

India: Tamil Nadu chief minister jailed over graft case

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In a politically significant verdict, a special trial court judge, John Michale D'Cunha convicted Jayaram Jayalalithaa, the chief minister of the southern Indian state of Tamil Nadu, in a multi-million dollar graft case. Jayalalithaa was stripped of her post, and her seat in the state assembly, fined 1 billion rupees (\$US16 million) and faces four years in jail. She will be barred from office for six years after being released.

Three of Jayalalithaa's close associates, Sasikala Natarajan, V.N. Sudhakaran and J. Illavarasi, were also convicted on September 27 and received similar sentences. All four are in Agrahara prison in the neighbouring Indian state of Karnataka. After a Karnataka high court rejected her bail application on October 7, Jayalalithaa's attorneys lodged an appeal to the Supreme Court, scheduled to be heard on Friday.

The prosecutors laid a disproportionate asset charge under the Corruption Prevention Act. Jayalalithaa was accused of having wealth that could not have been derived from legitimate sources during her first term as Tamil Nadu chief minister from 1991 to 1996. The prosecution alleged that Jayalalithaa took a salary of just one rupee as chief minister, but used her term in office to illicitly amass 660 million rupees, including 2,000 acres of land, 30 kilograms of gold and 12,000 saris.

O. Panneerselvam, another Jayalalithaa ally, has been sworn in as chief minister. Jayalalithaa's All India Anna Dravida Munnetra Kazhagam (AIADMK) has initiated protests in Tamil Nadu over her conviction, which, after bail was rejected, involved attacks on buses and vehicles from Karnataka.

The case had dragged on for nearly two decades. It was originally filed in 1996 by Subaramanian Swamy, then the Janata Party leader and now a leading figure in the current ruling party in New Delhi—the Hindu

supremacist Bharatiya Janatha Party (BJP). The trial was transferred from Tamil Nadu to Karnataka in 2003 after the Dravida Munnetra Kazhagam (DMK), the AIADMK's bitter rival, complained that Jayalalithaa, who was again chief minister, would influence the court.

AIADMK and DMK are both capitalist parties based on Tamil communalism. Jayalalithaa, an actress turned politician, is notorious for her ruthlessness toward the working class. In July 2003 her government sacked nearly 200,000 striking public sector employees—a decision that was upheld by the Tamil Nadu High Court and India's Supreme Court. At the time, the BJP-led government in New Delhi supported the sackings, which became the basis for a wholesale offensive against the democratic and social rights of the working class throughout the country.

Jayalalithaa's conviction has nothing to do with the Indian judiciary being impartial and upholding “justice,” as the media has loudly proclaimed. An editorial in the *Hindu*, entitled “The long road to justice,” commented: “It is commendable that the prosecution and the judges involved in this case stood up to the pressures and upheld the principles of justice and fairness.”

In fact, throughout its 18 years, the case has been subject to covert or overt manipulation by central governments in New Delhi as well as Jayalalithaa's state government. The conviction clearly had a green light from the new BJP government of Prime Minister Narendra Modi, who is using the outcome from his own political purposes.

The AIADMK backed the BJP national government that came to power in 1999 and the BJP rewarded Jayalalithaa by helping to drag the case out for several years. During the past two decades, the BJP and

Congress both needed the assistance of Tamil Nadu parties, including the AIADMK and DMK, to form governments in New Delhi. In this year's national election, the AIADMK won 37 seats, but the BJP did not need or want Jayalalithaa's support, as it already had a considerable parliamentary majority.

Jayalalithaa snubbed Modi by declining an invitation to attend his swearing-in ceremony, citing the presence of Sri Lankan President Mahinda Rajapakse. Her posturing sought to exploit the widespread hostility in Tamil Nadu toward the Colombo government's abuses against Tamils in Sri Lanka. In reality, Jayalalithaa supported Rajapakse's brutal communal war against the separatist Liberation Tigers of Tamil Eelam (LTTE) and only began to denounce the treatment of Sri Lankan Tamils after the LTTE's defeat in 2009.

On occasions, Modi also expresses bogus sympathy for the plight of Tamils in Sri Lanka. However, he is seeking to cultivate close relations with Rajapakse's government in an effort to undermine the growing influence of India's regional rival, China, in Colombo. Modi no doubt views the AIADMK campaign over Sri Lanka as an obstacle to his plans.

Following Jayalalithaa's conviction, the BJP is also seeking to expand its political influence in Tamil Nadu. In an interview with the *Business Standard*, BJP leader Subramanian Swamy said: "For a long time, Tamil Nadu has been run by the two parties—DMK and AIADMK. Now with Jayalalithaa's conviction and the DMK discredited in the 2G scam, there is a clear need for a national party to take control in the state." He declared that the BJP had a good chance to fill the vacuum and would actively intervene in the 2016 state assembly elections.

The Indian media is full of stories about Jayalalithaa's corrupt practices and her extravagant lifestyle. It is replete with details about the channelling of illegally-obtained money into secret accounts, her 12,000 saris, 750 pairs of shoes and massive jewellery collection, the wedding for her foster son with its 150,000 guests, and extensive land holdings.

However, Jayalalithaa is hardly an isolated case. Corruption scandals have engulfed every party, including the DMK, in Tamil Nadu, as well as national parties such as Congress and the BJP. Modi is promoted as a man who stands for "cleaner government," but, as the BBC reported recently, "just

under one-third of the ministers he appointed face criminal charges, with one even accused of attempted murder." Despite the pending cases, the Supreme Court gave the go-ahead to Modi to appoint these ministers, simply suggesting that he might choose better individuals.

India's two main Stalinist parties, both of which have been in various alliances with Jayalalithaa and the AIADMK, expressed their support in different ways for the supposed sanctity and propriety of the Indian legal system.

G. Ramakrishnan, Tamil Nadu state secretary of the Communist Party of India (Marxist), attacked the AIADMK for criticising the judge who convicted Jayalalithaa. "Anyone can disagree with a judgment, but no one can attack the judgment or the judge," he said, denouncing protests that "amount to mounting pressure on the judiciary."

Communist Party of India (CPI) leader D. Raja was more sympathetic to Jayalalithaa's plight, suggesting "she can avail the legal course available for her to contest the judgment, to go for an appeal and everything."

Actually, the Indian political establishment, the corporate elites and the state apparatus, including the judiciary, are riddled with corruption. No one is exposed as corrupt, placed on trial or convicted unless there are political and monetary considerations. Jayalalithaa's corruption case symbolises the decadence and decay of an entire ruling class that amasses great wealth at the expense of the country's working class and impoverished multitudes.



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