all have similar backgrounds. The organizational structure and strategies of new Gau Rakshaks is different from the RSS and VHP, but it seems that profile of its members has not changed. Various studies on membership and leadership of the RSS and VHP have revealed that both of these organizations are run by highly patriarchal upper/dominant caste Hindus. It reflects in the socio-economic composition of Gau Rakshaks of newly formed groups. Many new Gau Rakshak groups are also closely linked with these two traditional cow protectors.

### IVb. Gau Rakshak's Vigilantism

The propaganda devised around cow protection by Hindu right wing organization lays the foundation of violence. It has been used to instigate communal and casteist atrocities against Muslims and Dalits.

The reporting of such hostility against victim communities has increased significantly in last two years. As result, the violence against Dalit and Muslims for allegedly transporting cow, skinning dead cow and possessing beef has increased. There is no official data on number of such incidents but the media reporting of various such cases across the country suggests that often, state machinery has been used by these Gau Rakshaks to take law into their hands. The nature of violence against Muslims and Dalits ranges from public humiliation to flogging and murder. According to Masoodi (2016) the activism of cow protectors took a deadly turn in September 2015 when a 55 year old Muslim man was killed by a mob over allegation of cow slaughter. The article notes that since then, Gau Rakshaks have frequently hit newspaper headline<sup>6</sup>. Some of highlighted such cases in 2016 are as follows.

<sup>4</sup> Sassodi Ashwaq, 2016, 'Who is a Gau Rakshak?', Live Mint, July 26, 2016, retrieved from:

<http://www.livemint.com/Politics/Mi6HZpayTzwJT7G6zy8dTO/Who-is-a-Gau-Rakshak.html> date accessed, 20.10.2016

Sassodi Ashwaq, 2016, 'Who is a Gau Rakshak?', Live Mint, July 26, 2016, retrieved from:

<http://www.livemint.com/Politics/Mi6HZpayTzwJT7G6zy8dTO/Who-is-a-Gau-Rakshak.html> date accessed, 20.10.2016

<sup>6</sup> Sassodi Ashwaq, 2016, 'Who is a Gau Rakshak?', Live Mint, July 26, 2016, retrieved from:

<http://www.livemint.com/Politics/Mi6HZpayTzwJT7G6zy8dTO/Who-is-a-Gau-Rakshak.html> date accessed, 20.10.2016

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State	Selected few Incidents in 2016
Punjab	<p><b>Jan 2:</b> 2 trucks allegedly carrying buffalo tallow stopped in Rupnagar district; 1 truck torched; both drivers fled.</p> <p><b>Mar 28:</b> Truck allegedly carrying buffalo tallow stopped on Rupnagar-Kurali road; driver Balkar Singh thrashed; booked under cow slaughter law.</p> <p><b>Jul 31:</b> Rakesh Kumar, Ramesh Kumar beaten for allegedly slaughtering cows outside Malout, Muktsar district; booked under cow slaughter Act.</p>
Gujarat	<p><b>July 11:</b> Some 35 Gau Rakshaks attacked 7 Dalits in Mota Samadhiyala village of Una taluka in Gir Somnath district, accusing them of slaughtering a cow. Beat them with iron rods and sticks, kidnapped four Dalits and took them to Una, tied them to a car and flogged them publicly. 7 Dalits were admitted to hospital. 5 Gau Rakshaks and a mob of 35 booked for attempt to murder and for subjecting SCs to atrocities. 31 persons, including two minor boys, held. Dalits have said they were merely skinning a dead cow.</p> <p><b>July 27:</b> Girish Sosa of Navsari, who was carrying cattle meat in a plastic bag, beaten up by Gau Rakshaks.</p>
Haryana	<p><b>Apr 2:</b> Body of Mustain (27), of Saharanpur, missing since March 6, found in Kurukshetra. His father, Tahir Hasan, accused 4 Gau Raksha Dal members of his murder. On May 9, the High Court ordered a CBI probe.</p> <p><b>May 6:</b> 3 people thrashed Waseem, 20, in Sohna alleging he was carrying beef, a fourth recorded beating, others threatened victim with a gun. Later, vigilantes posed for photographs with the “catch”. FIR against Waseem; no case against the vigilantes.</p> <p><b>Jun 10:</b> Gau Rakshaks force-fed Rizwan and Mukhtiar a cowdung mixture after intercepting them allegedly ferrying beef in Faridabad. A court sent the two men to jail for smuggling beef.</p>
Jharkhand	<p><b>Mar 18:</b> Cattle traders Majloom Ansari (35) and Imtiyaz Khan (12) were beaten, robbed and hanged from a tree in Jhabra village in the Balumath police station area of Latehar district. Police arrested 5 of the 8 accused; the other 3 subsequently surrendered in court. One accused, Mithilesh Sahu, belongs to a cow vigilante group, the others are his associates. All accused are in jail, chargesheet has been filed, trial yet to begin.</p>
Madhya Pradesh	<p><b>Jan 13:</b> Gau Rakshaks thrashed a Muslim couple for objecting to their bags being searched at Khirkiya railway station. A bag from which meat was seized did not belong to them. Trial is on.</p> <p><b>Jan 28:</b> Police and vigilantes raided home of Anwar Mev, office-bearer of <a href="#">BJP</a>'s minority cell, in Tonk Khurd and allegedly recovered meat that they claimed was beef. Mev, 8 male relatives were arrested.</p> <p><b>Jul 26:</b> 2 Muslim women beaten at Mandsaur railway station on suspicion of carrying beef. 4 men, 2 women seen assaulting the women in a video arrested.</p>

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Rajasthan	<p><b>Mar 14:</b> Local students had a run-in with Kashmiri students alleging the latter cooked beef in the hostel of the private Mewar University in Chittorgarh. 4 Kashmiri students arrested; released on bail. Lab report said the meat was not beef.</p> <p><b>May 31:</b> At a picket in Chhoti Sadadi, Pratapgarh, vigilantes caught 7 for transporting 96 bullocks in two trucks; 100-150-strong mob beat up 3 truck occupants, set truck on fire, and attacked police when they tried to intervene. 3 FIRs lodged; 2 against the alleged transporters, 1 against the mob that allegedly included Bajrang Dal members.</p>
Karnataka	<p>On August 17, Praveen Poojary was beaten to death in coastal Karnataka's Udupi district by a crowd belonging to the Hindu Jagarana Vedike group, which believed that he was transporting cows for slaughter.</p>

### V. Institutionalization of Cow Vigilantism

India has witnessed series of violent activities across the country unleashed by the self-styled cow protection groups in the last two years. It is not that such groups were not there in the past, in fact many cow protection groups were created much before BJP came to power at the centre in 2014. However, reporting of vigilantism by such groups was very limited. Vigilantism in the name of cow has seen tremendous growth in last two years. Many self-styled cow protection groups have admitted that the BJP led government in the centre has empowered them<sup>7</sup>. Various ministers of union cabinet and chief ministers of BJP ruled states such as Haryana, Maharashtra and Jharkhand have publically justified vigilantism by these groups. Most of these leaders have argued that ban on cow slaughter and consumption of beef should be banned in order to respect religious sentiments of majoritarian community. Dalit writer Mr. Anand Teltumbde argues that to distract people from its most powerful poll promise of 'development', the BJP led central government has re-casted its various regressive Hindutva propaganda<sup>8</sup>. Supporting self proclaimed cow protector (Gau Rakshak) justifying their violence in the name protection of cow is one of such regressive propaganda that has been actively encouraged by the BJP led governments in last two years.

Breaking silence on around two years of hooliganism by politically supported cow vigilantism, the Prime Minister Narendra Modi in August 2016 admitted that most of these groups are extorters and abusers. However, people are skeptical about his statement, as various BJP ruled states have been institutionalizing cow vigilantism. Following are some examples of institutionalization of cow vigilantism by BJP ruled state governments.

<sup>7</sup> Angad Abhishek and Ankita Dwivedi Johri, 2016, The Cow Keepers: Some Cattle Vigilante Groups Operating in Delhi and Neighbouring States', The Indian Express, August 8, 2016, retrieved from: <http://indianexpress.com/article/india/india-news-india/the-cow-keepers-the-cattle-vigilante-groups-operating-in-delhi-and-neighbouring-states/>, accessed on 20.10.2016

<sup>8</sup> Teltumbde Anand, 2015, 'The Holy Cow', Economic and Political Weekly, Vol. 50, Issue No. 14, 04 April, 2015, retrieved from: <http://www.epw.in/journal/2015/14/margin-speak/holy-cow.html>, accessed on 20.10.2016

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### Maharashtra:

In 2015, the Maharashtra government got presidential assent for its very stringent legislation- Maharashtra Animal Preservation Act, which criminalized slaughter of cows, calf, bull and bullock together with consumption of beef in the state. In May 2016 the commissioner of Animal Welfare department of Maharashtra called applications from people to voluntarily monitor cow slaughter and beef ban in Maharashtra. Selected volunteer will coordinate with police to monitor offences related to beef ban in the state.

It seems that the government of Maharashtra has decided to legitimate hooliganism of cow vigilant groups. It proposes to empower these volunteers by state legitimacy but don't want to go into credibility of appointed people. The advertisement specified that credibility of the applicant should be vouched by any non-religious and non-political registered animal welfare organization. The Indian Express reviewed all 2371 applications received by the government for the post of volunteer. In its review, the newspaper found that most of these applicants are associated with Hindutva outfit despite specific criteria disallowing political/religious links. The Indian Express noted, "many applications cleared include those who admitted to being members of various Hindutva outfits, including Vishwa Hindu Parishad, Bajrang Dal, Ram Sena, Hindu Sena, Shiv Sena, Durgavahini, Akhil Bhartiya Vidyarthi Parishad and the Rashtriya Swayamsevak Sangh." It has also found that 60 per cent of the applicants are associated with Gaushalas and Gau Rakshak Dal<sup>9</sup>. Often these organizations were found indulging in communal violence including violence in the name of cow protection. Maharashtra chief minister Mr. Devendra Fadnavis has expressed his strong support in the favour of complete ban on beef consumption. The process of recruiting volunteers to monitor beef ban in the state can be seen as an effort to grant license of vigilantism to self styled cow protectors. However, the High Court committee to monitor Animal Welfare Laws in Maharashtra on 2<sup>nd</sup> September 2016 has rejected all 2371 applications of beef monitor<sup>10</sup>.

### Haryana:

Haryana is another BJP ruled that has planned to legitimize action of self styled cow protectors in the state. The congress government ruling the state in 2013 constituted a commission called Gau Seva Ayog for preservation of cows. The first function of the Ayog, as mentioned in the law is to monitor implementation of legislations with respect to prohibition of cow slaughter and cruelty to cow<sup>11</sup>. The current BJP government of Haryana has now reconstituted the Gau Seva Ayog and packed it with activists and leaders from various outfits of Sangh Pariwar such as RSS, Bajrang Dal, BJP and VHP. It has also inducted leaders of Haryana Gau Raksha Dal in the panel. The newly constituted body has taken its stated first function seriously and announced/proposed various ways to effectively monitor prohibition of cow slaughter in the state.

<sup>9</sup> Nair Sumita, 2016, 'Look who all are signing up to track ban on beef in Maharashtra', Indian Express, August 23, 2016, retrieved from: <http://indianexpress.com/article/india/india-news-india/maharashtra-animal-husbandry-beef-ban-cow-vigilantes-Gau-Rakshaks-2991461/>, accessed on 20.10.2016

<sup>10</sup> Nair Sumita, 2016, 'Bombay HC panel scraps applications for beef monitors', Indian Express, September 03, 2016, retrieved from: <http://indianexpress.com/article/india/india-news-india/hc-panel-scraps-beef-monitor-applications-says-no-need-3010595/>

<sup>11</sup> Government of Haryana, Haryana Gau Seva Aayog Bill, 2010, retrieved from: <http://pashudhanharyana.gov.in/html/pdf%20&%20downloads/AH%20Acts/Haryana%20Gau%20Sewa%20Ayog%202010/The%20Haryana%20Gau%20Sewa%20Aayog%20Bill%202010.pdf> accessed on 20.10.2016

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Haryana is one among other states where self-styled cow protectors have been unleashing violence for a long time. People have been raising questions on the intention of vigilantism, hooliganism and extortion by these groups in the state. Despite genuine concerns of victims and people in general, the Gau Seva Ayog has decided to provide police accreditation to these self-styled cow protectors. The Ayog has decided to issue ID cards to cow protectors. The chairperson of Ayog, Mr. Baani Ram Mangla said, “cow protectors will just inform the cow protection task force of police to stop any cow smuggling or cow slaughter<sup>12</sup>.” The Haryana Gau Raksha Dal has handed over a list of cow protectors to the Ayog for accreditation. The Gau Raksha Dal has been reported several times for its connection with vigilant groups accused of taking the law in their own hands<sup>13</sup>. The entire makeover of Haryana Gau Seva Ayog in last two years has finally empowered vigilant groups to decide policy framework related to cow slaughter. The idea of issuing Identity Cards to these self-styled Gau Rakshaks is yet another effort of BJP led state government to legitimize violence against Muslims and Dalits in the name of cow protection.

### Gujarat:

The BJP ruled state Gujarat constituted the Gujarat Gauseva Ayog in 1999 for preservation, development and welfare of cow and its progeny. The Ayog is responsible for effective implementation of controversial anti-cow slaughter legislation of the state. Gujarat’s Gauseva Ayog has decided to follow its counterpart in Haryana on the issue of validating vigilantism by cow protectors. It has decided to prepare a dossier of active cow protectors in the state and issue them identity cards. Dr Vallabh Kathiria, former Union Minister and chairperson of Gujarat Gau Seva Ayog, said the Ayog is mulling over ordering police verification of *Gau Rakshaks*, besides the ID cards for those working with reputed cow welfare organizations<sup>14</sup>. The decision of the Ayog is yet another attempt by a BJP ruled state to legitimize violence by self-styled cow protectors.

The emergence of national level communal politics in last few decades in India has created space for narrowly defined religious beliefs in the process of public policy decision making. Informally it has also been encouraging vigilantism by religious fanatic groups. Vigilantism in the name of cow slaughter and consumption of beef is one of such example. We have seen various public policies in different states regulating cow slaughter have gradually shifted from rational to fanaticism. The increased strength of BJP in national and state level politics in last two years has not only accelerated the above-mentioned transition of policies, but, it is also trying to legitimize violence unleashed by religious fanatic groups in the name of cow protection. State supported vigilantism to enforce stringent cow protection laws has manifested in the form of increased atrocities against Dalit and Muslims, hampered cattle trade, leather industries and dairy farming. Effectively these regressive state policies have taken away freedom, livelihood and dignity of economically poor and socially disadvantaged people of India.

<sup>12</sup> Times of India, 2016, ‘Haryana Plans ‘Gau Rakshak’ ID weed out Fake Activists, retrieved from: <http://timesofindia.indiatimes.com/city/chandigarh/Haryana-plans-Gau-Rakshak-ID-to-weed-out-fake-activists/articleshow/53644068.cms>

<sup>13</sup> Dey Abhishek, 2016, ‘Will Haryana's cow protection IDs simply be a licence for vigilantism?’, Scroll.in, retrieved from: <http://scroll.in/article/813871/will-haryanas-cow-protection-ids-simply-be-a-licence-for-vigilantism>, accessed on 20.10.2016

<sup>14</sup> Scroll.in, 2016, ‘Gujarat to verify ‘gau rakshaks’, give them identification cards’, retrieved from: <http://scroll.in/latest/814356/gujarat-to-verify-gau-rakshaks-give-them-identification-cards>, accessed on 20.10.2016

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### Va. Transformation of Propaganda into a Public Policy:

Along with vigilantism, self-proclaimed cow protection groups have been demanding a public policy on complete restriction on cow slaughter in India. For them complete ban on cow slaughter means restricting slaughter of cows, calves, bull and bullocks irrespective of their age and productivity. In post independence period, this issue was debated in constituent assembly while drafting the Constitution of India. In 1948, Pandit Thakurdas Bhargava and Seth Govind Das had proposed an amendment to ban the slaughter of cows. They wanted constitutional provision to ban slaughter of cows. A group of constituent assembly members pursued this amendment effectively and finally it was brought in as an article under ‘Directive of State Policies’ of the Constitution. The **Article 48** of Directive of State Policies therefore reads, “*The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and other milch and draught cattle.*”<sup>15</sup> Despite a pressure to have a constitutional ban on cow slaughter on the basis of religious sentiment of a particular community, the constitution provided **economic basis** for the ban on useful milch and draught cattle. Therefore, it allows slaughter of **un-useful milch and draught animal** including cows, calves, bull and bullocks.

Unhappy with the economic basis of this policy provision the RSS and other groups affiliated with Sangh Pariwar have been demanding a complete ban on slaughter of cow and its progeny. One of the demands of RSS until 1990s was to have a central legislation restricting slaughter of cows and its progeny across the country. In 1960s to respond this demand, the government of India constituted a committee. Verghese Kurien also known as ‘Milkman of India’ headed the committee. The committee lasted twelve years and discussed various points of view on this issue. Mr. Kurein himself was not in favour of a complete ban on cow slaughter. He was convinced about the economic aspects of cattle slaughter as voiced in the Constitution. However, the Morarji Desai government dissolved the committee without asking them to submit their report or recommendations. Since then, not a single union government (including BJP led government) entertained the demand of legislating nationwide ban on cow slaughter. The propaganda for ban on cow slaughter always wanted religious sentiments of a few to succeed over diverse social, economic and cultural life and livelihood of millions of people.

Meanwhile various state governments enacted state level legislations to ban slaughter of cows. Currently except few states, all of them have legislation to ban cow slaughter. However, the level of ban on slaughter varies from state to state. In some state only cows are protected not its progeny. In many state unproductive and stray cows and its progeny are allowed to the slaughter. Nature of ban on cow slaughter in various states is as follows:

State	Type of Restriction	Type of Ban
Gujarat	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of cow, calf, bull and bullock is baned;</li> <li>Transport and sale of their meat is also banned.</li> <li>Punishment: Rs 50,000 fine, up to 7 years’ jail. Ban does not include buffaloes</li> </ul>
Haryana	Complete restriction	<ul style="list-style-type: none"> <li>As per a 2015 law, “cow”, which includes bull, bullock, ox, heifer, calf, and disabled/diseased/barren cows, can’t be killed.</li> </ul>

<sup>15</sup> Frontline, 2016, ‘The Ban on Cow Slaughter’, June 24, 2016, retrieved from: <http://www.frontline.in/social-issues/the-ban-on-cow-slaughter/article8700526.ece>, accessed on 20.10.2016

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		<ul style="list-style-type: none"> <li>Punishment: 3-10 years jail, fine up to Rs 1 lakh. Sale of canned beef and beef products, and export of cows for slaughter banned.</li> </ul>
Jammu & Kashmir	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of cow and its progeny punishable by up to 10 years' jail. Possession of "flesh of any [of these] slaughtered animal(s)" punishable by a year; killing of "he or she buffalo" punishable with fine five times the animal's price.</li> </ul>
Madhya Pradesh	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of cow, progeny banned.</li> <li>Penalty raised to 7 years' jail in 2012, burden of proof on accused.</li> <li>Buffaloes can be killed.</li> </ul>
Maharashtra	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter, consumption of meat of cow, bull, bullock banned since March 2015 after revision of existing law.</li> <li>5 years' jail and/or Rs 10,000 fine. Slaughter of buffaloes allowed.</li> </ul>
Rajasthan	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of "cow, calf, heifer, bull or bullock" prohibited; possession, transport of their flesh prohibited.</li> <li>10 years' imprisonment and/or Rs 10,000 fine.</li> </ul>
Uttar Pradesh	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of cow, bullock, ox banned.</li> <li>Can't store or eat beef.</li> <li>7 years' jail and/or Rs 10,000 fine. Can import in sealed containers, to be served to foreigners.</li> </ul>
Manipur	Complete restriction	<ul style="list-style-type: none"> <li>Cow slaughter is a punishable offence</li> </ul>
National Capital Territory of Delhi	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of "agricultural cattle" — cow, calf, bull, bullock — and "possession of [their] flesh", even if they are killed outside Delhi, banned.</li> </ul>
Uttarakhand	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of cows and its progeny is strictly banned.</li> <li>Possession and sale of beef is also restricted</li> <li>Violators of law face up to 10 year's jail and/or Rs. 10,000 fine</li> </ul>
Jharkhand	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of cows and oxen; possession, consumption of their meat, banned.</li> <li>Violators face up to 10 years' jail and/or Rs 10,000 fine.</li> </ul>
Chhattisgarh	Complete restriction	<ul style="list-style-type: none"> <li>Slaughter of cow, buffalo, bull, bullock, calf, and possession of their meat banned.</li> <li>Transport, export to other states for slaughter also banned; attracts same punishment of 7 years' jail, fine up to Rs 50,000.</li> </ul>
Andhra Pradesh	Partial restriction	<ul style="list-style-type: none"> <li>Slaughter of cows, calves prohibited.</li> <li>Bulls, bullocks can be killed against "fit-for-slaughter" certificate, issued if animals can no longer be used for breeding; draught/agricultural operations.</li> <li>Violators face 6 months jail and/or Rs 1,000 fine.</li> </ul>
Assam	Partial restriction	<ul style="list-style-type: none"> <li>Cow slaughter banned except on issue of 'fit-for-slaughter' certificate, at designated places</li> </ul>

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Bihar	Partial restriction	<ul style="list-style-type: none"> <li>Slaughter of cows, calves banned;</li> <li>Slaughter of bulls, bullocks older than 15 years allowed.</li> <li>Violators face 6 months' jail and/or Rs 1,000 fine.</li> </ul>
Goa	Partial restriction	<ul style="list-style-type: none"> <li>Cow slaughter banned except on issue of 'fit-for-slaughter' certificate, at designated places</li> </ul>
Himachal Pradesh	Partial restriction	<ul style="list-style-type: none"> <li>Slaughter of all bovines punishable by 5 years' jail.</li> <li>Killing allowed in the interest of research, or if animal has contagious disease.</li> </ul>
Karnataka	Partial restriction	<ul style="list-style-type: none"> <li>Cows can be slaughtered if old or diseased.</li> <li>Possession of beef is not a crime.</li> </ul>
Orissa	Partial restriction	<ul style="list-style-type: none"> <li>2 years' jail, Rs 1,000 fine for cow slaughter.</li> <li>Old bulls, bullocks can be killed on fit-for-slaughter certificate; cow if it suffers from contagious disease</li> </ul>
Punjab	Partial restriction	<ul style="list-style-type: none"> <li>"Beef" doesn't include imported beef; "cow" includes bulls, bullocks, oxen, heifer, calves. Slaughter allowed for export, with government permit.</li> </ul>
Tamil Nadu	Partial restriction	<ul style="list-style-type: none"> <li>Cow, calf slaughter banned; up to 3 years' jail and/or Rs 1,000 fine.</li> <li>Beef consumption and slaughter of economically worthless animals allowed</li> </ul>
Kerala	No Restriction	No law regulates slaughtering of cows, its progeny and consumption of beef in these states.
West Bengal		
Arunachal Pradesh		
Mizoram		
Meghalaya		
Nagaland		
Tripura		
Sikkim		

Source: <http://indianexpress.com/article/explained/explained-no-beef-nation/>

Loksabha Question No. 2245, Answered on 10.03.2015

State level legislations banning cow slaughter in various states have also seen a transition from relatively liberal legislations to more stringent and draconian one. The propaganda around ban on cow slaughter played an important role in this transition. The economic basis of ban on cow slaughter has slowly been taken over by narrow religious sentiments in some of state's policy preferences. Examples of such states are as follows:

### Gujarat:

Gujarat is a perfect example of replacement of scientific and logical policy with narrow religious propaganda. It has seen various phases of transformation from liberal to more draconian policy framework. The Bombay Animal Preservation Act, 1954 is the first law of Gujarat state to regulate slaughter of different kinds of cattle including cows. It was amended in 1961, 1979 and 1994, each time amendments in the law picked something or other from propaganda of Hindu right wing. The amendments were a result of the

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argument made by the Hindu right wing. These amendments undermined the basic scientific foundation of the law. This transitions has been described in the following matrix

Period	Status of Ban on Cow Slaughter
Till 1961	<p><b>Ban on Slaughter of useful drought and milch animals</b></p> <ul style="list-style-type: none"> <li>• Slaughter of cattle below 15 years age were allowed, subject to a certificate from the competent authority for fit to slaughter is obtained.</li> <li>• Permission of competent authority was not required for slaughter of any animal above 15 year for bona fide religious purposes.</li> <li>• Slaughter of animal useful for breeding, milk, bearing offspring, drought or agriculture operations was strictly prohibited.</li> </ul>
1961-1979	<p><b>Ban on Slaughter of Cows:</b></p> <ul style="list-style-type: none"> <li>• Amendment to the law in 1961 banned slaughter of all cows for any purpose.</li> </ul>
1979-1994	<p><b>Ban on Cow, Calf and Bull and Bullocks below the age of 16 years:</b></p> <p>Amendment to the law in 1979 banned slaughter of following category of caw and its progeny:</p> <ul style="list-style-type: none"> <li>- A cow</li> <li>- The calf of a cow, whether male of female and if male, whether castrated or not</li> <li>- A bull below the age of 16 years</li> <li>- A bullock below the age of 16 years</li> </ul>
1994- till now	<p><b>Complete Ban on Cow and its Progeny:</b></p> <ul style="list-style-type: none"> <li>• Amendment to the law in 1994 banned slaughter of cow and its progeny irrespective of their usage and age. The law enforced complete ban on cow slaughter.</li> </ul>

The amendment to the Bombay Animal Protection Preservation (Gujarat Amendment) Act, 1994 was challenged before the High Court of Gujarat. The Gujarat High Court in its order struck down the amendment brought in by the state government in 1994 saying that amendments are unconstitutional. The government of Gujarat filed appeal against the judgement of Gujarat High Court in Supreme Court. In 2005 the Supreme Court changed the High Court's decision and upheld the constitutional validity of amendments brought in by the then state government in 1994.

### Maharashtra:

The ban on cow slaughter in Maharashtra is as old as 40 years. The Maharashtra Animal Preservation Act, 1976 enforced ban on slaughter of cows in the state of Maharashtra. The first Shiv Sena-BJP government in Maharashtra tried to enforce complete ban on cow slaughter and consumption of beef in the state. The then state government passed the Maharashtra Animal Preservation (Amendment) Bill, 1995 to prohibit the slaughter of bulls, bullocks and calves, in addition to cows. The only bovine that can be slaughtered is the buffalo. The Bill not only provides protection to the cows and its progeny but also criminalizes possession and consumption of beef in the state. The Bill was sent to the President for assent, but in 1999, it was sent back with some queries, which were never answered by the NCP-Congress government of Maharashtra. With the BJP is in power both in Centre and the State, it was easier for the BJP to get Presidential assent for its years long pending Bill. The BJP led state government in 2015 pushed it further and received presidential assent without any hurdle.

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There was a huge uproar in Maharashtra against the enactment of this Bill, various communities and workers including farmers and dairy entrepreneurs opposed the new law. The constitutional validity of the Bill was challenged in the Bombay High court. The High Court in its judgment in May 2016, upheld the constitutional validity of the law; however, it struck down the provision of the law that criminalizes possession and consumption of beef. The state government and people opposing it further challenged the high court judgement in the Supreme Court. The case is pending in the Supreme Court of India.

### **Haryana:**

Haryana is yet another example of a BJP ruled state government has recently enacted comparatively more stringent cow protection law. The Punjab Prohibition of Cow Slaughter Act, 1955 applies in Haryana along with Punjab and Himachal Pradesh. However, Haryana had amended this law in past to make it more stringent compared to its provision applicable in Himachal Pradesh and Punjab. The law has put complete ban on slaughter of cow and its progeny in the state. The BJP government in the state has recently further amended its law to make it more stringent. The new law applicable in the state – Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 makes cow slaughter and consumption of beef punishable as follows:

- 1- Selling beef is punishable offence, the rigorous punishment for this offence is five year and the fine up to 50,000 Rs.
- 2- The law also prohibits import of beef in Haryana.
- 3- A person convicted to cow slaughter can be sentenced up to 10 year in jail along with fine up to Rs. 1,00,000
- 4- All offences under the law are non-bailable and the burden of proving the innocence would be on the accused.

While the socio-religious impact of cow protectionism has been discussed in detail we now need to study its economic impact and repercussions. The following section will deal with how this kind of vigilantism is affected peoples livelihood and the economy around the cow.

### **VI. Economic Impact of State Supported Cow Vigilantism**

Complete ban on slaughter of cow and its progeny has huge ramification on economy of poor, marginalized and minorities in India. Dalit communities involved in leather tanning, dairy farmers, small-scale farmers, cattle traders and leather industry has been agitating against recent stringent cow protection laws enacted by some states. These people across the country have also been demanding strong action against self styled cow protectors. Vigilantism by Gau Rakshak has created fear among people dependent on cattle rearing, cattle trading and leather production. The economic ramification of stringent laws against cow slaughter and beef ban can be understood by following few examples.

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### VI.a Slow down of Leather Industry:

#### *Victimizing 2.5 million Poor and Disadvantaged Families*

The leather industry is one of India's oldest manufacturing industries that started exporting finished leather products right from the middle of the nineteenth century. According to the Councils for Leather Exports (CLE), about 46 per cent of the production in the sector is exported and it ranks eighth in the list of India's top export earning industries. It has been providing formal and informal employment to a large number of people from socially and economically disadvantaged communities. The imposition of ban on cow slaughter and increased vigilantism in various parts of the country has adversely affected such a vibrant and export oriented Indian industry. In financial year, 2015-16 leather export of India fell 10 percent compared with financial year 2014-15<sup>16</sup>. CLE data shows that until 2014-15, export of the industry was growing significantly. Government has blamed slow down in international market for significant dip in leather export of India. However, people engaged in leather industry blame regressive polices on slaughter of cattle and uncontrolled vigilantism by fanatic groups.

Leather exports: skin and bones			(in million \$)
Category	2014-15	2015-16	% change
Finished leather	1,329.05	1,046.44	-21.26
Leather footwear	2,278.18	2,147.2	-5.75
Footwear components	361.29	284.32	-21.31
Leather garments	604.35	554.29	-8.28
Leather goods	1452.83	1369	-5.77
Saddlery and harness	162.70	146.38	-10.03
Non-leather footwear	306.44	306.33	-0.04
<b>Total</b>	<b>6,494.84</b>	<b>5,853.96</b>	<b>-9.86</b>

Source: DGCI & S

Source: <http://www.thehindubusinessline.com/economy/leather-exports-fall-10-in-fy16/article9008504.ece>

The CLE chairman Rafeeqe Ahmed spoke to media in February 2016 and admitted that beef ban has led to huge shortage of hides and skin. He said, "There is 5%-6% decline in domestic supply following the reduction in cattle slaughter in the country and beef ban in Maharashtra contributed to the fall in domestic supply of raw material<sup>17</sup>." He further said that beef ban in Maharashtra has wider ramification as the industry sources nearly 40% of raw material from the state. The CLE chairperson in his statement has also mentioned that the industry is now importing hides to meet its demand of raw material. It seems that public policies influenced by religious fanatic groups have prepared ground for demise of a flourishing industry. One example is that of the famous Kolhapuri Chappal (slipper) for which Kolhapur in Maharashtra is famous. Post the activity on cow protection,

<sup>16</sup> Balachander, G. 2016, 'Leather Exports Fall 10% in FY 16', Business Line, retrieved from:

<http://www.thehindubusinessline.com/economy/leather-exports-fall-10-in-fy16/article9008504.ece>, accessed on: 20.10.2016

<sup>17</sup> Times of India, 2016, Beef Ban Hits Tamil Nadu's Leather Units, Export Slump 10%', The Times of India, February 04, 2016, retrieved from: <http://timesofindia.indiatimes.com/india/Beef-ban-hits-Tamil-Nadus-leather-units-exports-slump-10/articleshow/50843227.cms>, accessed on: 20.10.2016

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many people engaged in the production of Kolhapuri slippers have seen a dip due to unavailability of leather and the fear of getting attacked. Many people have been rendered unemployed.

The advantage of abundant availability of livestock with the largest share in world's livestock population is one of factors behind success of Indian Industry. India accounts 20% of world cattle and buffalo, 17% of world goat and 7% sheep. However, low recovery of hides has been a big concern in the industry. The ban on cow slaughter together with institutionalized vigilantism has further made it difficult to recover hides from slaughterhouses as well as from fallen (dead) cattle. Poor Dalits have been skinning dead cows to recover hides for leather industry in India; but, in last few months' attacks on such Dalit workers by self styled cow protectors have increased. These attacks have threatened dalit communities across the country; it would also affect supply of raw material to leather industries.

Social norms associated with skinning dead animal and leather tanning segregates it as a dirty job in India. The caste hierarchy plays important role in ownership and execution of this occupation. Traditionally communities from scheduled castes and Muslims follow this occupation. The modernization and mechanization of leather industry attracted labourers from other communities across religions. However, even today it is largely carried out by disadvantaged communities such as Scheduled Caste, Scheduled Tribes and Muslims. According to the CLE the Indian leather industry is a labour intensive sector. It employs around 2.5 million people across the country and most of them are from weaker sections of the society. Women shares nearly 30% of labour force in this sector<sup>18</sup>. A study of Labour Bureau, Chandigarh in 2009 reveals that nearly 40 per cent of workers in this industry belong to SCs and STs (MoLE, 2009). CEC in its study of leather industry in various states has found that many workers in the industry who are not either from traditional leather tanning communities nor are Muslims come from poor agricultural families. The study further reveals that Muslim workers accounts for a large sum of total workforce in leather industry. The concentration of Muslim workers is found in tanneries specially owned by Muslim entrepreneurs (CEC, 2008).

**Table 4.3: Percentage distribution of workers by caste category**

Sl. No.	Stratum	No. of sample units	No. of workers	Percentage distribution of workers caste wise		
				SC	ST	Others
1	2	3	4	5	6	7
1	Uttar Pradesh	54	1570	47.5	0.2	52.3
2	Tamil Nadu	24	791	56.3	0.4	43.3
3	Maharashtra	30	391	51.2	-	48.8
4	Delhi	13	301	34.9	-	65.1
5	Kerala	25	216	12.5	-	87.5
6	Bihar	8	23	65.2	-	34.8
7	Rajasthan	19	478	32.2	3.1	64.7
8	West Bengal	18	337	3.3	-	96.7
9	Haryana	16	712	21.0	6.8	72.2
10	Punjab	16	327	51.4	-	48.6
11	Residual	23	605	26.9	0.5	72.6
Total		246	5751	38.0	1.3	60.7

Source: CEC, 2008

<sup>18</sup> CLE, Council for Leather Exports, retrieved from: <http://leatherindia.org/industry-at-a-glance/>, accessed on 20.10.2016

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The social composition of the 2.5 million workforce of leather industries reveal that any harm to the industry would adversely affect life and livelihood of millions of poor and disadvantaged people and their families. Immediately after imposition of a regressive beef ban policy in some states, industry has acknowledged its adverse implication in the leather sector. It is clear that the regressive policies and hooliganism in the name of cow protection would harm the poorest and disadvantaged people of this country.

### **V.b. Farming and Dairy Production:**

#### ***Ban on cow slaughter hits hard poor and draught affect farmers most***

India shares largest portion of world's livestock population. It accounts for nearly 20% of world's total cattle and buffalo stock. It is an economic resource to a large number of people especially in rural areas. Milk, agriculture, traditional industries and transportation are some of few ways in which owners of cows, bull and bullocks have been using them to meet their ends. In the case of stray cattle, selling them to butchers is also a common trade, which helps the owner financially in difficult situations. In drought-affected areas such as parts of Maharashtra, Karnataka, Madhya Pradesh and Uttar Pradesh even selling useful cattle in a severe drought year is common. It becomes difficult for such farmers to pay for upkeep of animals when they themselves are starving. Cattle's trading is another common practice across the country. People have been trading cattle including cows and its progeny in weekly, monthly and seasonal markets. These markets have been helping farmers to rationalize affordability by selling extra and stray cattle and buying cattle if needed.

Recent development in enforcement of cow slaughter ban in few states and vigilantism by some fanatic groups in the name of enforcing of state policies has adversely affected millions of voiceless farmers and traders involved in cattle rearing and cattle trading. Policies on complete cow slaughter ban in some states have in fact criminalized many of above-mentioned traditional economic activities of poor people. Maharashtra is one of such state, where the BJP led government has recently imposed complete ban on slaughter of cows, calf, bull and bullock. This ban has come as nightmare to poor farmers especially from drought prone areas of the state such as Marathwada. Cattle used to be last hope of farmers to get some money, but the state policy has even shattered their last hope. Cattle owned by these farmers have suddenly become a liability to them. Unable to pay for the upkeep of cattle in drought years, many people in the region are just abandoning their cattle. The 'First Post' has reported in the beginning of this year that the cattle price has reduced in Maharashtra from 40 to 60 percent. It has reported that a farmer who bought a pair of bull a year ago paid Rs. 40,000. Unable to meet upkeep expenses he wanted to sell them for Rs. 20,000 this year; but he, still cannot find a buyer<sup>19</sup>. This single policy has huge ramification in the lives of poor farmers. Reports have also suggested that the farmer suicide rate in Marathwada has doubled in last two years.

A small section of media has been reporting such adverse ramification of cow protection and vigilantism from many BJP ruled states where governments have recently introduced strict ban on cow slaughter and transport of cattle. Dairy farmers of Punjab have been demonstrating against new rules of cattle transportation introduced by State Gau Seva Commission. The commission has made necessary to obtain permission for cattle transportation from notified authority in case of cross border transportation. 'Indian Express' has reported a recent study by Punjab Agriculture University on adverse impact of these rules on dairy farming of the state. It has reported, "these rules have aggrieved problems for dairy farmers with sinking inter-state cattle breeding trade, increasing

<sup>19</sup> First Post, 2016, 'Beef ban Deepens Maharashtra Rural Distress, retrieved from: <http://www.firstpost.com/business/beef-ban-deepens-maharashtra-rural-distress-farmers-have-a-beef-with-pm-modis-bjp-2700616.html>, Accessed on 20.10.2016

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infertility, stray cattle menace and bribery for getting transportation documents<sup>20</sup>.”The Progressive Dairy Farmers’ Association (PDFA) has demanded dissolution of State Gau Seva Commission<sup>21</sup>.

### Conclusion:

The historical narrative clearly indicates that the myth of the holy cow is not a part of Vedic traditions as falsely quoted by the Hindutva brigade. On the contrary evidence suggests that meat eating and animal sacrifice was an intrinsic part of Vedic life. Certain passages from Vedic literature have been picked up and misinterpreted to suit present purposes. Today certain political parties and their associated affiliates are using the issue of cow protection to create communal divide and incite violence. This paper traces the history of cow as food and sacrificial animal to the current context of attack on people who rely on the cow as a source of income. It cannot be denied that the cow is valuable both when alive and when dead. The witch hunt of those involved with any industry based on cow or cow parts has led to an attack on human rights – leading to death and also a slowdown of economy both of which are undesirable in a democratic country.

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<sup>20</sup> Indian Express, 2016, 'In Punjab Tough Trade Rules, Threat from Cow Protection Groups add to Dairy Farmers, Woes', The Indian Express, March 14, 2016, retrieved from: <http://indianexpress.com/article/cities/ludhiana/in-punjab-tough-trade-rules-threat-from-cow-protection-groups-add-to-dairy-farmers-woes/>, Accessed on 20.10.2016

<sup>21</sup> Times of India, 2016, 'State Cow Commission Behind our Doom', Times of India, August 11, 2016, retrieved from: <http://timesofindia.indiatimes.com/city/chandigarh/State-cow-commission-behind-our-doom-must-go-Dairy-farmers/articleshow/53644386.cms>, accessed on 20.10.2016

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