



Hunger Strikes as a Tool of Protest

For Prelims: [Right to Protest](#), [Right to Life](#), [Right to Freedom of Speech](#), [IPC](#), [BNS](#)

For Mains: [Hunger as a medium of Strike](#), Ethical dilemma related to hunger strike.

[Source: TH](#)

Why in News?

[Hunger strikes](#) have always **raised a series of complicated moral questions**, such as whether it is appropriate to provide medicine against the will of a person on strike or if force-feeding could be a dangerous protocol.

What are Hunger Strikes?

▪ About:

- Hunger strikes are a **form of protest involving the voluntary deprivation of food**, sometimes also water.
- They are used to **inspire, dissuade, or pressure** others by highlighting injustices or demanding change.
- This form of protest can be seen as a **last resort** when other means of protest are unavailable or ineffective.

▪ Historical Context of Hunger Strikes:

◦ Ancient Practices:

- The **rules in pre-Christian Ireland** provided for a **troscad (fast) aimed at protesting** against an **unpayable debt**, the object being to bring shame to the creditor.
- **Kalhana's Rajatarangini** (account of royal dynasties of ancient Kashmir) has also **several mentions of hunger strikes** against **undesirable royal edicts or taxes**.

◦ Modern Development:

- **Russian Political Prisoners (1870s)**: Used hunger strikes to protest prison conditions.
- **Irish Republicans (1917-1920)**: Notable figures like Thomas Ashe and Terence MacSwiney died during hunger strikes, drawing attention to the Irish independence movement.
- **Indian Freedom Fighters**:
 - **Mahatma Gandhi**: He described fasts as **“a great weapon in the armoury of Satyagraha”** and undertook this form of protest **at least 20 times** during the Independence movement.
 - **Jatin Das (1929)**: Died after a 63-day hunger strike, highlighting the inhumane treatment of political prisoners.
 - **Bhagat Singh and Batukeshwar Dutt**: Protested poor prison conditions, drawing widespread support and media attention.

- **Modern Context of Hunger Strikes in Independent India:**
 - **Potti Sriramulu (1952):** His hunger strike led to the formation of the state of Andhra Pradesh.
 - **Irom Sharmila (2000-2016):** Protested against the **Armed Forces Special Powers Act (AFSPA)** in Manipur, highlighting human rights issues.
 - Continued her hunger strike for 16 years while being force-fed.
 - **Anna Hazare:** He started a **hunger strike in 2011** to exert pressure on the Indian government to **enact a stringent anti-corruption law.**
- **Recent Examples:**
 - **Activist Manoj Jarange-Patil's fasts** demanding reservations for the **Maratha community.**
 - **Sonam Wangchuk's** 21-day hunger strike for **Constitutional safeguards for Ladakh.**
 - **Palestinian prisoner Khader Adnan's death after an 87-day hunger strike in 2023.**

What are the Arguments in Favour of Hunger Strike?

- **Personal Autonomy and Freedom of Choice:**
 - **Autonomy:** Hunger strikes are seen as an **expression of personal autonomy** and self-determination. Individuals have the right to make decisions about their own bodies and to protest in a way that they see fit.
 - **Freedom of Expression:** Hunger strikes are a **form of free speech** and a way for individuals to **voice their dissent** in a peaceful manner. This aligns with democratic values and the **right to protest.**
- **Non-violent Resistance:**
 - **Non-violence:** Hunger strikes are a **form of non-violent protest**, which can be **ethically preferable to violent resistance.** This approach can draw attention to injustices without causing harm to others.
 - **Moral High Ground:** By choosing to **suffer personally** rather than inflicting suffering on others, hunger strikers can **claim the moral high ground.** Their willingness to endure personal hardship can highlight the perceived injustice they are protesting against.
- **Drawing Attention to Injustices:**
 - **Awareness:** Hunger strikes can **effectively draw public and media attention** to issues that **may otherwise be ignored.** This can lead to increased awareness and pressure on authorities to **address the grievances being protested.**
 - **Symbolic Power:** The act of a hunger strike **carries powerful symbolism.** It demonstrates the depth of the protester's conviction and the seriousness of the issue, potentially galvanising public opinion and support.
- **Historical and Cultural Significance:**
 - **Historical Precedent:** Hunger strikes have been **used effectively in various historical contexts**, such as the suffragette movement, the Indian independence movement led by Mahatma Gandhi, and more recent political prisoners. This historical context **lends ethical weight to the practice.**
 - **Cultural Resonance:** In some cultures, **hunger strikes resonate deeply** as a form of protest and sacrifice (**Jaina's practice of Santhara**). They can evoke sympathy and solidarity from the community and wider society.
- **Power Dynamics:**
 - **Challenging Power Dynamics:** Hunger strikes can **challenge power dynamics by putting pressure on those in authority** to address the protester's demands. This can lead to negotiations and potentially peaceful resolutions.

What are the Arguments Against Hunger Strike?

- **Self-Harm and Preservation of Life:**
 - **Self-Harm:** Hunger strikes involve **deliberate self-starvation**, which can lead to serious health consequences or even death.
 - From an ethical perspective, **deliberately causing harm to oneself can be problematic**, especially if there are other non-harmful ways to protest.
 - **Preservation of Life:** Many ethical frameworks, **including religious and philosophical**

traditions, emphasise the importance of preserving life. A hunger strike, particularly one that leads to severe health deterioration or death, may **conflict with these principles.**

▪ **Coercion and Manipulation:**

- **Coercion:** Hunger strikes can be **seen as a form of coercion**, pressuring authorities or the public to meet the protester's demands.
 - This can **raise ethical questions about the fairness** and legitimacy of one's own demand.
- **Manipulation:** The hunger strikes **may manipulate public sentiment and decision-making processes** by exploiting empathy and moral guilt, which might not always lead to rational or just outcomes.

▪ **Impact on Others:**

- **Emotional Burden:** Hunger strikes can place a **significant emotional burden on family, friends, and supporters** who may suffer from stress, anxiety, and guilt.
 - This raises ethical concerns about the **broader impact of the protest** on innocent parties.
- **Responsibility:** The responsibility for the **striker's well-being may fall on others** who might be obliged to intervene to save the individual's life, potentially conflicting with the striker's autonomy.

▪ **Effectiveness:**

- **Questionable Effectiveness:** There is **no guarantee that a hunger strike will achieve its intended goals.** Ethical concerns can also be raised about the **proportionality and rationality** of the protest.
- **Moral Outcomes:** Even if successful, the outcomes of hunger strikes **might not always be morally justifiable.**

▪ **Exploitation and Vulnerability:**

- **Exploitation:** Vulnerable individuals, **including prisoners or marginalised groups, might be coerced or manipulated** into participating in hunger strikes by more powerful actors, raising concerns about exploitation and informed consent.
 - It could be seen as an ethically problematic situation of desperation rather than a genuine choice.

▪ **Legal and Medical Ethics:**

- **Legal Obligations:** Authorities may face **legal and ethical dilemmas regarding their duty of care.**
 - For instance, forcibly feeding a hunger striker can be seen as a violation of their autonomy, but not intervening can be seen as neglect.
- **Medical Ethics:** Healthcare professionals **may face conflicts between respecting patient autonomy and their duty to preserve life.**
 - The ethical principle of "do no harm" can be challenged by the self-inflicted harm of a hunger striker.

What are the Other Dimensions of Hunger Strike?

▪ **Significant Views on Hunger Strikes:**

- **Mahatma Gandhi:** Preferred the **term 'fasting'** and used it as a form of non-violent protest.
 - Fasts aimed at **reforming those in power** and appealing to their conscience.
 - Believed fasting should be used against a "lover" (someone one loves) to reform rather than extort rights.
- **Dr. B.R. Ambedkar:** Criticised hunger strikes as **"unconstitutional methods."**
 - Advocated for constructive approaches within the legal framework to achieve social and economic objectives.

▪ **Legal Framework for Hunger Strikes:**

- **Geneva Convention:** The Geneva Conventions **set standards for treating wounded combatants**, but their application to hunger strikers is unclear.
 - Hunger strikes as a form of protest can be seen as an **extension of combat**, complicating the role of health professionals.
- **Indian Context:** The **Madras High Court** had ruled that sitting on a hunger strike cannot attract the offence under **Section 309 of the IPC (attempt to suicide)** and it would not

constitute an attempt to commit suicide.

- However as per [Section 224 of BNS](#) anyone who **tries to commit suicide to force or stop a public servant** from doing their job can be punished with up to one year in jail, a fine, both, or community service.

Way Forward

- **Clear and Specific Demands:** To justify the extreme measure of a hunger strike, the **demands must be clearly articulated**, specific, and achievable. This ensures that the **protest is not merely a symbolic gesture** but a targeted action with the potential for resolution.
- **Independent Mediation:** A **neutral third-party mediator should be involved** from the outset. Their role would be **to facilitate dialogue between the hunger striker and the relevant authorities**, aiming to find a resolution without compromising the protester's health or safety.
 - An **independent ethical review board** should assess the **proportionality of the hunger strike**.
- **Healthcare Ethics Guidelines:** Clear guidelines should be **established for medical professionals treating hunger strikers**.
 - These guidelines should balance the **duty to preserve life with respect for patient autonomy**. They should also address issues such as involuntary feeding, which raises complex ethical questions.
- **Public Awareness and Education:** Society should be **educated about the ethical implications of hunger strikes**. This includes understanding the potential consequences for the individual, the impact on the community, and the importance of seeking alternative forms of protest.
- **Legal Framework:** Governments should consider **developing specific legal frameworks to regulate hunger strikes**. This could include provisions for mediation, ethical review, and the protection of the hunger striker's rights while ensuring public safety.
- **Positive Incentives:** Rather than solely focusing on the negative consequences of hunger strikes, **policies should promote positive incentives for peaceful protest** and dialogue. This could include **support for mediation services, civil society organizations**, and platforms for constructive engagement.

Drishti Mains Question:

Discuss the ethical dilemmas associated with hunger strikes. How should authorities balance these concerns while addressing the grievances of hunger strikers?

UPSC Civil Services Examination, Previous Year Question (PYQ)

Prelims:

Q. Under the Indian Constitution, concentration of wealth violates (2021)

- (a) the Right to Equality
- (b) the Directive Principles of State Policy
- (c) the Right to Freedom
- (d) the Concept of Welfare

Ans: (b)

Q. Which one of the following categories of Fundamental Rights incorporates protection against untouchability as a form of discrimination? (2020)

- (a) Right against Exploitation

(b) Right to Freedom

(c) Right to Constitutional Remedies

(d) Right to Equality

Ans: (d)

Mains:

Q. Analyse the distinguishing features of the notion of Right to Equality in the Constitutions of the USA and India. **(2021)**

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