

# Indian government to hang men convicted over Rajiv Gandhi's assassination

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Two decades after the assassination of Indian Prime Minister Rajiv Gandhi on May 21, 1991, the Congress-led government is proceeding with the hanging of three men convicted of conspiring in the murder—Murugan, Chinna Shanthan and G. Perarivalan.

On August 31, Indian President Pratibha Patil, on the recommendation of the Home Ministry, rejected appeals for mercy, paving the way for the execution. The authorities fixed September 9 as the date for the hanging, but the Madras High Court issued a stay of eight weeks in response to a petition to commute the sentences to life imprisonment. The defence lawyers argued that the president had unduly delayed a decision for 11 years on the mercy appeals.

The three men, and Murugan's wife, S. Nalini, were convicted of conspiracy to murder Rajiv Gandhi in January 1998 under the country's notorious Terrorism and Disruptive Activities (Prevention) Act (TADA) and sentenced to death, along with 22 others. Three had their sentences reduced to life imprisonment and the remaining 19 were released.

In April 2000, the governor of the southern Indian state of Tamil Nadu rejected the mercy petitions of Murugan, Shanthan and Perarivalan, but commuted Nalini's death sentence to life imprisonment. The three men made a final appeal to the Indian president, who has delayed any decision for more than a decade.

The lengthy delay has been bound up with political calculations, as successive governments have relied on support from regionally-based parties in Tamil Nadu, where there has been widespread sympathy for the plight of the Tamil minority in neighbouring Sri Lanka and significant support for the separatist Liberation Tigers of

Tamil Eelam (LTTE).

Rajiv Gandhi was killed by a female suicide bomber during a Congress election rally at Sriperumbudur in Tamil Nadu. The LTTE carried out the assassination in revenge for what it regarded as Gandhi's betrayal of the separatist struggle. Following the signing of the Indo-Lanka Accord in 1987, the Indian government dispatched "peace-keeping" troops to the North and East of Sri Lanka that rapidly came into conflict with the LTTE.

The LTTE's killing of Gandhi only exposed the political dead-end of its bourgeois nationalist politics. It had supported the Indo-Lanka Accord and believed that Gandhi would assist in establishing a separate state of Eelam. The Indian government, however, had sent its "peacekeepers" to suppress the separatist war in Sri Lanka and ensure it did not provoke similar struggles in India. Incapable of making any appeal to the working class in Sri Lanka or India, the LTTE lashed out at Gandhi.

The killing of Gandhi immediately soured the LTTE's relations with the Indian political establishment and Congress in particular. It is no accident that preparations for the execution of Murugan, Shanthan and Perarivalan are taking place under a Congress-led government. Gandhi's widow, Sonia, is currently the party's president.

Only belatedly did the LTTE acknowledge that it had carried out the assassination. In 2006, leading LTTE figure Anton Balasingham described it as "a monumental historical tragedy" that "we deeply regret." Desperate to improve relations with the Congress-led government in New Delhi, he pledged that "under no circumstance will [the LTTE] act against the interests of the government of

India.”

The decision to proceed with the executions is likewise subject to political considerations. The Indian government has always engaged in a balancing act in its diplomacy with Sri Lanka, seeking to maintain its influence in a country it regards as part of its sphere of influence, while at the same time not alienating public opinion in Tamil Nadu.

The LTTE’s military defeat in 2009 has altered that dynamic. While still posturing as a defender of Sri Lankan Tamils, New Delhi is also seeking to boost its influence in Colombo, particularly against the growing involvement of rival China. The execution of Murugan, Shanthan and Perarivalan will undoubtedly be welcomed by the Colombo government as a sign that India intends to take a hard line against supporters of Sri Lankan Tamil separatism.

The three men are simply pawns in this process. Their convictions under the TADA provisions were a travesty of justice. The legal proceedings were held behind closed doors, and the police failed to produce a single witness to testify to a conspiracy—a charge that is notoriously vague. As a result, they were found guilty solely on the basis of confessions extracted under duress, a procedure sanctioned by the TADA legislation. The three defendants retracted their confessions before the judge.

The decision to proceed with the hangings now has broader implications for the working class.

According to official government statistics, the death penalty has only been carried out just 52 times since independence in 1947—a figure that is challenged by civil liberties advocates. In 1983, the country’s Supreme Court ruled in 1983 that it should only be imposed in the “the rarest of rare cases.” Its use for political crimes is even rarer. Since the Supreme Court decision, only Maqbool Bhat, a Kashmiri separatist convicted of the 1966 murder of an Indian police officer, has been hanged—in 1984.

It should be noted, however, that while political executions have been uncommon over the past two decades, the Indian security forces are notorious for extra-judicial killings, as well as arbitrary arrests and torture, particularly in Indian-controlled Kashmir.

The execution of Murugan, Shanthan and Perarivalan will set a significant precedent for the carrying out of pending hangings in other political cases. These include Davinder Singh Bhullar, a member of the Khalistan Liberation Force (an armed group advocating a Sikh homeland), who has been convicted of murder, and Mohammad Afzal who was convicted of conspiracy in connection with the 2001 attack on the Indian parliament by Kashmiri separatists.

The resort to capital punishment takes place in the context of rising social tensions in India as a result of two decades of pro-market restructuring that has deepened the divide between rich and poor. It is part of a broader strengthening of the state apparatus, under the guise of combating terrorism, that will inevitably be used against workers and the rural poor as struggles and protests erupt.

Following the terrorist attacks in Mumbai in November 2008, the Congress-led government pushed through the Unlawful Activities (Prevention) Amendments Act 2008, which doubled the time that suspected terrorists could be held without charge and placed the onus of proof on the accused in certain cases. In the same year, the government established the National Investigating Agency (NIA), giving it powers to override state governments and to set up special courts to deal with alleged cases of terrorism.

The major opposition party—the Hindu supremacist Bharatiya Janatha Party (BJP)—has demanded that the death sentences be carried out. BJP spokesman Siddarth Nath Singh said: “There is a law of the nation and that law has convicted them. They need to be hanged.” The BJP would no doubt use the execution of Murugan, Shanthan and Perarivalan to whip up an anti-Muslim campaign for the speedy hanging of Mohammad Afzal.

The wider use of the death penalty, particularly in political cases, is a sharp warning to the working class of the methods that will be used to suppress the class struggle in the coming period.



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