

NOTE

Writing as Sedition?

Subhash Gatade writes :

The arrest of an Editor of an evening paper from Surat, Gujarat charging him with 'anti-national activities' including 'instigating people against a duly elected government' has once again brought into sharp focus the way freedom of expression can be easily trampled with impunity by the powers that be. It was in the fitness of things that journalists of various hues in Surat took out a procession to declare solidarity with the arrested journalist and also protest government's muzzling of the media and imposition of virtual censorship.

As reported in a section of the media, the law and order people felt offended when Manoj Shinde, editor of '*Surat Samna*' the said evening paper in an editorial '[a]ttacked several officials and BJP leaders for mishandling of the release of water from the Ukai dam resulting in the flooding of the city and causing colossal losses to the people'. (*The Hindu*, 30th August 2006, Delhi). The complaint against Shinde on behalf of the government of Gujarat has been lodged under Section 124A (sedition: anyone who by words or expression of any kind brings or attempts to bring or provoke a feeling of hatred, contempt or disaffection towards government established by law shall be punished with life imprisonment) 292, 293, 294(b) (dealing with obscene publication), 500 (defamation), 501 (printing and aggravating matter against union territory- or Chief Minister) and 502 and 505(1) (circulation of false statement against the public peace) under the Indian Penal Code.

In truth the singling out of the journalist was an act of vengeance by the people in power.

Post 9/11 when the anti war movement took shape all over the world to oppose machinations of the USA for world hegemony, a section of its participants in Delhi had a tough experience at the hands of the then BJP regime. Six students belonging to Delhi University were charged with 'sedition' and were arrested for the "crime" of distributing anti-war leaflets and denouncing the communal-fascist war mongering stand of the Vajpayee government. It was a different matter that faced with large scale criticism at the hands of the media and civil society the government had to retrace its arbitrary move.

During Mayawati's third stint of power in Lucknow with due support of the BJP, peace activist and Magasaysay award winner Sandeep Pandey and his fellow activists also faced charges of 'sedition' and 'inciting communal violence.' Interestingly a poster put up by them on the dharana site in Faizabad (UP) which was organised to demand peaceful resolution of the Ayodhya issue was declared inflammatory. (20 March 2003) The poster in question had a quote from a poem by Laxmi Shankar Vajpayee and said "Oh God, Please don't accept the temple which is built on the foundations of the dead and has blood stained walls."

One can say that the rationale for incorporating sedition act has come in for criticism on two counts. Firstly its clear espousal of methods by the colonial rulers to discipline the 'native' and secondly its core concept which seems clearly antithetical to the underlying premises of modern democracy. ~~////~~