

Modi government targets acclaimed Indian writer Arundhati Roy and Kashmiri activist for criminal prosecution for 2010 remarks

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India's Narendra Modi-led, far-right government is targeting internationally acclaimed author Arundhati Roy and former Central University of Kashmir international law professor Sheikh Showkat Hussain for criminal prosecution for remarks that they made at a conference held 13 years ago. This flagrant attack on free speech is part of the Modi government's ever-escalating assault on basic democratic rights and non-stop campaign of Hindu communalist incitement.

Arundhati Roy was awarded the Booker Prize in 1997 for her novel *The God of Small Things*. In addition to other works of fiction, she has penned numerous articles and essays over the past quarter century scathingly critical of India's capitalist "rise" under Modi's Hindu supremacist BJP and the previous Congress Party-led United Progressive Alliance (UPA) government. Hussain is well-known as a human rights activist in Indian-occupied Kashmir.

The attempt to jail Roy and Hussain for remarks they made in 2010 underscores that the Modi government is on an anti-democratic rampage. It is using the police and courts to systematically harass and try to silence all opposition, especially from the left, while mobilizing the BJP's far-right cadre to intimidate and seek to split the working class through the promotion of Hindu supremacism. This is unfolding in the run-up to the five state assembly elections that are to be held before the year's end and the national parliamentary elections slated for the spring of 2024.

The strong support accorded the BJP government by Indian big business and by the US and other Western imperialist powers, which are cynically touting India as a "democratic" antipode to China, is feeding Modi's sense of impunity. But his government's actions are above all rooted in its awareness that there is seething, if as of yet inchoate, social discontent born of ever-widening social inequality, mass joblessness and hunger. According to a recent report authored by multiple UN agencies, including UNESCO and the World Health Organisation, a staggering 75 percent of India's population cannot afford proper food.

On Oct. 10, Delhi Lieutenant Governor V.K. Saxena—acting on instructions from the Modi government which appointed

him—gave police authorization to lay criminal charges against Roy and Hussain. This was one week after police mounted numerous raids targeting the left-wing website NewsClick and its personnel on spurious foreign funding charges, and then detained NewsClick's editor-in-chief and its Human Resources manager under a draconian "anti-terrorism" law.

Roy and Hussain now stand accused of multiple "criminal offences" for speeches they gave at an October 21, 2010 conference organized by Kashmiri separatist groups, under the title "*Azadi—the Only Way Ahead.*" Azadi, which means "liberation" in several Indian languages, is employed by Kashmiri separatist groups as a slogan to denote their call for the region's independence from Indian rule. Representatives of several ethno-nationalist groups from northeast India that advocate secession from the Indian Union also attended the conference.

In her speech, Roy called for "self-determination" for Kashmir, which was bifurcated into rival Indian and Pakistan-held "Kashmirs" in 1947-48 as part of the bloody communal partition of the subcontinent. In making this argument, she noted that India had agreed before the United Nations that Kashmir was disputed territory and not an "integral part" of the Indian Union.

Over the past three-quarters of a century, both New Delhi and Islamabad have run roughshod over the democratic rights of the Kashmiri people while placing the Kashmir dispute at the centre of their reactionary strategic rivalry, which has led to three declared wars, numerous border skirmishes and today threatens to ignite a nuclear clash.

Pointing to a journalist's demand the week before that she "clarify" her stand on Kashmir, Roy told the 2010 conference, "Kashmir has never been an integral part of India. However aggressively and however often you want to ask me that. Even the Indian government has accepted in the UN that it's not an integral part of India. So why are we trying to change that narrative now?"

In her speech, Roy condemned the ferocious repression of the Kashmiri masses, who ever since mass protests erupted in 1989 against a sham state election have been surveilled and

suppressed by a massive half-million-strong deployment of Indian military and paramilitary forces. These forces have committed atrocities akin to those perpetrated by the Israel Defence Forces against the Palestinians in the Occupied Territories.

Roy and Hussain are being charged under three sections of the Indian Penal Code—153A, 153B and 505—and face possible multiple three-year prison sentences. The first charge is for purportedly “promoting enmity between different groups on grounds of religion, race, place of birth, etc.”; the second for making “imputations [and] assertions [which are] prejudicial to national-integration”; and the third is for making remarks “conducting to public mischief.”

These charges are based upon a 2010 police complaint filed by Sushil Pandit, a BJP electoral “communication strategist,” against four prominent persons including Roy and Hussain who took part in the conference. The two others named in the complaint have since died.

The police, in addition, recommended charging Roy and Hussain with the crime of sedition. However, Delhi’s lieutenant governor declined to sanction this explosive move, noting that the BJP government has pledged to forgo further use of India’s current colonial-era sedition law, pending a revision made necessary by a Supreme Court ruling that it is far too sweeping and being laid far too indiscriminately.

The Modi government is dredging up this 13-year-old event because Roy is a longstanding trenchant critic of its pro-big business, communalist agenda.

She was well aware that she was in the government’s cross-hairs, having been repeatedly slandered and vilified by BJP spokespersons, as well as by sections of the corporate media and opposition.

In an op-ed Roy wrote for CNN’s website in June 2022, she noted that “people like myself are on the A-list of ‘anti-nationals’” for “the things I write and say. Particularly about Kashmir.” Modi, Home Minister Amit Shah and other BJP leaders routinely denounce their critics, even on the parliamentary opposition benches, for being “anti-national” and supposedly abetting India’s enemies, from Pakistan to China.

In her CNN piece, Roy pointed to the vile, murderous sentiments harbored within the BJP towards her. “A Bollywood actor and BJP member of parliament suggested that I be tied to an army jeep and used as a human shield by the Indian Army in Kashmir.”

Following the 2010 conference, India’s then Congress Party-led UPA government seriously considered arresting Roy and other participants and even laying sedition charges against them.

But when it equivocated, the BJP was apoplectic. BJP General Secretary Ananth Kumar issued a murderous statement, demanding the “immediate arrest” of Roy and the now deceased Kashmiri separatist leader Syed Ali Shah Geelani. “Anyone speaking against India,” Kumar declared,

“should be hanged.” It was within this context that the BJP’s “advertising strategist” Sushil Pandit filed his 2010 complaint before a Delhi magistrate.

Despite the seriousness of the charges against Roy and their implications for democratic rights, including freedom of the press, the reaction from the corporate media, as in the NewsClick case, has been muted. In August 2019, Modi and the BJP carried out a constitutional coup abolishing the semi-autonomous constitutional status of Jammu and Kashmir, India’s only Muslim-majority state, and reducing its status to that of a Union Territory under the central government’s thumb. This action has been touted by the ruling class and its media mouthpieces as a “masterstroke.”

One of those who has raised objections to Arundhati Roy’s prosecution is P. Chidambaram, the Congress Party leader who was the UPA Home Minister in 2010. This is a case of Chidambaram covering his own tracks. According to the *Times of India*, when he was in charge of the Home Ministry, it initially greenlighted the Delhi police charging Roy and Geelani with sedition.

Roy is politically aligned with various middle-class protest groups and the Stalinists and Maoists in advocating a broad alliance with the “centre”—that is, a right-wing led alliance of capitalist parties—to defeat the “fascist” BJP in the coming national elections.

Nevertheless, she has garnered a great deal of animosity in India’s political establishment and corporate boardrooms for her limited, but often biting denunciations of the crimes of the ruling class. In the 2010 speech for which she is now being prosecuted, she noted that when “India realigned itself” following the dissolution of the Soviet Union, “it did two things, it opened two locks. One was the lock of the Babri Masjid [the mosque razed by BJP-led Hindu communalist fanatics in Dec. 1992, sparking a horrendous wave of communal violence] and one was the lock of the Indian markets and it ushered in two kinds of totalitarianism—Hindu fascism, Hindutva fascism and economic totalitarianism and both these manufactured their own kinds of terrorism.”



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