

# India: BJP presses forward with frame-up of JNU students on sedition charges

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India's Hindu supremacist Bharatiya Janata Party (BJP) government is pressing forward with the prosecution of three Jawaharlal Nehru University (JNU) students, including JNU Student Union President Kanhaiya Kumar, on frame-up sedition charges.

The BJP government got the police in Delhi to arrest Kumar last month on the grounds that he made "anti-national" statements at a February 9 protest marking the third anniversary of the hanging of Mohammad Afzal Guru. A Kashmiri, Guru was framed up by Indian authorities for the December 2001 terrorist attack on India's parliamentary complex.

Two other JNU students, Umar Khalid and Anirban Bhattacharya, also accused of shouting "anti-national" slogans, surrendered to police twelve days after Kumar's arrest.

All three face "sedition" charges, and if convicted, could be imprisoned for life.

Video of the February 9 protest that was widely disseminated by right-wing, pro-government television networks to justify the arrests has been shown to have been doctored. According to the Hyderabad-based Truth Labs at least two of the videos were "manipulated." "Videos have been edited and voices have been added," said Truth Lab Chairman K.P.C. Gandhi.

The manipulation of the videos underscores that Kumar, Khalid, and Bhattacharya are the targets of a right-wing vendetta.

But the very notion of "anti-national" statements constituting a crime, let alone sedition, is deeply reactionary—a violation of the most elementary democratic principles.

The decision to prosecute the three was made at the highest levels of the BJP government, with both Home Minister Rajnath Singh and the minister in charge of India's university system, Smriti Irani, publicly pressing the police to "deal" with the problem of "anti-national" elements at JNU in the days prior to Kumar's arrest.

The Hindu right has long railed against JNU, one of the

country's most prestigious universities, as a hotbed of "leftism."

The government's repression of dissent at JNU is part of a much wider campaign to shift India further right through the promotion of a bellicose, Hindu chauvinist-laced Indian nationalism. Narendra Modi and his BJP government view the country's universities and cultural agencies as a major front in this campaign. They are systematically appointing Hindu rightists to lead these institutions and are working with the Akhil Bharatiya Vidyarthi Parishad, the student wing of the Hindu supremacists (RSS), to victimize their political opponents on university campuses.

Large sections of the police and judiciary are openly supporting the government campaign. The Delhi police twice allowed Kumar to be assaulted by right-wing mobs mobilized by the BJP as he was being transported for court appearances. At his bail hearing, the police denounced Kumar for "not cooperating" with their inquiries—i.e., not fingering other leftist students—and strenuously opposed his release.

Ultimately, Delhi High Court Justice Pratibha Rani did grant Kumar "six-month interim bail," but imposed a series of harsh restrictions, including one that aims at making him a state agent in suppressing dissent at JNU.

Kumar's bail conditions include that he must "not participate actively or passively in any activity which may be termed as anti-national" and that in his capacity as JNU Student Union president he "make all efforts within his power to control anti-national activities" at the university.

Adding insult to injury, Justice Rani, used her ruling to deliver a right-wing tirade in which she lent legitimacy to the government frame-up, its use of sedition laws to criminalize dissent, and its authoritarian nationalism.

Although what actually happened on February 9 and whether it constituted a crime under Indian law was not before the court, Justice Rani proclaimed, "The thoughts reflected in the slogans raised by some of the students of JNU who organized and participated [in the February 9 protest] cannot be claimed to be protected as fundamental

right to freedom of speech and expression.”

She then went on to compare such thoughts to an “infection which needs to be controlled/cured before it becomes an epidemic.”

Making clear her support for draconian measures to suppress such “anti-national thoughts,” Justice Rani noted that when efforts to control infections through “antibiotics” fail, surgical intervention is required: “If the infection results in infecting the limb to the extent that it becomes gangrene, amputation is the only treatment.”

The High Court Justice further insinuated that Kumar was culpable of spreading “infection” and guilty of sedition when she compared her decision to grant him bail with the initial steps doctors take to treat infected patients. She said she hoped that during his 20 days in prison Kumar had “introspected about the events that had taken place” and was consequently “inclined” to prescribe a conservative method of treatment.”

Justice Rani also heaped praise on India’s security forces, who are notorious for their involvement in torture, extra-judicial killings and other human rights abuses. She claimed that “only because” India’s borders “are guarded by our armed and paramilitary forces” do JNU students “enjoy ... this freedom.” Effectively giving the military an exalted legal-constitutional status, she denounced JNU students for raising slogans that “may have demoralizing effect on the family of those martyrs (i.e., slain military-security personnel) who returned home in coffins draped in tricolour [the Indian flag].”

Yesterday the courts again prolonged the detention of Kumar’s co-accused for a further 14 days. Umar Khalid and Anirban Bhattacharya have been in police custody since February 24.

The persecution of the JNU students has provoked a nationwide outcry and protests at universities across the country.

The BJP government and their Hindu communalist allies have responded by intensifying their vendetta. On March 7, Human Resources Development Minister Smriti Irani addressed members of the RSS and ABVP at a workshop hosted by an NGO closely aligned with the RSS, the misnamed Society Against Conflict and Hate. Her speech was billed as an explanation of the government’s stand on the JNU issue. Participants were given a booklet *Communists and Jihadists at Work in JNU*, edited by BJP vice-president and Rajya Sabha (upper house of India’s parliament) member Balbir Punj.

JNU Student President Kanhaiya Kumar is a leader of the All India Student Federation, the student wing of Stalinist Communist Party of India (CPI).

Acting on instructions from the CPI leadership, Kumar has

responded to the BJP frame-up by repeatedly declaring his support for and confidence in the Indian courts, constitution and state. In an address to a student meeting at JNU following his release on bail, Kumar, echoing the reactionary diatribe of Justice Rani, “saluted the soldiers guarding the country.”

In the name of opposing the BJP, the CPI and its sister Stalinist parliamentary party, the CPM or Communist Party of India (Marxist), have for decades systematically subordinated the working class to the Congress Party, the Indian bourgeoisie’s traditional party of government, and a host of other right-wing caste-ist and regionalist bourgeois parties. This has included propping up a series of governments at the Center that have aggressively implemented the bourgeoisie’s neo-liberal agenda and pursued ever closer military-security ties with US imperialism.

The Stalinists are using the BJP witchhunt as a fresh pretext for perpetuating this reactionary policy. They are calling for “mobilization” of the “democratic” and “secular forces” against the BJP’s authoritarian and communalist campaign—with the big business Congress Party, which has an infamous record of conniving with communalism and attacks on basic democratic rights held up yet again as a key ally in defending “democracy” and bulwark of “secularism.”

Indian students and workers must repudiate the Stalinists’ attempts to harness them to the Congress and other sections of the Indian bourgeoisie and its state. To defeat the BJP government’s persecution of the JNU students, its Hindu communalist agenda, and the socially incendiary socio-economic agenda of the entire ruling elite requires the independent political mobilization of the working class in the fight for a workers’ government based on a socialist program.

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