

Indian police begin to impose Supreme Court order on national anthem

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21 December 2016

Indian police have started enforcing the Supreme Court's reactionary Nov. 30 order that cinemas must play the national anthem at the beginning of every feature-film screening and all present "must stand up" and show "respect."

In recent days, police have arrested some 20 people in the south Indian states of Kerala and Tamil Nadu for allegedly "disrespecting the national anthem," including eleven people attending an international film festival in Kerala's capital, Thiruvananthapuram.

Most, if not all, the arrests have been instigated by supporters of India's Hindu supremacist Bharatiya Janata Party (BJP) government. Earlier this week, Kamal C. Chavara, a Malayalam novelist and "theater activist," was arrested after the BJP's youth wing, the Yuva Morcha, complained to police that he had insulted the national anthem in a posting on his Facebook page. The police, going far beyond even the Supreme Court's egregious antidemocratic ruling, have now charged Chavara with sedition.

The Supreme Court (SC) order that all cinemas must play, and moviegoers venerate, the Indian national anthem is a blatant attack on individual civil liberties. It is also the latest salvo in a ruling-class offensive to whip up and give state sanction to a bellicose Indian nationalism that buttresses the Indian bourgeoisie's great-power ambitions and aggressive foreign policy and casts opposition to the actions of the state as disloyal and illegitimate.

Led by the arch-communist and self-styled "Hindu strongman" Narendra Modi, the BJP government has spearheaded this drive. To cheers from the corporate media, the Modi government has celebrated the illegal and highly provocative military strikes it ordered the Indian army to carry out inside Pakistan in late September as proof of India's new prowess.

The Supreme Court order underscores that support for the promotion of a foul political climate in which dissent and opposition are delegitimized and suppressed in the name of "national unity" and thwarting Pakistan and other "external

enemies" goes far beyond the BJP and the Hindu right. It enjoys the backing of broad sections of the ruling class and its state apparatus, including the judiciary, police and military. Significantly, the Congress Party, the traditional governing party of the Indian bourgeoisie, has endorsed the SC order. "We support, in principle, everything that enhances the respect and dignity of this nation," declared Congress spokesperson Abhishek Manu Singhvi. "Therefore, we support this in principle."

In addition to being antidemocratic, the SC order is, as several Indian commentators have observed, patently unconstitutional. It was not issued to uphold or enforce any existing legislation or constitutional right. Rather, India's highest court seized on a writ petition filed well over a decade ago by the now 78-year-old head of a rightwing Bhopal-based NGO, Narayan Chouksey, to reverse existing jurisprudence and give judicial backing and legal teeth to the ruling-class campaign to promote bellicose nationalism.

In his petition Chouksey had complained that moviegoers were not "showing requisite and necessary respect" at those cinemas where the national anthem was played. (Following India's brief 1962 border war with China, the then Congress Party government urged cinemas to play the national anthem, but by the 1970s the practice was widely discontinued.)

In an obvious reference to the Modi government's ongoing campaign of military and diplomatic pressure on Pakistan—a campaign which has brought South Asia's rival nuclear-armed states to the brink of war—the SC declared in its order, "[T]ime has come, the citizens of the country must realize that they live in a nation and are duty bound to show respect to the National Anthem which is the symbol of the Constitutional Patriotism and inherent national quality."

Expressing its hostility toward basic democratic rights, the SC then stated, "It (Indian law) does not allow any different notion or the perception of individual rights, that have individually thought of have no space."

The English is garbled, but the court's reactionary mindset is crystal clear: individual rights must be subordinated to the

interests of the Indian state and specifically, in this instance, to what the court terms as instilling “a sense of committed patriotism and nationalism.”

The SC order effectively encourages rightwing nationalists to harass and even attack people who fail to ‘respect’ the national anthem. Several such incidents have already been reported. Although the order includes an exemption for persons with physical disabilities, this has not stopped their being targeted in the past for not standing during the national anthem.

In the name of ensuring there is no “disrespect” for the national anthem, the SC has also instructed that cinema hall entrances and exits be closed while the anthem is played. In its zeal to promote Indian “patriotism,” the court has brazenly ignored safety concerns and apparently set aside its own previous order, issued after a fire killed 59 people at a Delhi cinema in 1997, that cinema doors must remain open and unimpeded at all times.

The SC order has been criticized by many of India’s leading newspapers as a case of “judicial overreach,” but little to nothing has been said about the political background to it.

Faced with mounting anger among India’s workers and toilers to its austerity and pro-investor measures, the BJP government increasingly relies on reactionary nationalist and outright communalist appeals.

The Modi government’s hardline stance against Pakistan is aimed at securing India’s claim to be the regional hegemon, so as to provide the Indian bourgeoisie with greater leverage within South Asia and on the world stage.

But the BJP and its allies, with the support of broad sections of the state apparatus and ruling elite, are also using the war crisis to promote national chauvinism and militarism, so as to strengthen their hand against the working class.

Since mid-September, when the BJP declared Pakistan responsible for the Kashmir separatist attack on the Indian military base at Uri, the speeches of Modi and other BJP leaders have been replete with bellicose threats and adulation of India’s “heroic” armed forces. As a recent opinion column in the *Indian Express* by retired political science professor Suhas Palshikar observed, “Every day, there is a new demand on our patriotism. If you complain of the queues at ATMs, (a reference to the chaos caused by the government’s demonetization of most of India’s currency) you are reminded of the soldier and told that standing in a queue is the measure of your loyalty to the nation.”

The SC national-anthem order was preceded by a successful campaign on the part of Maharashtra Navnirman Sena (SS) and the Shiv Sena, a BJP coalition partner, to force Bollywood, India’s Mumbai-based film industry, to

stop hiring Pakistani actors, singers, dancers, and technicians.

While sections of India’s liberal media initially wrung their hands over Bollywood’s imposition of this chauvinist ban, they have quickly dropped the issue. Meanwhile, powerful ruling-class elements have come forward to support it. Mukesh Ambani, who is India’s wealthiest billionaire with an estimated fortune of US \$23 billion, recently publicly backed the ban on Pakistani film artists, declaring “for me it is always country first.” Ambani, not incidentally, provided important initial support for Modi’s bid to become the BJP’s prime ministerial candidate in the 2014 elections.

While the opposition parties are now forced to bleat complaints that the Modi government is “politicizing” India’s military “surgical strikes” inside Pakistan, they have all provided grist for the BJP campaign to whip up rightwing nationalism. In the wake of the Uri attack, all the opposition parties rallied behind the government and its denunciations of Pakistan, and they all joined with the BJP in celebrating the September 28-29 cross-border raids on Pakistan.

This goes for the Stalinist Communist Party of India (Marxist) or CPM and its Left Front. CPM General Secretary Sitaram Yechury joined with other opposition leaders in backing the strikes at a government-convened all-party conference. Moreover, in Kerala, where the CPM leads the government, the state legislature, at the CPM’s initiative, passed a resolution hailing the strikes and the military. More recently, CPM Politburo member and Kerala Chief Minister Pinarayi Vijayan lauded the state police, while defending them for having summarily executed two Maoists in a fake encounter killing.



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