

March - 2016.

Intensify the on-going struggle against Sedition

Release SAR Geelani, Umar Khalid and Anirban Bhattacharya
immediately and unconditionally!

Scrap colonial sedition law!

Fight for justice for Rohith Vemula!

Unite against Brahmanical Hindutva Fascism!

Let us declare that the state of war does exist and shall exist so long as the Indian toiling masses and the natural resources are being exploited by a handful of parasites... The days of capitalist and imperialist exploitation are numbered. The war neither began with us nor is it going to end with our lives. Bhagat Singh

On 3rd March, the Delhi High Court announced its order on Kanhaiya Kumar's (JNUSU president) bail petition. An interim bail for 6 months was granted with conditions. While we welcome his bail, it is important to take a closer look at what we have actually been reduced to celebrate- the interim bail granted through a regressive court order to a student leader who has been blatantly framed under false charges of sedition by the ABVP and Sangh Parivar. That the conditional bail issued with its brazen semblance to the diktats of feudal honour and military jingoistic nationalism brandished by the ruling classes against all those who dare to speak against structural violence perpetrated by the brahmanical Indian State vindicates the tumbling down of the farce of "four pillars of democracy". The legislature, executive, press and the judiciary have all assayed their incumbent role in the frenzy of nationalism vs anti-nationalism that has unfolded in the past few days. From the parliament to the media, students have been hounded for questioning the anti-people policies of the Indian State, for fighting against Brahmanism, for speaking against the institutional murder of dalits, for being critical about the cannibal "collective conscience" that orders the clandestine killing of a man without fair trial and for standing by people's struggles and justice.

The interim bail order instructs the JNUSU president about his responsibilities that apparently include curbing "anti-national activities on campus". Not only some slogans, but the 9th February programme itself has been declared an anti-national event in the judgement that begins by quoting a Bollywood song! In what is supposed to be an interim order, the judge has already given the judgement even before the commencement of trial. Stating that the case is under investigation, it goes on to say that slogans can threaten national integrity by invoking the ever so patriotism infusing military that even the archaic sedition law seems faint in comparison to the brazen refusal of the fundamental right to express seen in this order even against the voice of dissent. At a time when the parliament is in session, with the NDA led ruling government losing its ground with a barrage of questions on Rohith's institutional murder, the attack on universities, Ishrat Jahan and failed economic policies, the court order for Kanhaiya's bail comes as a deliberate misuse of law to gain legitimacy by steering the debate towards nationalism vs. anti-nationalism. And anyone who questions the State and the ruling government is easily branded as anti-national. The judgement delivered by Delhi High Court forewarns, if anything, a more stringent and systematised crackdown on radical student politics a.k.a "infection from which students are suffering which needs to be controlled/cured before it becomes an epidemic". It exposes a paralysed judiciary in the hands of a totalitarian state that aims to criminalise the thoughts of people.

The charge of sedition is farcical- Section 124 A states,

Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government established by law in [India],... shall be punished with [imprisonment for life], to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.

As an explanation, it also adds,

Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or

dsu

P.T.O

disaffection, do not constitute an offence under this section.

Many courts have condemned the invocation of this charge for merely expressing critical views. The Supreme Court has earlier said that "even words that indicate disaffection towards the government cannot be termed seditious, unless there is actual incitement to violence and intention to cause disorder". Today, the difference between the institutions of State and the notion of a country are being blurred to criminalise dissent. Posing itself as the unquestionable sovereign, the authoritarian Indian state has gone a step ahead in invoking an archaic law injected with the brahmanical imagination of Hindutva nationalism to expose its semi-feudal, semi-colonial character. The repressive state apparatus, its mute judiciary and the ruling classes are brandishing the law of sedition to clamp down on any criticism of the expanding gap between the oppressor and the oppressed, its changing policies on Kashmir with the demand for scrapping Section 370, draconian laws like UAPA and AFSPA, the institutional murder of dalits, the continuing attack on dalits, adivasi, muslims, women and other oppressed sections. Simultaneously, the economy is being ravaged by crony capitalism that serves imperialist loot and plunder of land and resources, through shameless exemption of crores of tax money for banks and big corporates, massive fund-cuts in higher education and health while droughts continue unabated and thousands of farmers continue to die, at the same time violently bolstering the terror unleashed by Hindu Rashtra. The draconian law of sedition that essentially criminalises criticism of the state and its administration cannot exist in a democratic state. The war that is being waged by the Indian State against the most downtrodden sections of people be it in the name of Operation Green Hunt, Dalit atrocities and War on Terror, has now engulfed our universities, democratic institutions and minds. Such a state that wages war against the oppressed who have been resisting its anti-people policies, against students who have been fighting for their rights with democratic people's struggle for justice, and against all those who raise their voice against the unending travesty of justice including acquittals of the murderers of Khairlanji to Batani-tola, Laxmanpur bathe to Shankarbigha, from Gujarat to Muzaffarnagar, from Kunan-Poshpora to the hanging of Afzal Guru by trampling upon basic human rights in the hands of a capitulated judiciary has certainly ceased to even maintain the farce of being a democracy.

As the hydra-headed Sangh and its imperialist masters aggressively come together with the rise of Brahmanical Hindutva fascism, each one of us faces the threat of attack. The witch hunting of students and the media trials that pursued in an attempt to deflect the anger of the people from the institutional murder of a dalit scholar, Rohith Vemula, showcases the aggressive offensive of a militarised Hindutva State. At such a time that reminds us of the era of McCarthy trials, when students are being witch hunted as anti-nationals for merely speaking about justice, for talking about Kashmir, we cannot celebrate the Delhi High Court judgement that warns against the "epidemic" of political struggles waged by students. We cannot sit back while the State executes its policy of divide and rule.

Even so, millions of people watched and applauded the speech delivered by Kanhaiya after a strict knock of legal jurisprudence on his knuckles, even as the parliamentary left celebrated its victory against the Sangh who has become the 'opposition', no not enemy, even as Umar Khalid, Anirban Bhattacharya and SAR Geelani are still in judicial custody for 'sedition'. Faith in the law of the land was emphasised, the judiciary was exalted, and as a final blow, Ambedkar was appropriated to eulogise the constitution. Azadi slogans borrowed from Kashmir, but decontextualized from its history, ripped apart from Kashmir were exuberantly raised and structural violence perpetrated by the Brahmanical Hindutva fascist Indian State dancing to the tunes of big corporates and imperialist ring masters were reduced to the rhetoric of reform, that is, azadi within. Today, as Azadi slogans echoes throughout JNU, what is gradually being silenced is more than sixty years of history of humiliation, rage, anger, rape, disappearances, killings and resistance and assertion of the right to self-determination of an entire people living in the Kashmir valley. We do not need freedom from Brahmanism, we need to unite to smash Brahmanism and wipe off its existence. We do not need freedom from caste, we need to unite to annihilate caste. We do not need freedom from patriarchy, but we must uproot it. We do not want freedom from Hindutva Fascism, we will unitedly fight the onslaught of fascism.

The systematic persecution of adivasi, dalits, muslims, women, oppressed sections and of those oppressed nationalities who are fighting for their freedom from this State exposes the Brahmanical patriarchal core of the oppressive Indian State. It is only by overhauling this very structure that we can bring about transformation where every individual is treated with equality and dignity. We appeal to all progressive and democratic sections to come forward and unite with democratic people's struggles to fight against fascism and to strengthen the struggle to build a new democratic society. We must resolve to fight with unflinching vigour and greater determination till all oppressive structures are razed to the ground.