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India

# Defend the JNU students: Defend academic freedom.

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## **Description:**

As an all India centre of excellence, the Jawaharlal Nehru University has consistently attracted bright students from all over India. This all India character of JNU and the critical minds of so many students have also made it a thorn for regimes that try to impose right wing and chauvinist dictations on the country. As a result, the BJP led government has been targeting JNU ever since it took office in 2014. The current attack therefore is in the first place a pretext. This is part of its agenda, as a regime devoted to creating a rabidly fascist-Hindu nationalist ideology as the governing and sole ideology in India.

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A programme titled Country Without a Post Office, was organized to remind people of how Afzal Guru had been hanged. That Afzal Guru had been hanged under deeply disturbing circumstances, despite even higher courts admitting that his so-called confession was based on tortures, and that he admittedly did not belong to any terrorist organisation and had not himself been part of the attack on the Parliament, has been repeatedly stressed. The Supreme Court of India said he must be hanged for the "collective conscience of society" - they did not simply say it was the rarest of rare cases. Not just we, or some JNU students, but many people across India, including eminent jurists, have questioned his hanging. And Universities have been historically the place where critical views have been aired, difficult conversations held, so that progress in understanding is made. The combination of neoliberal and Hindutva politics that is driving the Modi regime can tolerate neither. Hence the attack.

During the programme, some students had raised slogans about destroying India. Using this as a pretext, the organisers, and the President of the JNUSU, have been accused of sedition, not just by some hole in the corner Sanghi, but by the Home Minister, no less. The Police was sent in, with full cooperation of the newly appointed Vice Chancellor, who acted in the most cringing, bootlicking tradition of supple-spined low-grade academics, rather than that of a scholarly tradition, like the one represented by the former Deans who have issued a statement of condemnation.

What is significant is that the police went in to arrest the President of the JNU Students Union, Kanhaiya Kumar, a member of the AISF, while the BJP continues to be in alliance with the PDP in J and K. This shows that dissent over the hanging of Guru is only a part of their concern. Attacking leftists is much more central. This was followed by police moving into the campus, with lists of names, and carrying out raids in hostels, male police moving into women's hostels, police coming in without search warrants with names on them. It was argued that because the charges were sedition, this was permissible. This is a blatant lie. And this has to be challenged in every way. It is also significant that no proper inquiry was held. Instead, the Home Minister issued a statement condemning anti-nationals, and the police swung into action. Clearly, the decision to target JNU had been taken first, and pretexts found later.

But it is indeed true, that Section 124A of the Indian Penal Code, or the anti-Sedition clause, has been invoked. The origin of this law goes back to colonial times. The Privy Council had ruled that acts like incitement to violence and insurrection are immaterial while deciding the culpability of a person charged with sedition. This position was upheld in Queen Empress Vs. Bal Gangadhar Tilak (1897).

The bourgeois democracy created in independent India was built to protect the powers and rights of the elite. Accordingly, the law on sedition was retained. And it was reiterated, though with slight restraints, in the case of Kedar Nath Singh. Kedar Nath, a member of the Forward Communist Party in Bihar, who accused the Congress of corruption, black-marketing and tyranny and targeted Vinobha Bhave's attempts to redistribute land. He talked about a revolution that would overthrow capitalists, zamindars and Congress leaders. The Supreme Court warned against excessively broad interpretations, but accepted that acts that bring the Government into contempt and hatred are indeed seditious.

So while a small measure of protection is given, governments can start by applying S. 124A against anyone condemning the government strongly, by arguing that such condemnation brings the government into contempt or hatred. Despite the stricter construction adopted by the Supreme Court, the law enforcement agencies have always used it against artists, public men, intellectuals, et al for criticising the governments.

But what is more to the point is, the JNUSU president had rejected the slogan raised by a few others (according to one version, by ABVP provocateurs). The real reason for bringing in the sedition charge is to use ultranationalist politics to smash the left politics. Kanhaiya Kumar, as the by now widely distributed video shows, was speaking on equitable development and against fundamentalist violence and castigated the Hindutva forces for being sexist, anti-democratic and casteist, which are promoting big capital. He also questioned why Rohith Venula had to die, and why Afzal Guru had been hanged?

His questions on institutionalized violence and lapses on constitutional rights of everyone in the campus were direct slaps on the face of the new VC of JNU. He asked the JNU administration has been working for whom and in whose interest. He challenged forcefully the attempt to cover-up the shame of various scams like Vyapam and the Bank Loan scam, the communal, casteist agenda of RSS, and the blatant commercialization of education. In other words, the JNUSU was taking on too many leftist political issues and had to be attacked.

In one sense, it is true that fascists are nationalists. It is the fascist aim to unite people behind them, by using nationalism of an ultra-jingoistic brand. Their nationalism is a nationalism that asks people to give up all critical faculties and rally behind "the flag", thereby also rallying behind regimes that fight for the elite. If "nation" means the majority of toiling people, elite nationalism never works for them. What's so 'nationalist' and 'pro-India' about the BJP and its cronies? Their wanton destruction of India's environment? Their intimidation and harassment of adivasi and dalit-bahujan citizens? Their dogged determination not to grant equal rights to LGBTQ Indians? Their desire to 'track' every pregnant Indian woman?

What is nationalistic about fighting for the profits of the Ambanis and Adanis? This is what nationalism means - catering to the privileged, the elite, looking after the interests of the wealthy, the upper castes, and the Hindutva forces.

By contrast, when one talks about the exploitation of workers, when one talks about brutal exploitation and oppression of adivasis, when one talks about rapes and murders by the army in Manipur, when one talks about Kunan Poshpora, one becomes an "anti-national". As Hermann Goring remarked, during the Nuremburg trials: "Naturally, the common people don't want war; neither in Russia nor in England nor in America, nor for that matter in Germany. That is understood ... the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them they are being attacked and denounce the pacifists (read 'anti-nationals') for lack of patriotism and exposing the country to danger. It works the same way in any country." In other words, when there are signs of unrest, say that there is a threat from an enemy and denounce anti-nationals. There is thus a vast gulf between a formal ideology called nationalism, and looking after the real interests of the majority of the nation.

## Left and Toilers' Unity for Anti-fascism:

We need to defend the rights of the JNU students. We need to understand that what has happened in JNU is a violent attack on the freedom of expression. If issues like Guru's hanging cannot be debated even in a University space, where people are supposed to be using their critical faculties, then where can they be debated? And let us be clear that no symmetry is being applied here. When a Godse temple comes up, or when Hindutva forces declare 26th January as a Black Day, they are not denounced as anti-nationals. For after all, these so-called fringe elements are

only articulating openly what the entire Hindutva brigade feels secretly.

We condemn the gross misuse of the term anti-national to attack all critical thinking, all space for dissent. It is the same fascist nationalism that had led to the punishment of the five Dalit students in Hyderabad Central University. It is not coincidental that JNUSU happened to be one of the student unions strongly supporting the countrywide student unrest since the suicide of Rohith Vemula.

Neoliberals want universities to churn out superior trained workers and nothing more. Hindutva wants dumb acquiescence to its agenda of anti-Muslim, anti-dalit, jingoistic politics. Since Universities are not rolling over and playing dead, the regime is using force to try and silence them.

It is significant that fascists now no less than in the past are clearer about their enemies than much of the left is about fighting them. Adolf Hitler, in denouncing "Marxists", had made no distinctions between Social Democrats and Communists, between Trotskyists and Stalinists, nor indeed did he spare the most moderate trade unionist from his focus. In the same way, Ambedkarists, electoral left, radical left, Maoist, nobody is excluded from the gunpoint of the present day fascists. Under the circumstances, only a united front of all the left, all genuine anti-communal and anti-brahmanical forces, and of all the social forces fighting against capitalist exploitation, patriarchy, can resist them.

Unite to resist. Demand:

Release Kanhaiya Kumar, President JNUSU and the other arrested students

Release S.A.R. Geelani, Centre for Release of Political Prisoners

Drop all charges against them and all sec 124A charges against the "unknown persons"

*February 13 2016*

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