

Indian establishment manipulating anger over Delhi rape

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A Delhi court is expected today to order a special “fast-track” trial for five of the accused in a brutal gang rape that triggered days of mass protests in India’s capital last month.

A sixth suspect, a 17-year-old minor, will be tried by a juvenile court.

Citing confidentiality laws, the authorities have refused to release the name of the 23-year-old physiotherapy student and international call center worker who was raped and assaulted on a Delhi bus on the evening of December 16, while a male companion was brutally beaten. The young woman succumbed to her injuries December 28, shortly after being transferred to a Singapore hospital for specialized treatment.

The political establishment and corporate media are seeking to exploit and manipulate the popular outrage over the gruesome crimes committed December 16 to press for a further strengthening of the repressive apparatus of the state.

The dangers this poses are indicated by the quasi-lynch mob atmosphere that surrounds the impending trial of the five adult accused. The local lawyers’ association has tried to prevent the accused from having access to legal representation. On Monday, scores of lawyers packed the courtroom at the accuseds’ second court appearance to shout down two senior lawyers, Manohar Lal Sharma and V.K. Anand, who have offered to plead on their behalf. Speaking to reporters following the hearing, Shamra upheld the democratic principle that all accused have the right to a legal defence—all the more so when there have been vociferous public demands for the prosecution to seek the death penalty.

The government has announced plans to set up six fast-track courts in Delhi to hear crimes against women,

especially rape cases. More than 1,200 such courts, where judges are given time-limits to deliver verdicts, are currently in operation in India. According to Colin Gonsalves, a senior advocate before India’s Supreme Court who has studied their functioning, “fast-track” court judges arbitrarily limit the defence, “cutting down on evidence, not allowing full cross-examinations,” and frequently “proceeding in the absence of lawyers.” Especially notorious for running roughshod over the rights of the accused are the fast-track courts set up in the name of fighting terrorism.

The protests that erupted in urban India in the wake of the Delhi rape gave voice to genuine outrage over the harassment and abuse of women in contemporary India. But the protest movement, which was initiated by university students and orientated to the middle class, has framed this issue as a “law and order” problem, to be solved by more effective policing and harsher sentencing, thereby opening the door for the corporate media and political establishment to manipulate it for their own reactionary ends. A pivotal role in this process has been played by India’s ostensible left, beginning with the Stalinist Communist Party of India (Marxist), which has joined in the calls for strengthening the state apparatus.

In reality, the prevalence of violence against women is rooted in the brutal dynamics of contemporary Indian capitalism—a society characterized by gross and ever increasing social inequality and in which those in positions of power, beginning with the tiny elite of super-rich, act with indifference and hostility toward those socially beneath them and do so with confidence that they enjoy impunity.

The brutalities of capitalist exploitation co-exist and have become intertwined with landlordism and caste oppression, thereby helping perpetuate archaic, social

practices that promote the degradation of women, such as dowries and child marriage.

The protests triggered by the December 16 rape have themselves provided an object lesson in the relationship between the ruling elite and the Indian people. The Congress-led Delhi state and national governments responded to last month's protests, as the Indian elite generally does to any significant sign of opposition, with a combination of fear and repression. The Delhi government mobilized massive numbers of police to herd protesters, resulting in clashes. Ultimately it invoked a colonial-era law banning gatherings of more than five people and shut down sections of the subway so as to prevent further protests in central New Delhi.

India's Congress Party-led United Progressive Alliance (UPA) has appointed a three-member committee led by former Indian Supreme Court Chief Justice J.S. Verma to make recommendations by the end of this month for "speedier justice" and enhanced punishment in cases of aggravated sexual violence.

The submission the Congress, the dominant partner in the UPA coalition, made last week to the Verma Committee has not been made public. But the Congress is reported to have proposed raising the maximum sentence for rape to 30 years, setting up more fast-track courts, and reducing the protections accorded juvenile accused. According to New Delhi Congress MP and Women and Child Development Minister Krishna Tirath, the government is preparing to amend the Juvenile Justice Act so that minors over the age of 15 years who are charged with sexual assault would no longer be subject to the separate juvenile criminal justice system but would instead be tried as adults in regular court.

The main opposition party, the Hindu supremacist Bharatiya Janatha Party (BJP), has been agitating for a special session of parliament to introduce a raft of new "law and order" measures. Addressing a condolence meeting organized by the party in New Delhi on December 31, the BJP's Sushma Swaraj, the leader of the opposition in the lower house of Indian parliament, demanded the death penalty for those convicted of rape.

Jayalalithaa Jayaram, chief minister of the southern Indian state of Tamil Nadu, is demanding those convicted of rape be subject to the death penalty or chemical castration. Jayaram, who is notorious for her use of police repression against worker struggles and

for jailing political opponents on trumped up anti-terrorism charges, announced January 1, that her government is implementing a 13-point action plan for "ensuring the safety of women." This plan includes fast-track courts for rape cases, deploying plainclothes police personnel at market places and colleges, and installing CCTV cameras at all public places. The last two measures can and will be readily utilized to suppress the protests of workers and youth.

In its submission to the Verma Committee, the Stalinist CPM threw its weight behind the establishment's reactionary "law and order" campaign calling for "rigorous life imprisonment" of rapists, "special fast-track courts" and further limits, if not an outright ban, on bail for those accused of sexual violence. In line with the stance of the party's national leadership, the Tamil Nadu unit of the CPM has for its part welcomed Chief Minister Jayalalithaa Jayaram's 13-point "action plan."



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