

CONTENDING WITH CONTENTIOUS COWS

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Public administration, as distinct from political governance, entails its own set of woes that never seem to end — under any regime. Political programmes of every government invariably churn up their peculiar backlashes, some of which may have been foreseeable, while others are actually provoked and even desired, but some are neither. The latter are just messes that could have been avoided with planning, patience and perspective, somewhat like the present mess created by chief minister Yogi Adityanath's complete ban on cow slaughter in Uttar Pradesh. It reflects not only his rather brash manner of getting things done, which, of course, is the trademark of most populist leaders at present, but it also has the tell-tale stamp of the total absence of any prior planning. Yogi did not, however, begin the present reign of fear aimed at Muslims and Christians nor was he the first one to use the cow to cow down minorities. Let us remember that he became CM almost three years after the Modi wave of 2014 had swept the Bharatiya Janata Party (BJP) to power. But Yogi certainly took the cow and the state-sponsored politics of hate to new and rather fearsome levels that his fellow CMs in states run by the BJP had not done.

Let us also press the 'refresh button' and recall how immediately after Narendra Modi came to power, cow vigilante groups were formed almost overnight in BJP-ruled states or where the allies of the BJP ruled. These gau rakshaks or 'the protectors of cows' as they called themselves began to patrol the streets and highways to accost and challenge those they assumed were transporting beef or taking cattle to slaughter houses. To them, their own assumption was enough as proof became passé. Their high-handed treatment of their victims became a matter of dread as they took law in their own hands, quite obviously with overt or covert support of state governments and their leaders. Fangs thus appeared where benign teeth had flashed smiles before the 2014 elections and it was clear that this regime was dangerously different from the BJP-led government of Atal Bihari Vajpayee. Reuters reported in June 2017¹ that 24 Muslims had been killed and 120 injured in cow-related vigilantism. Though the report delved back to 2010, it was emphatic that almost all the violence and killings could be attributed to the new Modi regime that was completing its three years then. Some killings like that of Mohammad Akhlaq in Dadri in U.P (September '15) and of Pehlu Khan in Alwar, Rajasthan (April '17) made it to the headlines in India and abroad, but most other victims died painful death, quite unsung. The vigilantes, however, met their match in July 2016 when dalits in Gujarat went on strike and

¹ Protests held across India after attacks against Muslims, Reuters, 28th June 2017.

started a new ‘liberation movement’ after some of their young men were beaten black and blue in Una — for stripping the carcass of a cow.

Before we proceed further, let us examine a few facts, not only in the context of Yogi’s boiling cauldron of Uttar Pradesh but of India as a whole. The legal position is that the Constitution of India does not ban the slaughter of cows, calves, milch and draught cattle, but it prescribes that governments of the centre and the state shall take steps to prohibit these acts. Article 48 reads thus: “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 calves and other milch and draught cattle.” It is a ‘Directive Policy’ not a constitutional compulsion and, frankly speaking, these are quite a few directive principles that are yet to be implemented. Article 43A, for instance, mandates that the State shall legislate “to secure the participation of workers in the management of undertakings, establishments or other organisations engaged in any industry.”

As of now, 20 out of the 29 states in India have various regulations prohibiting the slaughter or the sale of cows. States like Kerala, West Bengal, Goa, Karnataka, Arunachal Pradesh, Mizoram, Meghalaya, Nagaland and Tripura, however, have either no such laws or have limited restrictions on cow slaughter. Because the issue is so intrinsically divisive and emotional, the laws prohibiting cow slaughter have been subjected to repeated and persistent litigation while those states that do not have such laws have also been tormented with pressures and agitations that are tantamount to blackmail. The numerous cases filed in the High Courts and in the Supreme Court of India were addressed by the Supreme Court’s landmark judgement of 26 October 2005. It set several issues at rest as it declared that the anti-cow slaughter laws enacted by different state governments in India were quite valid.

But though cattle slaughter is banned, none can deny that several religions permit the consumption of the meat of cows, ox or buffaloes — which means, in effect, that in a secular polity the sentiments of one religion dominates over other religions. It is also a fact that a sizeable number of Indians do consume beef and buffalo meat. In Meghalaya, for instance, 80.74 percent of the population eats beef or buffalo meat while in Lakshadweep and Nagaland, it is well over half the population. Between 20 to 30 percent of the people consume the meat of bovine animals in the states of Kerala, Assam, West Bengal, Jammu and Kashmir, Sikkim, Arunachal, Manipur and Mizoram. Census figures are not fully reliable as, given the sensitive nature of the subject, not all people are likely to declare their personal dietary preferences before enumerators and outsiders. Thus, in a state like Tamil Nadu where a section of the ‘Dravidian’ and other people proudly partake of beef as a revolt against Brahmanism, only 5.89 percent of the population mentioned openly, for a host of reasons, that they eat bovine meat. This is lower than the all-India average of

7.53 percent, which, incidentally means that almost 10 crore or 100 million Indians have openly declared that they eat the meat of buffaloes or cows.

To find out how many of them are Hindus, we turn to the central government's National Sample Survey Organisation (NSSO). Its 'Round of 2011-12' estimated that 1.25 crore Hindus ate beef but when we view this number against 96.62 crores, which is the total number of Hindus enumerated in the the 2011 census, it certainly appears rather low. It is well known that while many dalits and adivasis abhor the very idea of eating bovine meat, certain sections have historically no taboo against this diet. Their numbers are far more than 1.25 crore, but, what is equally interesting in this survey report is that 30 percent of the Hindus who were surveyed by NSSO as consumers of this meat were not from the dalit or adivasi categories — they were from what is bracketed as 'caste Hindu'. Surprisingly, only 40 percent of Muslims and 25 percent of Christians declared that they ate beef or buffalo meat. NSSO's projections imply that some 4.4 lakh tons of cattle meat was consumed in India in 2011-12, but international statistics estimate that local consumption to be approximately 22 lakh tons.

In all fairness, however, we need to admit that cow slaughter has been at the centre of controversy in India long before Narendra Modi became prime minister in June 2104. It was actually Dayananda Saraswati who first highlighted this issue almost one and a half centuries ago. He constituted the first cow protection committee in 1882 and this singular issue dug deep and created the most formidable trench that bitterly separated the two major communities in India. In the words of Marxist historian, DN Jha, this act "made the animal a symbol of the unity of a wide-ranging people, challenged the Muslim practice of its slaughter and provoked a series of serious communal riots in the 1880s and 1890s."² In fact, at the core of the 'save the cow' movement lies a more significant sub-text, that of 're-gaining ground' that is/was perceived to have been lost during the six centuries and more of Muslim rule in India. A part of this logic is quite understandable as a very 'Indian' problem, because, in the land of its birth, prophet Muhammad's Arabia, the cow was never the prized animal either for meat or for religious sacrifice. It was the camel or the ram that was in greater demand and, of course, supply.

The cow, the bull or oxen and the buffalo were available in greater numbers only in the Indian subcontinent, when Arab conquerors seized the first province, namely Sindh, in 712 AD. The overwhelming presence of bovine animals was not lost on the Turki rulers of India from 1204 AD onwards, as it was to the new converts to Islam. These animals were in plenty; they were cheaper than other forms of meat (this advantage continues till date); they were larger and could feed many more people and the very touch or sight of their meat defiled their Hindu subjects. The problem was so severe that even if they were force fed beef, Hindus 'lost their religion' and had little option but to convert to Islam. For Indian Muslim converts, the flaunting of beef was

² Quoted in *BBC Online*, 15 October 2015

both a symbol of liberation from the suffocating casteism of Hinduism and also an effective taunt that petrified the Hindu subjects of Muslim empires and kingdoms.

Dayananda's mission was to rejuvenate a demoralised Hindu religion and also to retrieve India back for the Hindus — from both classes of conquerors, the Muslims and the British. The closing decades of the 19th century brought to the fore a new empowered class of English-educated Hindus who had gained a lot under British rule and began to assert themselves, with confidence. Their 'native' Hindu brethren who preferred the vernacular languages had also benefitted from the new dispensation and became equally assertive. On the other hand, most Muslims were deeply suspicious of the white man and continued to keep their distance from English education — thereby losing considerably, in terms of both education and job opportunities. Consequently, Muslims steadily fell behind in the race and were not able to retain their earlier economic or political dominant status — they were seriously on the 'back foot'. The new conscious Hindus of the 1880s and 1890s were determined not to put up any more with the continued swagger of certain Muslims, who behaved as if they still ruled over them. The cow thus metamorphosed into a major flash point of conflict, just as it had become in 1857 when more so as it was capable of emotionally uniting a large section of Hindus and persuade them to leave aside caste considerations and other quarrels and take on the Muslims. Naturally, therefore, tension and skirmishes were in the air all the time and "cow slaughter often sparked religious riots that led to the killing of more than a hundred people in 1893 alone."³ The rest is history, which was often quite brutal. In the subsequent decades, we note how the cow and the pig or their body parts were used by rioters as adroitly as fire, rape and murder and this continued, in spurts and jerks, all the way to the partition of India in 1947 and the apocalypse that trailed.

The humble cow continued to be India's most polarising animal and in 1966, at least eight people died in the clashes outside the Parliament House in New Delhi when unruly demonstrators demanded a complete national ban on cow slaughter. Then, in 1979, Vinoba Bhave threatened to go on fast unto death to compel the left governments of West Bengal and Kerala to put an immediate end to the slaughter of all categories of cows, oxen, bullocks and the lot. The situation became explosive as the 82-year old Gandhian had, indeed, unleashed a severe weapon on an issue that was "dear to several of the Janata Party leaders — Prime Minister Morarji Desai, the foremost among them."⁴ Bhave was considered as a saintly man who had taken up many lost causes like 'Bhoodan'. There were several fiery moments and some clashes occurred in the two states as well as in some other parts of India — but finally, the dark clouds disappeared. Strange as it may sound, Gandhi would never have approved Vinobha Bhave's pressure tactics. The Mahatma was very clear while "the Hindu religion forbids cow slaughter for the Hindus," it is "not for the world." Gandhi insisted that "religious prohibition comes from within. Any imposition from

³ *BBC Online*, 15 October 2015

⁴ Quoted from the archival issue of *India Today*, 30th April 1979.

without means compulsion. Such compulsion is repugnant to religion.” Clearer words have hardly been spoken on this contentious subject and Gandhi was opposed to a state-supported total ban on beef.

Another worthy interjection that we may refer to came from the noted economist, Dr KN Raj who analysed Vinoba Bhave’s fast and his demand for banning cow slaughter in Kerala and West Bengal. In the *Economic and Political Weekly* (EPW) of 5th May 1979, Raj studied all aspects of the issue of cow slaughter under three different heads, namely, (a) the constitutional and legal basis of the demand, (b) its economic rationale, and (c) the political implications and possible consequences. So sagacious and useful has been his analysis that the EPW reprinted the article in 2015⁵. Economics settles only a part of the issue, while politics complicates most of it, and religion injects new dimensions and often leads to conflagrations. Even so, we need to look at numbers and economics as much as we need to steer through the dangers that politics and religion may impose.

The livestock survey of 2012 conducted by the National Dairy Development Board (NDDB) gives us “the latest figures”, as available in the public domain. One really hopes that the results of the 2017 survey will be available soon, as its findings are, indeed, very critical where this issue is concerned. According to NDDB, India has 30 crore (300 million) bovines, which includes cows, bulls and buffalos. Despite protests and campaigns that too many bovines are being slaughtered and consumed in India, the hard fact is that India’s cattle population has gone up by more than a hundred million or 10 crore in the last six decades. The number of adult cows has gone up from 54 million heads in 1951 to 76.7 million in 2012, while the corresponding figure of adult oxen and bulls are 100 million in 1951 and 114 million heads in 2012. The fact that the growth rate is comparatively less where male cattle is concerned may be due to a silent but widely prevalent practice among Hindu farmers, as much as it is among Muslims and others, which is to kill a number of bulls at birth, because they are considered ‘unproductive’. A certain number is kept alive and castrated into oxen that have the strength to carry ploughs and ‘bullock carts’ but do not possess the ‘male temper’ and aggressiveness of bulls, as their testicles are removed. Adult female buffaloes were 26 million in 1951 and this number has doubled to 56.6 million in 2012, despite the fact that many states permit the slaughter of buffaloes and consumption of buffalo meat, but not of cows or bulls/oxen.

Four percent of bovine animals die each year due to natural causes, which means that approximately 1.2 crore such cattle have to be consumed by someone or the other, or left to rot in the open. Incidentally, the 4 percent ‘lost’ through ‘natural deaths’ is replenished by fresh births each year. Incidentally, the just-dead animals are consumed by those whose religion, caste or diet so permit but, by and large, the musclemen who roam the countryside in search of prey would prefer to bludgeon anyone who dared to touch that meat. Vultures, stench and disease are now their

⁵ EPW Vol 50, Issue 11, 14 March 2015.

preferred choices. Their ire is even greater against those farmers who sell their old and near-dead cattle to slaughter houses. It is estimated that about 4 percent of the total number of bovines that consist of old and uneconomic animals are slaughtered, but, as demonstrated just above, this does not affect the growing population of bovine animals. When the question of cruelty is raised, one could also mention that literally millions of live fish and chickens are also killed every day, which is equally cruel. It is heart breaking to see bleating goats and sheep that are led to their slaughter every where.

But then, this is different as the cow is sacred to Hindus, though no one can tell us with any clarity when the ‘highest class’ of Hindus actually gave up beef eating⁶. We are certain that consuming the meat of cattle was not only permitted but was a sacred tradition from Vedic times. We have already speculated on the possible reasons for turning to the other extreme of worshipping cows, though we are not sure when exactly this happened. Several Puranas are quoted but then, these texts have been interpolated and played around with mercilessly for centuries — and hence, their dating is difficult and not very reliable. The same reverence is, however, not accorded to the buffalo. In fact, it has often been demonised in religion, myth and life. Durga’s slaying of the Mahishasura in the Devi Mahamaya section of the Markandeya Purana and the killing of Mahishasuri by the god of Sabarimala in Kerala are two good examples. The slaughter of the buffalo has been a part of Hindu religious tradition and exists, all the way from Assam and Bengal to Rajasthan. Let us be practical and admit that the slaughtered animal was and is obviously a feast for some sections. The slaughter of buffaloes and the export of their meat is, however, quite legal.

In 2016, the total number of registered slaughter houses was 1623 and the figure for unregistered ones could be several times higher. Maharashtra had the highest number of 316 registered slaughter houses, which was followed by UP with 285 and Tamil Nadu came third with 130. There is a severe and undeniable problem of hygiene in and around slaughter-houses because of the primitive modes in which the animals are killed and the materials and products are handled. But then, there are at least some methods and restrictions in operation in registered places of slaughter but where illegal or open sites for killing animals are concerned, the situation is worse. Over the last few decades, courts and local associations have taken a dim view of the state of slaughter houses, but some positive steps have been taken to modernise them, as, for instance, at Delhi’s Idgah slaughter house.

Though the entire business is quite messy, it would be unfair to paint all slaughterhouses with the same black brush. There are several that maintain international standards of cleanliness and hygiene and are regularly inspected by importers and other strict agencies. In fact, the Central government’s own export body known as APEDA, Agricultural Products Export Development Authority

⁶ Jha, Dwijendra Narayan. *The Myth of the Holy Cow*. London/New York: Verso 2002

registers quality abattoirs and meat processing units, most of which deal in buffalo meat. At the present moment, there are 80 abattoirs and meat processing units that have valid registration certificates from this Central government agency. In some states like U.P., however, the suspension of slaughter house licence is a lucrative game from which municipalities, local bodies and the police benefit a lot. Licenses are suspended and cancelled based on complaints and as soon as some 'improvements' are effected, licenses are restored, obviously against 'considerations' and then it is business as usual. It was reported that the licence of an otherwise hygienic abattoir was suspended because some observation cameras were not functional.

The question that strikes us is why did or do god-fearing Hindus sell their cattle, however small be the number, for slaughter? Cows and female buffaloes lactate in cycles throughout their life depending on the calves they bear but the farmer has to spend a lot to maintain them, anywhere between 30 to 40 thousand rupees a year for each animal. This hurts the poorest level of farmer who and his family have so little to eat. So once their milk-producing capabilities are over, most poor farmers just cannot afford to feed them. They set them free to graze wherever they can but a small section also sells off 'dry bovines' so that he can feed the cows and buffaloes that he has retained a little better. These animals have always been the centre of controversy, but if their percentage is really just four, it means that only one out of every 25 creatures are thus affected. But even this is not condonable where strict Hindus are concerned and the number of such Hindus appears to be increasing every month, with appropriate encouragement. What is less understood is that whosoever is finally the 'keeper' of the uneconomic creature has to spend at least 30,000 rupees per year to maintain them. If the hapless farmer is prohibited from selling the animal, he would let the animals loose to forage among garbage and plastics for food or enter other people's farms and destroy their crops. This is exactly what is happening at present, mostly in Uttar Pradesh, where state power and muscle power have joined hands to ensure that dry cows or aged buffaloes are not sold to anyone.

And, to turn the heat on to scalding point, the Central government's ministry of environment issued a proclamation in May 2107, in exercise of its overarching powers. The Prevention of Cruelty to Animals (Regulation of Livestock Markets) Rules banned the sale of cattle, for all matters and purposes and they needed declarations from both the seller and the buyer that the animal was not being taken for slaughter. The new dispensation created an immediate furore as it constricted even genuine transactions like the purchase and sale for the purpose of improving livestock. Such restrictions shut down most of the animal fairs and markets of India and their impact went deep into recalcitrant states like West Bengal, Kerala and in the North East. More significant was the fact that these rules actually gave a legal weapon to cow vigilante groups that had already tasted blood ever since the new regime came to power. They could now wreak havoc as outsourced agents of state power, immune from any serious retribution. The 2017 rules also resulted in increasing the number of cattle that were past their use as dairy or farm animals and

no one knew who was to look after them. Within a few months, however, the cruelty of reality overtook whatever sentiments were whipped up and played upon — as farmers protested and decided to let loose their uneconomic animals and these started creating disturbances everywhere.

Within a year, the Centre finally scrapped the controversial rules and came out with new provisions called The Prevention of Cruelty to Animals in Animal Markets Rules, 2018, that did away with the clause on “restrictions on sale of cattle”. But the gau rakshaks were not impressed at all and they continue to ensure that transporting cattle is either very difficult or impossible. Everything, however, is negotiable and truck drivers in India are genetically programmed to slip a few notes into the open palms of those who try to stop them legally or otherwise. These experiments with law and injustice have obviously terrorised those whose livelihood depended on the slaughter or distribution of bovine meat and has displeased agriculturalists and dairy farmers as well. Once stray cattle became a veritable public nuisance an acute contradiction became visible between the Hindu’s theoretical veneration for the cow and the utterly heartless manner in which he drives stray cattle away from his property. Even doses of violence are used by exasperated farmers to beat away homeless cattle that wander into their fields or start eating their crops and greens.

The problem is not confined to our domestic front only, it has started impacting exports quite badly. In 2014-15, India was the world's largest exporter of bovine meat with 14.76 lakh tons. It was ahead of its competitors, Brazil and Australia-New Zealand, but now India has lost iota preeminence, as its exports fell by one lakh tons in 2017-18. India’s export earnings fell from 4.76 billion US dollars in 2014-15 to 3.91 billion dollars in 2016-17 and picked up slightly to US \$ 4.04 billion last year (‘17-‘18), thanks to higher unit cost realisation. Meat, incidentally, is overtaken by its by-product, leather, where exports are concerned. In 2014-15, Indian leather and leather goods earned almost \$ 6.5 billion dollars, which has fallen to \$ 5.6 billion in 2016-17 and \$ 5.7 billion last year. The export figures for both meat and leather are depressing when one considers that India should have gone up by 50 percent at least, to offset our growing imports. Instead, we have fallen, notch by notch, every year in earnings and the leather export sector that employs 25 lakh people has also fallen substantially. India’s domestic trade in leather and leather goods equals and often surpasses the export market in terms of value and employment. This is under severe threat and there has been fall in earnings and employment as well.

Let us return to Uttar Pradesh which, incidentally, is the highest producer of leather and also exports the largest tonnage, though no one is certain how long things will remain the same. When Yogi Adityanath moved into the chief minister's official residence in 2017, the entire building was cleansed with cow’s milk as a religious ritual. It is reported that so averse is he towards the idea of even the leather of dead

⁷ According to the Ministry of Commerce’s DG CIS statistics of exports.

cows, that all leather furnishings were removed⁸. A cow shed was constructed within the CM's compound and his favourite cows were brought from his ashram in Gorakhpur. Adityanath and his party had campaigned with high drama and emotion that cows were being systematically slaughtered for meat and their numbers were fast disappearing. Facts are otherwise. The UP livestock census of 2013 has shown a consistent upswing in buffalo population, from 229 lakhs in 2003 to 306 lakhs in 2012. The last all-India livestock census of 2012 has shown a 6.5 percent increase in the population of cows from the previous census in 2007. As mentioned earlier, it is high time that the NDDB livestock census figures for 2017 are released immediately to set at rest all apprehensions. Incidentally, the NDDB estimates for milk production reveals that UP has shot up from 24,863 tonnes in 2012 to 29,086 tonnes last year, indicating a rise of 17 percent.

A large section of people believe, however, that cows are all being eaten up and hence need to be saved by stalwarts like Adityanath. But, even Adityanath is a worried man as his policy of terrorising the economy connected to cattle and buffalos started backfiring when larger numbers of stray cattle are on the rampage. He has woken up to the problem once he realised that all the existing 514 cattle shelters in UP that are run by charitable institutions are quite full. He has sanctioned funds for 104 new cow shelters, some of which can accommodate a thousand cows and is desperate to have them in running continuously before exasperated villagers vote adversely in the 2019 elections. Though he has cracked the whip on the district collectors to fast-forward the programme, things take time and construction activities just cannot be rushed beyond a point. Till early January only one such cow shelter has reportedly come up in Lalitpur district in the Bundelkhand region. The chief minister is so worried that he ordered his administration to track down the owners of stray cattle and punish them. This is bound to have its backlash and what is more important is who would feed the one lakh cattle that Yogi plans to shove into his shelters.

Each unproductive creature would cost him a minimum of Rs 30,000 per year just for food and medicines, while their keepers would also require to be paid. The number of cow shelters is bound to go up year after year as old, abandoned cows and ox live at least 5 years after they become uneconomical. It is time for Yogi Adityanath to take a serious visit to his temple at Gorakhpur for urgent consultations with his god on how to get out of Lucknow's impossibly labyrinthine maze. A country a fourth of whose population goes to bed without food needs to introspect whether it can really afford such a high level of expenditure on feeding the religious sentiment of the presently dominant group. After all, public resources are dreadfully limited and crying demands of impoverished, malnourished humans also matter.

⁸ India's Battle over Buffalo Meat, Maya Prabhu, Al Jazeera News, 16 May 2017