

## The Beef Battle: Nation-Building in Danger

Whichever side of the recent beef controversy one may be, the fact remains that one's affection for something as basic as food can't be changed overnight. And as a sovereign citizen of a modern liberal democracy, it is better to leave the matters of gastronomic preference to the discretion and judgement of the citizen about the ways he or she would like to please his/her palate.

So, what has lately become fashionable in this country is not in order and definitely not legitimate. Article 48 of the Indian Constitution says, "...the State shall take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle." So, the Constitution actually does not talk only about prohibiting slaughter of cows, but also of other milch and draught cattle whose meat is relished by the Hindus. So, those asking for banning beef because it is mentioned in the Constitution, should demand equal prohibition for other milch and draught cattle including goat and buffaloes. A country whose citizens' nutritional and employment status is already compromised just can't afford to ban meat eating of one or the other kind.

Pandit Thakur Dass Bhargava who suggested Article 48 relating to cow slaughter in the Constituent Assembly had said, "I do not want that, due to its inclusion in the Fundamental Rights, non-Hindus should complain that they have been forced to accept a certain thing against their will." As the founding fathers of our Constitution did not want to force a decision on citizens, the end result of the debate in the Constituent Assembly was Article 48 in its extant form as one of the Directive Principles of State Policy. The Supreme Court in several cases including *Mohd. Hanif Qureshi v. State of Bihar* (AIR 1959 SCR 629), *Hashumatullah v. State of Madhya Pradesh*, *Abdul Hakim and others v. State of Bihar* (AIR 1961 SC 448) and *Mohd. Faruk v. State of Madhya Pradesh* has ruled against a total ban on cattle slaughter on grounds of public interest. Though there is a lack of uniformity among provincial laws governing cattle slaughter, no state law explicitly bans the consumption of beef.

Almost all the Committees and Commissions, formed from time to time, including Cattle

Preservation and Development Committee (1947–48), Uttar Pradesh Committee (1948), Nanda Committee on the Prevention of Slaughter of Milch Cattle in India (1954–55), Gosamvardhan Committee (1960) and Special Committee on Preserving High-Yielding Cattle (1961–62) have recommended against the ban on cattle slaughter including beef on one or the other ground. The Nanda Committee felt that ‘measures like legislative ban on slaughter and cruelty or salvage of animals...will only be treating the symptoms and not curing the disease’ and recommended against a total ban on slaughter of cattle. It, *inter alia*, reasoned that, as India had little fodder and cattle feed, it could only maintain 40 per cent of its cattle and, therefore, the remaining 60 per cent should be culled.

As a religion, Hinduism does not prohibit meat eating. Historians claim that ancient Hindus including Vedic Brahmins, Buddhists and even early Jains used to consume meat including beef. Old scriptures including Manusmriti and Arthashastra have been quoted to confirm this. Renowned historian D N Jha, in his book, ‘Myth of the Holy Cow’ has talked extensively about beef eating by ancient Hindus. Historians have suggested that the Hindus stopped eating beef as a cultural assertion and reaction to the presence of beef-eating rulers of the times than for any religious reason.

Arguably, if beef eating is bad just because cow is treated holy by Hindus, then the same reason hold for many other animals treated as holy or non-eatable by other communities. If bruised sentiments of a section of Hindus could be the ground for banning beef, then eating meat of other animals including chicken, goat, buffaloes, lamb, pig, etc. should also be banned as they too hurt the sensibilities of the vegetarians. Stretching it further, we should also not eat garlic, onions or tuberous vegetables because the same is forbidden to be eaten by a section of the Hindus and Jains. And if the ground for ban is to stop killing a living being for food, we should actually not be eating any botanical products as they too have life if we were to believe Jagdish Chandra Basu. So, if religion be the ground for banning one or the other food item, there would hardly be anything left for us to eat.

One wonders whether these people approve of ‘animal eating animal’ or a ‘tiger killing a cow’ if we were to continue stretching the argument. After all, as per Hinduism every living being has God in it; so none is supposed to kill and eat anyone for food. Mind you we Hindus believe that nothing happens without God’s desire. So, the loony fringe has to understand that the nature’s food cycle has also been willed and designed by Him. Theologically speaking, if we were to believe that it is the Almighty God who has designed every detail in this universe, then it must be the God who made the human being a carnivore otherwise he would not have created the possibility of humans eating meat product.

At a time, when we are talking about ‘minimum government, maximum governance’, venturing into prescribing food for the citizens would actually translate into ‘micro-governance’. Important political leaders and intellectuals including the Prime Minister have rightly denounced the intolerant behaviour of a section of Indians including the recent Dadri lynching. However, return of state awards by litterateurs and artistes is not the right approach; the intellectuals should rather speak up against such deviant behaviour by some Indians rather than indulging in tokenism and symbolism because the awards were actually given on behalf of the country that the government represents.

The intemperate and revolting statements like, 'beef eaters have no place in this country' have the potential to balkanise this country because finding a country for more than 20 crore Indians (including many Hindus who eat beef) would be a herculean task. So we are left with no choice but to cut a piece from our body politic to create a new country. Maybe this is the unfinished agenda of partition that these people are referring to. Again, it is such intolerant statements and behaviour, as on display in recent times across the country, which create disaffection in a section of our citizenry and negatively compromise our doddering nation-building process. Thankfully, the 'loony fringe' remains what it is namely 'loony' and 'fringe'; the predominant majority still remains embedded in the Constitutional ideals of liberal pluralism to cushion our 'salad bowl' culture.

Amidst all this nonsensical controversies, if the self-proclaimed defender of the faith were to do something for our milch and draught cattle including cows, one would only request them to ensure that this country has more and more scientific slaughter house with hygienic conditions, something we sorely need. Battle of the beef, if at all it is to be waged, could be better fought scientifically and ideologically by proving the benefits of vegetarianism rather than dictating people what they ought to eat. For the moment, we definitely have much greater issues to be preoccupied with. The very fact that we are still mired in such mindless debates only shows that our nation-building project is still far from complete. India's existence as a nation-state very much depends on the outcome of this ideological churning we are going through.

### Salient Points

- One's affection for something as basic as food can't be changed overnight.
- The Constitution actually does not talk only about prohibiting slaughter of cows, but also of other milch and draught cattle whose meat is relished by the Hindus.
- Those asking for banning beef because it is mentioned in the Constitution should demand equal prohibition for other milch and draught cattle including goat and buffaloes.
- The Supreme Court in several cases has ruled against a total ban on cattle slaughter on grounds of public interest.
- Almost all the Committees and Commissions, formed from time to time have recommended against the ban on cattle slaughter including beef on one or the other ground.
- As per Nanda committee, as India had little fodder and cattle feed, it could only maintain 40 per cent of its cattle and, therefore, the remaining 60 per cent should be culled.
- Hinduism does not prohibit meat eating. Historians claim that ancient Hindus including Vedic Brahmins, Buddhists and even early Jains used to consume meat including beef.
- If religion be the ground for banning one or the other food item, there would hardly be anything left for us to eat.
- Return of state awards by litterateurs and artistes is not the right approach; the intellectuals should rather speak up against such deviant behaviour by some Indians rather than indulging in tokenism and symbolism.
- The very fact that we are still mired in such mindless debates only shows that our nation-building project is still far from complete.

### Glossary

**Gastronomic:** the art or science of good eating

**Loony:** insane

**Fringe:** a decorative border of thread