

India: Police charge pro-Dalit activists under anti-terrorism laws

By Kranti Kumara
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With the aim of muzzling opposition to India's Narendra Modi-led Bharatiya Janata Party (BJP) government and its noxious *Hindutva* (Hindu supremacist) ideology, Maharashtra state police raided and conducted warrantless searches of the homes of seven left-wing activists on August 28 in six different cities across the country. The seven are all prominent advocates for the rights of Dalits (the former "untouchables") and Adivasi (India's tribal peoples).

The raids come amid mounting struggles against social inequality, cheap-labor jobs, and environmental devastation, and growing apprehension in government circles that the BJP could suffer a major reversal in the national elections slated for April/May 2019.

The police arrested 5 of the 7 targeted persons under the notorious Unlawful Activities (Prevention) Act, 2012 (UAPA), "anti-terrorist" legislation that in numerous ways trammels the due-process rights of the accused. On an order of India's Supreme Court, the five are being held under house arrest pending a hearing on the legality of their arrests.

The raids and arrests have provoked a national outcry, which has been joined by the bourgeois opposition, including the Congress Party, and other pillars of the establishment. The former Chief Justice of the Indian Supreme Court R. M. Lodha has characterized the arrests as "an attack on freedom of speech" and as "an act to undermine the fundamentals of constitutional democracy".

The police have labelled the five "Urban Maoists"—a term routinely used by officials to criminalize left-wing dissent and justify its violent repression. (For decades, the Communist Party of India (Maoist) and its predecessor organizations have mounted an insurgency in remote jungle areas of India.)

The authorities claim, falsely, that the five organized a Dalit-oriented conference, titled *Elgaar Parishad*

(literally "battle-cry conference"), that was held in Pune, Maharashtra's second largest city, on the last day of December, 2017. They charge the five activists used the conference to incite violence and were the main instigators of a riot that ensued the next day in Bhima Koregaon, a small village about 30 kilometers north-east of Pune.

In fact the riot was provoked by Hindu communalists.

The police also claim to have found a letter in the laptop of one of the arrested that purportedly laid out a plot to kill Prime Minister Modi. This claim has all the hallmarks of planted evidence. India's police are notorious for fabricating evidence, including, as was conclusively proven, in the frame-up murder convictions of 13 Maruti Suzuki workers.

The arrested include: the US-born Sudha Bharadwaj, a lawyer and a trade-unionist; Gautam Navlakha, a leader of the People's Union for Democratic Rights who for decades has been a contributor to the *Economic and Political Weekly*; Vernon Gonsalves, a labor activist; the writer Arun Ferreira; and the 78-year old poet Varavara Rao. The last named has publicly proclaimed his sympathy with the Maoist "people's war," but there is no credible evidence linking him in any way to the insurgency.

All of them have long been subjected to surveillance and harassment by the police for their activism. Several were previously tortured and/or convicted on trumped-up charges leading to lengthy jail terms.

The police narrative against the five began to unravel almost as soon as it was propounded.

Two prominent Indian jurists, retired Supreme Court Justice P.B. Sawant and Retired Bombay High Court Justice B G Kolse-Patil, held a press conference the day after the arrests at which they denounced them as "an attack on freedom of speech" and identified themselves as the chief organisers of the Elgaar Parishad event.

Stressed Justice Korse-Patil: “We have openly been saying this from the beginning. We organised Elgaar Parishad with the simple motive of spreading the message of fighting communal forces.”

Speaking to the Indian daily the *Hindu*, Justice Sawant stated: “All those who have been arrested and linked to the Elgar Parishad held on December 31, 2017, have nothing to do with it. They were never a part of the Elgaar. They were also not organisers of the Parishad. Justice Korse Patil and I were mainly instrumental in organising the conference. We had no physical or telephonic contact with any of those arrested.”

The theme of the conference, as indicated by Korse Patil, was the need to oppose the Hindu right—the BJP and the RSS-led nexus of Hindu communalist organizations—and their drive to transform India into a “Hindu nation.” Modi and his government are systematically installing Hindutva ideologues at the head of India’s educational and cultural institutions and have encouraged the growth of Hindu communalist vigilante organizations, including by appointing the leader of one such organization, Mahant Yogi Adityanath, as chief minister of the country’s most populous state. Modi has conspicuously turned a blind eye to the spate of lynchings targeting Muslims and Dalits that Hindu communalists have perpetrated in the name of cow protection.

Irrked by the anti-Hindutva theme of the Elgaar Parishad, two Hindu-extremist leaders, identified by the police as Manohar ‘Sambhaji’ Bhide and Milind Ekbote, rallied a mob of about 1,500 and exhorted them to violently disrupt the January 1, 2018 Dalit-gathering at Bhima Koregaon.

Bhide, it need be noted, has direct ties not just to the BJP, but to Modi himself. At a 2014 election rally, Modi used the honorific “Guruji” (teacher) when referring to Bhide and said he was an inspiration to him.

When attacked, the Dalits assembled at Bhima Koregaon fought back. In the ensuing melee two people were killed and several others injured.

There is a striking contrast between the police’s treatment of the five left-wing activists and the Hindu extremist leaders Bhide and Ekbote. The former face trumped up terrorism charges and the threat of a fast-track trial and lengthy jail terms. Ekbote was released on bail after being briefly detained in March and faces far less severe criminal charges. Bhide has never been arrested.

Even the Pune police concede they are violent reactionaries, describing them as “habitual-offenders creating communal discord,” and that they were

principally responsible for fomenting the violence at Bhima Koregaon.

The December 31/January 1 gathering celebrated the 200th anniversary of a battle at Bhima Koregaon where a small army of about 850 soldiers, comprised mostly of Dalit-Mohars serving the British East India Company, defeated a 28,000 strong army of the Brahmin Peshwa dynasty.

This “victory,” attributed to the bravery of the Dalit soldiers, by the brutal British colonial forces over an upper-caste king has been politically recast by middle-class activists, associated with the Ambedkarite movement, as a victory of Dalits against the indignities and oppression meted out to them by the upper castes. The anniversary of the battle at Bhima Koregaon has been transformed into a celebration of “Dalit-pride” and a means of promoting a caste-ist politics that is antithetical to class struggle and the fight for socialism; thus sowing enormous political confusion in the minds of Dalit workers and toilers, who along with poor Muslims, comprise a vastly disproportionate section of India’s most impoverished.

Last week’s arrests are the second time in three months that the police have used anti-terrorism legislation against pro-Dalit activists. On June 6, the police raided and arrested 5 other activists accusing them of similar “crimes.” Unlike those arrested on August 28 and now confined to house arrest, those arrested in June are still languishing in jail.

In its August 29 order, confining the five to house arrest and ordering a subsequent hearing on a motion to strike down their arrests, the Supreme Court expressed concern that the BJP’s authoritarian measures could rebound against the ruling elite as a whole. “Dissent,” declared the court, is the safety valve of democracy. If you don’t allow these safety valves, it will burst.”

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