

THE MODIFICATION OF INDIA

CRISIS OF DEMOCRACY IN INDIA: THE IMPACT ON DEVELOPMENT AND GENDER

Introduction:

We live in very troubled times, times that are a combination of terror, anxiety, uncertainty. These are also times that makes bring a realization of the fragility of our democracy.

We live in times of an unprecedented evolutionary transition from the age of intellect and reason to an age of moral cowardice, spiritual bankruptcy and apathy towards the suffering of our fellow citizens and where hate and fear seem stronger than tolerance and humanity.

Unlike the 70's, we live in times where we easily give in to authority and the spirit of dissent seems to have evaporated.

Three years into Modi's rule and we have witnessed the flagrant violation of our fundamental rights. We are being told what to eat, what to wear, how to pray, what and what not to say. Our freedom of speech is curtailed. NGO's are threatened with charges of sedition and critics are labelled 'anti-national' or 'desh-drohi'. Development has taken on a new meaning – a fast track for the Corporate Houses and Multi Nationals to seize our economy.

This smacks of an undeclared, amorphous, insidious State of Emergency, the second we have faced since India gained her independence.

The Indian State of Emergency Then and Now:

There are both similarities and differences between the 1975 State of Emergency declared by Indira Gandhi and Modi's model.

The common factors are. The self promotion as a cult figure; 'Indira is India' is now the **Modification** of India; the wardrobe, the slogans, the international events, a cultism built around catchphrases not actions. The other is the promise of sops. Every household will have a toilet, the Beti Bachao Andolan and the Swacha Bharath Andolan [that has resulted in the biggest garbage disposal crisis we have seen in recent times] all reminiscent of Indira's 20 point programme and 'Garabhi Hatao'.

Both these Prime Minister's hardly attended Parliament and while one muzzled the media; our PM of today just ignores them! One jailed thousands of dissenters, while the other just cuts off their source of funding. Modi has systematically dented the check list

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that defines a democracy – our right to dissent; freedom of association; freedom of speech including a free press; freedom to practice our religion, speak our language and enjoy our culture.

But they also differ in their modus operandi. Indira misused a Constitutional provision; Modi has not tampered with the Constitution. Indira used compulsion and coercion, mass arrests and press censorship, surveillance and tapping of telephones; Modi is using a clever combination of fear and seduction to obtain peoples' submission and compliance and his brigade of Hindutva hooligans are his executors. The nation appears to be responding to obsolete dogmas and outworn slogans.

Manmohan Singh's lament that our 'democratic institutions are under threat', rings true, but we must remember that it was during his tenure that the erosion began and paved the way for the undeclared 'Emergency' we are now experiencing. No one is blameless in this coup d'état; there are no 'innocents'. We are all culpable for allowing things to progress so far.

With each passing day I can't help but feel the gnawing sensation that the shadow of authoritarianism is reaching its tentacles deeper and deeper into our lives, eroding our fundamental rights and freedoms.

Unfortunately, few recognise the signs. 40 years have gone by and the present generation have no knowledge of the 1975-77 Emergency and history has not recorded it. There are only a handful of us left with memories of those painfully dark and silent days. We who cling to our principles to protect democracy and its institutions are a mere handful, isolated and numbed by the sheer onslaught of the so called modern, consumerist, **Modified** India. But we recognise Modi's dictatorial moves and authoritarian model of governance as elements of an undeclared emergency.

Advani, one of the survivors of the Emergency feels that now the "*forces that can crush democracy are stronger*". He is right, because the environment is weaker. But his hope that having experienced "*Emergency*" once, India could have been inoculated against it is wishful thinking. This may have been true 20 years ago, when those who had experienced both the struggle for freedom and the State of Emergency were still alive. Today, Advani does not "*see any sign in our polity or any outstanding aspect of leadership that assures*" him as "*a commitment to democracy and to all other aspects related to democracy is lacking.*" This is ironic coming from a senior leader of the BJP and yet rings true!

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I was recently rereading 'The Anatomy of a Dictatorship' authored by CGK Reddy and circulated during Indira's Emergency in Europe to muster International support. It was distributed under George Fernandes' name as CGK was still with the Hindu. It records the Indira recipe that led to the declaration and continuance of Emergency and her modus operandi reads like a text book with step by step instructions for a potential dictator. It would appear that Mr. Modi and his backroom boys have studied her methods and learnt their lessons well and this time around have managed to usher in a dictatorial regime seemingly within the Constitutional purview and without having to resort to Article 352, which in any case has been made more difficult to use since its amendment in 1978.

On the contrary, in 2015 MJ Akbar said that "*now Indian Democracy is too strong*" for another emergency to be declared. This is a surprising statement for him to make when the present Government even then undermined every institution and smashed every vestige of democracy. But then as a newly recruited spokesperson of the BJP, I guess he would.

Meanwhile, wooing the masses with empty promises keeps the charade alive. While people with newly opened bank accounts wait for Modi to bring back the black money and deposit their share, Modi travels the world making friends and promoting his 'image'. While millions wait for basic needs like water, housing and sanitation, Modi twitters his elite twitter buddies in cyberspace. While communities are trying to resolve their differences, Modi's ministers spread the RSS ideology banning beef, telling our Muslim brethren to go to Pakistan and spout medieval patriarchal comments against women.

The Media:

The fourth estate was meant to act as a watchdog, to expose the ills in society by maintaining a check on the State and keeping citizens informed. But news has become black and white and there are no grey areas, no nuances, no attempt to tell it as it is. The media doesn't report news, they portray it according to their partiality and prejudices and who it is more lucrative to support.

Most sections of the media are now also misreporting, spreading misinformation and by that helping to push the Modi agenda. The recent reports on the Supreme Courts *supposed* verdict on the use of Aadhaar is one such example. On October 15, 2015, a 5

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judge bench had heard a series of applications for multiple uses of Aadhaar and refused the plea.

However, the Attorney General, Mukul Rohatgi, not only suppressed this information before a 3 judge bench in an unrelated case but deliberately misinterpreted a casual comment as making UID mandatory for income tax and PAN cards. This is a serious breach of legal etiquette and a vile attempt to mislead the public when the legal position as of now is that even the use of UID is a contempt of court, let alone making it mandatory.

Though this has been explained in detail by several legal experts including Dr. Usha Ramanathan, no newspaper has carried a clarification or correction. So the myth continues.

What Jürgen Krönig, the UK editor of Die Zeit says applies so aptly to India: *“So without a free press there is no public sphere, no informed citizen and thus no democracy. For a democracy to be sustained, we need informed citizens and an aware civil society. Instead, what we now have is an electorate which is highly informed about entertainment, consumer goods and celebrities, while being uninterested in and/or deeply cynical about politics, equipped with short attention spans and a growing tendency to demand instant gratification.”* Be it the Trump’s victory in the US or Brexit, this appears to be a world phenomenon that we are yet to analyse and understand.

LK Advani had said during the Emergency *“that when journalists were asked to bend, they crawled;* and now they are behaving like trained circus animals, jumping through hoops on Modi’s command. Worse, they have lost their credibility. So a few days back, when on World Press Freedom Day, the Malayalam newspaper Mathrubhumi blackened the front page of their daily, reminiscent of The Indian Express and The Statesman who ran blank editorials as a mark of their resistance during Indira’s Emergency; their true intentions were questioned by many. Was it sensationalism or a sincere form of dissent?

Social Media:

On the other hand, the Modi campaign used social media to great effect. The branding of the ‘future’ Prime Minister, constructing the image of an effective strong administrator who would lead India into prosperity and the modern global era, won him the 2014 elections. Now the Modi strategists are employing social media to spread myths and rumours to induce fear and uncertainty. What they cannot do legally, is being achieved by making people believe it exists.

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My husband got a WhatsApp message a few months ago. It said: *“The Central Police have issued an order that anyone who discusses politics or religion or passes on information regarding politics or religion will be arrested”*. This message had been doing the rounds for a while and no one had bothered to stop and think. Hey, we are a democracy, [at least the last time I checked], and our Constitution gives me the right to discuss politics and religion and anything else! And, we don’t have a ‘Central Police’ in India!

I got a message a few weeks ago. Many of you must have got similar messages. It was titled *“Ministry of Interior Regulation”*. It read as follows: *“From tomorrow e.i. 11/04/2017 onwards there are new communication regulations. All calls are recorded. All phone call recordings saved. WhatsApp is monitored. Twitter is monitored. FaceBook is monitored. All social media and forums are monitored. Inform those who do not know. Your devices are connected to ministry systems. Take care not to send unnecessary messages. Inform your children about this and to take care.”*

Interestingly this came from the sister in law of a union minister who was brought up in a Socialist household. I sent her the usual message reminding her that we are still a democracy – Modi or not – and such messages are a Constitutional violation. And we do not have a Ministry of Interior. She messaged back: *“I know it is against freedom of speech and the Constitution, but it’s still a scary thought.”* Who needs to amend the Constitution when we can be so easily taken in?

Martin Luther King, Jr. believed that: *“Any nation or government that deprives an individual of freedom is in that moment committing an act of moral and spiritual murder. Any individual who is not concerned about his freedom commits an act of moral and spiritual suicide.”*

Two years ago, I was at a lecture given by Gopalkrishna Gandhi in honour of JP, the founder of the People’s Union for Civil Liberties. He said:

“The fear that is prevailing in our country is the starkest and most palpable among the minority communities of India. This level of fear among those communities has precedence only in times of riots that have defaced the history of our country. But in times when there are no riots or riots in real time there has never been a time when fear has been so pronounced in the hearts and minds of the minority communities in India. JP would not have been able to stand or stomach the sight of a cow being slaughtered but

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he would not have allowed cow slaughter to become a political tool in the hands of a majority party which is using the majority community's susceptibility, sentiments and heartstrings to needle the minority community, in this case the Muslim community in particular."

"During the Emergency, 75-77, there was a kind of an attempt to combine socialist rhetoric with the realpolitik or opportunism. Today there is a great attempt at combining two pulls, two compulsions in the public. One is the inborn set of prejudices that all of us have about other communities, polarisation by bringing about things like temples, cow slaughter. But the other great pull, the pull for the good life via the world model of globalisation, the corporate communal binary is like the great combination of two demi-gods wanting to snuff out dissent by a combination of fear and seduction."

"The latter is even more difficult to resist than the former and in the Emergency which JP faced, the problem was fear not seduction except when it came to some small loaves and fishes of office. But today it is much more different and that is why it is much more important to resist. In the northern Hindi-speaking parts of India, JP was hailed as "andhere mein ek prakash, Jayaprakash, Jayaprakash" (in this darkness there is one light...) There is not an andhera yet but there is a kind of twilight that could slip into andhera, but I don't think the people of India will allow that to happen."

Two years later, I feel we are closer to *andhera* than we think. The hood is slowly but steadily clouding our judgment and fear has got our tongues.

Writing in *Young India* in 1922, Gandhi said, *"We must first make good the right of free speech and free association before we make any further progress towards our goal. We must defend these elementary rights with our lives."*

Gandhi based his view on his belief that liberty of speech is indisputable even when the speech hurts and that *"freedom of association is truly respected when assemblies of people can discuss even revolutionary projects."*

Among several others, Raja Ram Mohan Roy and Bal Gangadhar Tilak were committed to this too and civil liberties became an integral part of the national movement and incorporated into the Constitution. They understood that while the freedom of worship is a part of democracy and a fundamental right, the foundation of modern democracy has to be the freedom of thought and expression.

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Modi and Development:

Modi proclaimed an 8 point development agenda; the Strengthening of the Federal Structure, Agricultural Reform, Urban Development and Infrastructure, Health Care for All, Children's and Women's Empowerment, Inflation and Price Control and Education and job opportunities for youth.

These are rather ambiguous statements. Who these moves will benefit is not clear. Will it be a pro poor pro farmer agenda based on social justice or to the advantage of big business?

Modi's unilateral demonetisation 'strategic strike', was purportedly to clean up black money and stem corruption, but we all know that was not the case. The real motive was to usher in a cashless economy that would put small vendors and enterprises out of businesses and facilitate FDI in retail. Rural India, especially those just barely making a living as landless labourers or running small businesses selling vegetables or managing small eateries, unable to manage on credit, have been hard hit by demonetisation. Having no surplus to sustain them, they have been driven to sell their homesteads or the little land that they own, forcing them to join the ranks of the unemployed. Suddenly displaced and not having the necessary skills demanded by the urban labour market, these rural refugees, mostly women struggle to survive.

Modi's proposed land acquisition ordinance was to further ease the way for multinationals to buy agricultural land and with mechanisation and technology Modi's promise of 'more crop for every drop' would be realised, except that the farmers would be landless and penniless.

The poor in urban metropolises is no different. The cash crunch in ATMs and the restrictions on the withdrawal on our own money is taking business away from small enterprises to the Reliance and Food World retail outfits.

This was essentially the Gujarat model. Guaranteeing investors, particularly big investors from India and abroad, land at throw away prices with no consideration for whom or how many were displaced as a result. As a third of our population reel under draught and the distress of our farmers escalate, the Modi budget brings them no relief.

Further, the proposed amendments to labour laws, undermining the protection for the working class by promoting a 'hire and fire' policy combined with out-sourcing has weakened labour unions as never before. And the Goods and Services Tax [GST] has

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converted the whole country into a single common market wresting control away from the States to the Union Government. So much for his promise of strengthening the Federal Structure!

As for Modi's promise of education and job opportunities for youth, dissent, especially in universities is being repressed, students are intimidated with threats of sedition, the police are used to silence them and free thinking is clamped down. How can true learning take place in an atmosphere of oppression and fear?

As for those young persons who have struggled through formal education, there are no jobs matching their academic qualifications. However, the expanding service sector requires compliant, unskilled workers without strong roots. So our youth, educated or not, are forced to take up low paid, high risk, insecure jobs in the service sector, such as delivery boys for enterprises such as Amazon, Pizza Hut and Big Basket. This accomplishes the mission of 'Skilling India', to provide cheap labour to the multinationals. The dreams of our young people are crushed, but according to the our economic gurus, new aspirations have been created – the need for consumer goods to define ones identity and feel that one has arrived!

The combination of threat to livelihood, insecurity and fear with the promise of lucrative jobs - but only if you comply with the Modi code - has dramatically polarised our society: Muslim versus Hindu; Right versus Left; liberals versus extremists; nationalists versus anti-nationalists; men versus women; them versus us. There is depersonalisation of neighbourhoods, villages, educational institutions and work environments. People are beginning to feel disengaged, disenchanted, and uninvolved, even when surrounded by family and friends. We have begun to view our jobs as draining and unrewarding, and for many, especially the middle class youth; life seems to have lost its meaning.

Gender:

We also live in times when women's rights are in the line of fire.

On the subject of gender, during the Emergency many were jailed, including my mother and several other women. Now all women are in one large concentration camp! Never since independence has the situation of women been so vulnerable and endangered. Our freedom has been curtailed and we have been reduced to commodities that have to model themselves on a set of Hindutva criteria to fit the label of Sati Savitris. Our immorality is defined by the depth of our neckline, how confident we are and our degree of emancipation. Today, being sociable, assertive and even looking attractive is a sin.

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In Udupi the moral policing brigades beat up a girl for visiting her sick Muslim girlfriend. Another was thrashed for using an auto with a Muslim driver. A boy was manhandled and thrown off a bus because he offered to hold the books of a girl. A married couple was heckled and chased for holding hands on the beach. And this in a Congress ruled State!

In Chhattisgarh, part of the development goals, the state government seems to have set targets that doctors and their staff have to fulfil to help reduce the population and raise the standards of living especially in rural and semi-urban areas. A government doctor, Dr. R. K. Gupta, was arrested and charged with the death of at least 11 women who underwent a tubectomy to limit their families. A reflection of Snajay Gandhi's nasbandi [sterilization] drives and Turkman Gate.

Contrary to the Prime Minister's women-friendly public rhetoric, his government has failed to allocate any significant portion of the budget to change living and working conditions for women. There is no substantial investment in girls' education in the latest budget. A mere Rs. 200 crores has been allocated for two schemes introduced for girls and women – one to increase public safety in big and small cities and the other is the savings scheme for girls: Beti Bachao Beti Padhao program. A closer look at the figures, however, shows that these schemes are grossly inadequate to counter the deep-rooted structural inequality that girls and women face. And on the front of women's rights we are slipping back to the days of 'sati'.

The incidents of rape and murder of women and girls has risen phenomenally. Even if this is due to increased reporting of the subject as some claim, this could only be partly so. Because, it is also true that a signal has gone out from members of the Union Government and several BJP MPs and their right wing outfits, that women are up for grabs, especially those they term 'immoral', because we are asking for it.

BJP politicians accuse Muslim men of 'love jihad'. Yogi Adityanath, now the Chief Minister of U.P. announced that forced conversion of Hindu girls to Islam can only be prevented by a BJP-led government in the state. Such archaic patriarchal and regressive views of women propagate the notion that women's bodies are understood as the property of men to be used by them for their pleasure and to avenge each other.

The notion of 'love jihad' reinforces the idea that women have no caste or religious identities of their own and positions women as the bearers of their husband's culture

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and religion, sanctioning the moral policing of women and justifying 'honour killings' and all kinds of violence against women if they violate the code of conduct laid down by men. This reduces women to mere objects and erases their right to agency.

Two faced Modi now talks of giving Muslim women their rights urging reformers from the Muslim community to "*not politicise the issue of triple talaq*" and "*protect women from the effects*" of the practice of oral divorce. But when it came to the rape of Bilkis Bano and the murder of her family members including her two year old daughter, one of the most horrifying incidents that took place during the 2002 post-Godhra riots in Gujarat, Modi was complicit by his silence and inactivity.

Modi is still silent on the number of women who have lost their husbands to the violence and lynching by the Goraksha Sena, or the effect this has had on women managing small dairies with one or two cows. He turns a blind eye to the 'moral policing' of women, including Hindu women and girls, and permits the Hindutva outfits to impose restraints on our behaviour and conduct that takes our struggle for emancipation back a thousand years.

On October 2016, in preparation for the Assembly elections in 2017, Modi said while addressing a rally in the Mahoba district of the Bundelkhand region in Uttar Pradesh, that justice demands that the government works as per the Constitution and provides gender justice for everyone and urged everyone to take proper measures to give equal rights to women. Mr. Modi speaks with a forked tongue!

Homophobia is on the increase with the BJP proclaiming that homosexuality as anti-Hindu!

BJP is the only major party to support the re-criminalization of homosexuality under section 377.

Modi has remained silent on this question and in December 2013, following the Supreme Court decision, BJP chief Rajnath Singh reportedly told journalists: "*Gay sex is not natural and we cannot support something which is unnatural.*" LGBTQ communities are more exposed and vulnerable than ever before and this increased culture of homophobia hurts those who are already affected by systemic and communal injustices.

And to top it all, the Attorney General, Mukul Rohatgi, recently argued that **citizens do not have an absolute right over their body**. "*The concept of absolute right over one's body was a myth and there were various laws which put restrictions on such a right.*"

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So much for Modi's 'Sab ke Saath, Sab ka Vikas'!

And the assurance of '*Ache din ane wale hai*' is certainly not for the poor and underprivileged.

Social Justice and Human Rights:

Social Justice and Human Rights have been relegated to the scrap heap and patriarchy and narrow fundamentalist views are pandering to the base sentiments of the conservatives and the disenfranchised.

The intelligentsia has been discredited and replaced with representatives of big businesses. They are the lobbyists and policy makers. The Parliament has been ridiculed and disgraced by the ruling party and opposition alike and the judiciary is gradually being compromised. Civil Society Protests and movements are suppressed violently and fear inhibits any critique.

Rebutting the move to link Aadhaar to the permanent account number and filing of income tax returns, senior advocate Shyam Divan told the Supreme Court that the Constitution was not a charter of servitude. "*We are independent citizens who cannot be forced by the State to part with our fingerprints in exchange for being able to file our income tax returns,*" he said and termed the newly inserted Section 139AA in the Income Tax Act, which mandates the linking of Aadhaar with PAN, a "*Faustian bargain*".

He said that linking Aadhaar with essential activities of life, such as opening a bank account, filing returns and buying property or a vehicle, would turn the "*entire nation into one large concentration camp where citizens are under State surveillance round-the-clock.*"

When Tilak and Gandhi were convicted and sentenced to prison for their publication of allegedly seditious material in 1908, Tilak, reportedly told a police officer, "*The government has converted the entire nation into a prison and we are all prisoners. Going to prison only means that from a big cell, one is confined to a smaller one.*"

Gandhi, in 1922, pleaded guilty to the charge of sedition, stating that he was proud to oppose a **satanic** government.

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I believe that the insulation against the erosion of democracy is a larger dose of democracy. We should strive for a participatory democracy with the direct participation of every citizen, the vision of Gandhi's Gram Swaraj.

In Karnataka, after a long struggle, we have managed to revise the Panchayat Raj Act of 1993 to be much more in tune with devolution of power, providing autonomy to local governments and recognising the right of every citizen, including children, to determine their present and shape their future.

But even here, in a Congress ruled State, there are insidious and determined moves to undermine this law.

Perpetual vigilance and perseverance on the part of citizens is the only way a democracy can work. Obama warned in his farewell speech that "*democracy is threatened whenever we take it for granted*". We cannot risk that.

The Right to Rebel – The Need to Rebel

The time for dissent is here and we have not just the right, but a duty to rebel. We love our country and we believe in and must protect our Constitution and Fundamental Rights. We will be committing moral suicide if we don't.

We cannot be told what not to eat, what not to do and what not to say. This government is forcing life choices on us that undermine any feelings of nationalism and unity we may have and this is an insidious form of cultural nationalism.

Gandhi said, "*Affection cannot be manufactured or regulated by the law. One should be free to give full expression to their disaffection unless it incites violence.*" Because of the treat of being branded anti-national and its consequences, we have imposed on ourselves an unofficial and perhaps unconscious self censorship on our actions and words.

I know we will be targeted and labelled anti-national. Our FCRA could be cancelled unilaterally; we will be watched and can be put on the hit list of the Bagarang Dal goons.

But rebel against an authoritarian regime is our duty as citizens and rebel we must.

Conclusion:

Rewriting history and erasing public memory is one way to weaken people's ability and their will to fight oppression. All authoritarian regimes have done this to varying degrees

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and the Indian experience is no different. The BJP saffronised text books and the Congress wiped out traces of the Emergency – the sea-saw perception of history according to the powers that be. The only way to ensure a vibrant democracy and keep governments accountable is to exercise our right to dissent.

Two years ago, for the 40th anniversary of Indira's Emergency, there was suddenly a clamour to remember and though there were just a few who did so, I am grateful that we are remembering at all; especially now that the silhouette of another dictatorship is eclipsing our fundamental rights and undermining democratic institutions.

The time has come to gather our forces to protect what is ours and save our country from tyranny.

In the words of Martin Luther King; *“The saving of our world from pending doom will come, not through the complacent adjustment of the conforming majority, but through the creative maladjustment of a nonconforming minority.”*

So I believe that ‘we the people’ still do have the power to overturn dictatorships. We have done it in 1977 and we will do it again. But for this we need to first acknowledge the presence of the beast. We also need to study the ‘Emergency’ of 1975 and learn our lessons. Then we need to empower ourselves, not just by Constitutional provisions, but to know and feel that we hold the fragile heart of a participatory federal republic in our hands.

I have faith in India and her people – we the people are the insulation against a dictatorship.

As Robert Kennedy said; *“It falls to each of us to be those anxious, jealous guardians of our democracy, to embrace the joyous task we’ve been given to continually try to improve this great nation of ours, because for all our outward differences, we in fact all share the same proud title: the most important office in a democracy, citizen.”*

So let us act!

Note: This article was based on the Annual Endowment Lecture on Gender and Development in Memory of Dr. Poornima Vyasulu given by me on 5th May 2017.