

ALL INDIA POLITICAL PARTIES MEET

BACKGROUND GUIDE



EXECUTIVE BOARD:

Chairperson- Anoushka Gupta

**Vice Chairpersons- Sai Manik Sud and Anirudh
Bhashyam**

Rapporteur- Anoushka Mehra

About the Committee:

AIPPM or the All India Political Parties Meet is a non-technical but powerful committee. It is a meeting between all the political parties of the nation. Typically

called before the session of the parliament or before the introduction of a bill, this committee aims to arrive at a consensus before the sessions began. It is a supplementary body to the parliament without any legislative provisions. The purpose of the meetings were initially to be a forum for unbounded political debate which may not be allowed in parliament due to time constraints but these bodies now aid in providing a better insight into national issues. They help provide a diverse viewpoint before the actual legislative process.

Agenda: “Revisiting the concept of sedition and nationalism.”

Introduction-

Hello Delegates,

We welcome you all to the All India Political Parties Meet (AIPPM) . Firstly, it is an honour, as your executive board, to preside over this session. The agenda is something we feel that is extremely relevant in today’s day and age in the Indian context. Secondly, do not get flustered by the length of this guide. Choose to read almost all of it, especially the highlighted parts and the conclusion and this introduction. We have added a supplement to this Guide called The Case Study which you may choose to read should you need more insight on areas that have otherwise been covered under various issues in this Guide itself. Thirdly, we suggest staying up to date about current affairs related to India and especially keeping a close tab on the ongoing cases with regard to the given agenda. More importantly, make sure that you have your facts in place and be confident while speaking. A folder with important documents and research may come in handy for this purpose. We would like to reiterate that this background guide points towards the direction of preliminary research. However, read up thoroughly on the issue at hand and do not restrict yourselves to this background guide. We look forward to interacting with you. Best of luck!

Broad Guidelines-

Divide your debate and prepare according to these three parts:

- General debate – wherein you communicate your stance on the issue, keeping in mind not to reiterate aforementioned points made by your fellow delegates.
- Thematic debate wherein you draw attention to specific topics. Furthermore, this allows to address each subtopic/theme/issue separately as in Moderated Caucuses.
- Action on drafts documents like working papers and/or draft resolutions that cover the end goal of this committee.

How to debate and prepare/ what we expect:

- Firstly, the end goal of this council being simulated is to debate the agenda thoroughly and arrive at one or more conclusions. The AIPPM does not have a specified mandate. Thus, it may or may not translate into a document, depending on the council's wishes.
- Secondly, we expect delegates to first explore analytically that can manifest in the agenda. This requires reading up various sources that will add to your understanding of the agenda. At this juncture, we would like to reiterate- please remember that the stance taken by you is not your own; it is representative of the person you represent and their party. During the simulation, your duty would be to represent your party's interests to the best of your potential.
- Thirdly, preparation MUST start with the guide to understand what we are looking for.
 - Come up with solutions and suggestions prior to the simulation. We are, of course, looking at first understanding the agenda thoroughly. However, the next step is to arrive at a conclusive end. This will only be possible through solutions.

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Sedition

Introduction and Background

The word "Sedition" does not occur in Section 124-A of the Indian Penal Code or in the Defense of India Rule. It is only found as a marginal note to Section 124-A, and is not an operative part of the section but merely provides the name by which the crime defined in the section will be known. This definition of sedition, as is only plainly evident, is exceedingly broadly worded. Its vagueness certainly did wonders for the colonialists. They famously used the clause in three separate, successful trials of Bal Gangadhar Tilak, and, also, later, in prosecuting Mahatma Gandhi in 1922. "Section 124-A under, which I am happily charged, is perhaps the prince among the political

sections of the IPC designed to suppress the liberty of the citizen,” said Gandhi, in response to the charges made on him.

Although sedition was originally a part of the IPC, as drafted by Thomas Macaulay, it was bizarrely dropped from the law when it was enacted in 1860. A decade later, the offence was introduced into the IPC as Section 124-A, following explicit recognition from the colonial government that the earlier omission was based on a mistake. The provision, as it reads today after some amendments, defines sedition as any action — whether by words, signs or visible representation — which “brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government established by law in India”. Tellingly, the section also contains a clarification to the effect that the word “disaffection” includes disloyalty and all feelings of enmity.

In 1942, for the first time, the courts in India raised pressing questions against the use of sedition as a weapon to chill all innocent forms of dissidence. Sir Maurice Gwyer, the chief justice of the Federal Court, ruled that “public disorder, or the reasonable anticipation or likelihood of public disorder, is the gist of the offence”. In so doing, he drew a necessity for a link between words uttered and actual threat of violence for maintaining a prosecution of sedition. But Gwyer’s ruling fell short of devising any rational test to determine how this link had to be drawn, as to how imminent an act of violence had to be for the state to prosecute a speech or expression. Nonetheless his reasoning gave to the offence of sedition an iota of legitimacy. Just years later, though, before the Constitution came into force, Gwyer’s good work was undone by the Privy Council. The offence of sedition, it wrote, in 1947, was concerned only with the “exciting or attempting to excite in others certain bad feelings towards the government”. Any requirement for a connection between speech and violence was nonchalantly dispelled.

After the Constitution was adopted in 1950, it appeared Section 124-A would soon be denounced as an abhorrent relic of our colonial past. After all, efforts made by some members of the Constituent Assembly to include sedition as an express ground for limiting speech in Article 19(2) had been successfully resisted. Moreover, the reasoning adopted in the two earliest free speech cases decided by the Supreme Court — *Brij Bhushan v. State of Delhi* and *Romesh Thapar v. Union of India* — also pointed to the incompatibility of laws of sedition with the Constitution. In both these cases, efforts to ban publications on the purported threats that they posed to public safety were ruled unconstitutional, since the exception in Article 19(2), as it read then, was restricted to dangers to the security of the state. When the first amendment to the Constitution was introduced, to include public order as a specific limitation to free speech, Prime Minister Nehru was still categorical in his belief that the offence of sedition was fundamentally unconstitutional. “Now so far as I am concerned [Section 124-A] is highly objectionable and obnoxious and it should have no place both for practical and historical reasons, if you like, in any body of laws that we might pass,” he said, in Parliament. “The sooner we get rid of it the better.”

Aspects of the Problem

The English law does not make mere spoken or written words treason where they do not relate to any act or design then actually on foot against the life of the King or the levying of war against and in contemplation of the speaker. But under the Penal code in India the aging or levying of war and the abetment thereof are put on the same footing of section 121 and the abetment is as much an offence of treason as the aging of war itself.

It is important to note that under the Indian law of sedition, the events at the public meeting in JNU leading to the filing of an FIR under Section-124 A of the IPC against Kanhaiya Kumar, even if completely true, do not even come close to establishing an offence. In Kedar Nath Singh's Case, 5 judges of the Supreme Court – a Constitution bench – made it clear that allegedly seditious speech and expression may be punished only if the speech is an 'incitement' to 'violence', or 'public disorder'. Subsequent cases have further clarified the meaning of this phrase. In Indra Das v. State of Assam and Arup Bhuyan v. State of Assam, the Supreme Court unambiguously stated that only speech that amounts to "incitement to imminent lawless action" can be criminalised. In Shreya Singhal v. Union of India, the famous 66A judgment, the Supreme Court drew a clear distinction between "advocacy" and "incitement", stating that only the latter could be punished.

Therefore, advocating revolution, or advocating even violent overthrow of the State, does not amount to sedition, unless there is incitement to violence, and more importantly, the incitement is to 'imminent' violence. For instance, in Balwant Singh v. State of Punjab, the Supreme Court overturned the convictions for 'sedition', (124A, IPC) and 'promoting enmity between different groups on grounds of religion, race etc.', (153A, IPC), and acquitted persons who had shouted – "Khalistan zindabaad, Raj Karega Khalsa," and, "Hinduan Nun Punjab Chon Kadh Ke Chhadange, Hun Mauka Aya Hai Raj Kayam Karan Da", late evening on 31 October 1984, i.e. a few hours after Indira Gandhi's assassination – outside a cinema in a market frequented by Hindus and Sikhs in Chandigarh.

- In the case of Ram Nandan v. State of U.P. . The Hon'ble High Court held that section 124-A imposed restriction on the freedom of speech which is not in the interest of the general public and hence declared 124-A as ultra vires. But this decision of the Hon'ble High Court was overruled by the Hon'ble Supreme Court in the case of Kedarnath Das v. State of Bihar, and held Section 124-A, intra vires.
- In Tara Singh v. State of Punjab, section 124-A, of Indian Penal Code was struck down as unconstitutional being contrary to freedom of speech and Expression guaranteed under Article 19(1) (a).

Thus, words and speech can be criminalised and punished only in situations where it is being used to incite mobs or crowds to violent action. Mere words and phrases by

themselves, no matter how distasteful, do not amount to a criminal offence unless this condition is met.

Implementation

65 years after India's Independence, sedition continues to not only remain in the IPC, but also occupies a place of pride in the state's arsenal. This is because, astonishingly, in spite of two different High Courts having found sedition unconstitutional, in 1962, the Supreme Court upheld Section 124-A, in *Kedar Nath Singh v. State of Bihar*. Here, the court adopted a flawed premise that the law was enacted in the interest of public order, which was by then one of the specifically recognised limitations to free speech. Although this ruling is in accord with elements of *Gwyer's* reasoning, it is clear, as we saw earlier, that the colonial government thought of seditious speech as punishable on its own accord. They saw no requirement for the establishment of any link between such expressions and the maintenance of public order. Even when the first amendment specifically included the interest of public order as a recognised limitation to free speech under the Constitution, seditious speech was still considered as being outside the contours of such constraints. In other words, our lawmakers at the time thought of sedition as being antithetical to the guarantee of free speech. But the court in *Kedar Nath Singh* ignored all the apparent contradictions in allowing sedition to remain on the IPC. While grounding the legality of the provision for supposed public order considerations, the court also failed to establish any rational test on how to determine when speech in disaffection of the government could be construed as causing a disruption of public order.

In the decades since *Kedar Nath Singh*, Indian free speech jurisprudence has gone through substantial change. The court has proceeded towards expounding something resembling a practical theory that distinguishes advocacy and incitement. In 1995, the court acquitted some men who had raised a number of seemingly incendiary slogans in the wake of *Indira Gandhi's* assassination, on the grounds that there existed no link between the slogans and actual threats to public order. Last year, in *Shreya Singhal v. Union of India*, in declaring unconstitutional the notorious Section 66A of the Information Technology Act, the court ruled that speech howsoever offensive, annoying or inconvenient cannot be prosecuted unless its utterance has, at the least, a proximate connection with any incitement to disrupt public order.

However, in spite of the Supreme Court narrowing the scope of sedition, and in spite of the more recently evolved tests to determine when mere speech or expression can be prosecuted, governments have routinely invoked Section 124-A with a view to restricting even benign forms of dissent. To argue against sedition does not tantamount to arguing in favour of absolute free speech. That words which directly provoke violence or which directly threaten the maintenance of public order deserve censure is unquestionable, especially given India's constitutional structure. But that's

not what the offence of sedition seeks to achieve. At its core, it is a devastating provision that is meant to assist in crushing all opposition to the ruling dispensation. Its use continues to have the effect of chilling free speech and expression in India. Section 124-A of the IPC negates the right to dissent, which is an essential condition of any reasonable government. Viewed thus, it is Section 124-A that is “anti-India”, that is opposed to the idea of a legitimate, liberal democratic state.

Suggested Solutions

(We are only touching on certain aspects of ‘sedition.’ Delegates are free to go beyond what is mentioned below and come up with new solutions).

The sedition law, which has come under focus after the JNU row, needs “reconsideration,” newly-appointed law commission chairman Justice Balbir Singh Chauhan said on Tuesday but asserted that the panel will not jump to any conclusion before hearing out stakeholders.

“Actually it (sedition law) requires reconsideration. We do not know what is the problem, what are the difficulties. We will hear all the stakeholders, consult criminal lawyers,” the former Supreme Court judge told *Press Trust of India*.

He said the recently-reconstituted 21st Law Commission “cannot jump to any conclusion” before understanding the difficulties relating to section 124 A of the IPC dealing with sedition.

In penal law, vague and ‘over-broad’ definitions of offences often result in mindless prosecutions based merely on the wording of the act that seems to allow both provocative and innocuous speeches to be treated as equally criminal. While upholding sedition as an offence that fell under the ‘public order’ restriction on free speech, the Supreme Court ruled that it ought to be invoked only if a particular speech or action had a “pernicious tendency to create public disorder”. Words such as “excites or attempts to excite disaffection” or “brings into or attempts to bring into hatred or contempt” are unacceptably vague, and the further explanation that ‘disaffection’ includes “disloyalty and all feelings of enmity” compounds the problem. The Law Commission, while revisiting the issue, should take into account recent developments, especially the flagrant instances of misuse of the sedition law and the tendency to invoke it against those involved in strident forms of political dissent and scathing criticism of governments. One way to limit its mischief is to narrow the definition; but a more rational and constitutional option would be to scrap the provision altogether.

News reports are indicating that an FIR has been registered with respect to a public meeting organised on the Jawaharlal Nehru University (JNU) campus on the evening of 9th February. These reports claim that the meeting was about the hanging of Afzal Guru, and it is alleged that during its course, some people raised incendiary slogans. According to reports, the FIR has been registered under Section 124A of the Indian Penal Code (sedition), and the Police have already arrested one person.

Nationalism

Introduction and Background

Indian nationalism refers to the many underlying forces that defined the principles of the Indian independence movement, and strongly continue to influence the politics of India, as well as being the heart of many contrasting ideologies that have caused ethnic and religious conflict in Indian society. Indian nationalism often imbibes the consciousness of Indians that prior to 1947, India embodied the broader Indian subcontinent and influenced a part of Asia, known as Greater India.

Nationalism is an ideology based on the premise that the individual's loyalty and devotion to the nation-state surpass other individual or group interests. Nationalism is an imagined idea. For every element that associates itself with this entity imagines at their own individual level, of course coloured with perspectives owing to their contextual environs, incorporating snippets of their own identity into this imagination, including them in this imagination.

For a country like India especially, it is a composite of myriad attributes and identities, all of which are mostly fluid, and completely subjected to individual experiences and interpretations. To each is, HIS/HER OWN INDIA, rather than one. The multiplicity of this is therefore responsible for the multiplicity of nationalism, nationals as well. The nomenclature of this entity comes from political and social, etymological discourse that has run for centuries without deeper inquiry, wherein some resilient identities have survived to find inclusion in the mainstream imagined nationhood that India stands for. This inclusion however is what has created most of our problems. For an incredibly short name like India, inclusion in the true sense inevitably is accompanied with exclusion, at so many levels of understanding the concept of 'nation', 'national', 'nationalist', 'nationality' etc.

The current great debate in India about being national and anti-national has been called by an eminent film-maker a "great comedy". The situation does seem bizarre. The "anti-nationals" are being asked to leave the country and go to Pakistan. They in turn say that those waving the flags of patriotism want to destroy the idea of India. Concerned citizens, activists, civil libertarians, constitutional experts, and protesting university students see an unfolding tragedy in the violence perpetrated by the "patriotic" mobs. The mobs undermine the democratic order. They flaunt their commitment to the ruling party's ideology and bank on police inaction.

Social and Economic Bases of Nationalism:

- Understanding of Contradiction in Indian and Colonial Interests:

People came to realise that colonial rule was the major cause of India's economic backwardness and that the interests of the Indians involved the interests of all sections and

classes. The very condition of British rule helped the growth of national sentiment among the Indian people.

- Political, Administrative and Economic Unification of the Country:

Nationalist sentiments grew easily among the people because India was unified and welded into a nation during the 19th and 20th centuries. The introduction of a uniform and modern system of government by the British throughout the country unified it administratively. The destruction of the rural and local self-sufficient economy and the introduction of modern trade and industries on an all-India scale had increasingly made India's economic life a single whole and interlinked the economic fate of people living in different parts of the country. Furthermore, the introduction of the railways, telegraph and unified postal systems had brought the different parts of the country together and promoted mutual contact among the people, especially among the leaders.

- Western Thought and Education:

As a result of the spread of modern western education and thought during the 19th century, a large number of Indians imbibed a modern rational, secular, democratic and nationalist political outlook. The spread and popularity of the English language helped nationalist leaders of different linguistic regions to communicate with each other.

Modern education also created a certain uniformity and community of outlook and interests among the educated Indians. This English-educated intelligentsia formed the nucleus for the newly-arising political unrest, and it was this section of the society which provided leadership to the Indian political associations.

- Rediscovery of India's Past.

The historical researches by European scholars, such as Max Mueller, Monier Williams, Roth, Sassoon, and by Indian scholars such as R.G. Bhandarkar, R.L. Mitra and later Swami Vivekananda created an entirely new picture of India's past glory and greatness. The theory put forward by European scholars that the Indo-Aryans belonged to the same ethnic group of mankind from which stemmed all the nations of Europe gave a psychological boost to educated Indians. All these inspired the educated Indians with a new spirit of patriotism and nationalism.

- Role of Press and Literature.

With the emergence of the modern press, both English and Vernacular, the latter half of the 19th century saw an unprecedented growth of Indian-owned English and Vernacular newspapers. The Indian Press played a notable role in mobilising public opinion, organising political movements, fighting out public opinions and promoting nationalism.

- Progressive Character of Socio-Religious Reform Movements.

These reform movements sought to remove social evils which divided the Indian society; this had the effect of bringing different sections of the society together. Since many reform movements drew their inspiration from India's rich cultural heritage, these promoted pan-Indian feelings and spirit of nationalism.

- Reactionary Policies and Racial Arrogance of Rulers.

An important factor in the growth of national sentiments in India was the tone of racial superiority adopted by many Englishmen in their dealings with Indians. The reactionary policies of the British government were also responsible for the growth of political associations.

Aspects of Nationalism

(Please note this is only one aspect being touched upon. Delegates can interpret 'Nationalism' as per the interests of their parties. The only criterion we expect is for this interpretation to step from logical arguments).

The question that we must be asking ourselves is: why as a nation do we seem to be succumbing to the vendors of nervous nationalism? Why are we re-fighting battles that we have already fought and won? Indian unity, our sense of nationhood, our self-assurance and our capability to get the better of our detractors had long been established. We are far too sturdy, far too self-assured, far too resilient to feel threatened by a few “anti-national” slogans on the sprawling campus of Jawaharlal Nehru University. We have always lived with pockets of secessionism. And we can take legitimate pride in the knowledge that the Indian democracy has successfully coopted yesterday's secessionists. Even in Jammu and Kashmir, the BJP is in alliance with a political party that fifteen years ago would have been dubbed “secessionist”. And, this alliance is being mid-wifed by the Rashtriya Swayamsevak Sangh!

A definite intent seems to be at work in making a great and prolonged political spectacle out of the “anti-national” slogans. Some may find unconscionable the inspired ugliness that was on display at the Patiala House Court but it does seem to be part of a political and electoral strategy. The agenda is to draw wider and wider, what Milan Kundera calls the “national circle of intimacy”. The ruling establishment would demand that every artist, writer, intellectual, journalist, architect, painter, scholar enter this national circle of intimacy. And those who refuse or demur from entering this circle should be made to feel the Delhi Police Commissioner's baton.

From Dadri to Hyderabad to JNU, the country is being subjected to majoritarian demands. In Dadri, those speaking in the name of majority asserted a right to determine what one could eat or not eat; in Hyderabad they insisted on defining who is a Dalit and who is not a Dalit; and in JNU, they are clamorously reserving the right to sit in judgment over this or that citizen's national loyalty. There is a familiar ring to this kind of insistent demands. European history is replete with blood and genocide because of demands made by organised thugs in the name of this or that majority. Eastern European countries still continue to experiment with the exacting and ugly terms of co-existence among communities.

Only a few months ago, the country had found itself engaged in a fierce “intolerance” debate. Those handful of people speaking in the name of the majority arrogated to themselves the exclusive licence to decide what was to be allowed, how much was to be “tolerated”. That round between the illiberal and intolerant forces and the liberal and progressive voices subsided only after the functionaries of the Supreme Court assured that their protection would always be available for democratic values and dissent.

The battle has been renewed again. The only difference this time is the invocation of “national” themes. Who is a “national” and who is not “national” would be decided by the OP Sharmas. “Sedition” has been bandied about all too easily and all too glibly.

Implementation

Nationalist ideology continues to shape global politics today, and yet twenty-first-century nationalism is faced with a unique set of challenges. For example, migration and diaspora create cultural, economic and social networks which now bind people across entire continents, let alone countries. The much-discussed onset of globalisation, together with regional integration, has also pushed governments to revise their nation-building rhetoric. Some nation-builders have reacted to globalisation as a potential threat, while others see it as a significant boost to their country’s power and influence. This is important because of the implications for nation-state authority and legitimacy; nation-states seek to square national autonomy with deep involvement in regional alliances, trading networks and international organisations. At the same time, sub-state nationalists continue to compete for people’s loyalty and support. Today, nationalists must reconsider the meaning of self-determination, independence, autonomy and sovereignty in an increasingly interconnected world.

The close of the twentieth century saw the unfolding of various forms of transnationalism, which led some to predict the end of the nation-state, while a spike in ethnic conflict and secession following Cold War collapse led others to identify a new rise of nationalism. All manner of minority, sub-state, terrorist, democratic, irredentist and post-communist nationalisms have been used as evidence of the latter phenomenon. Some have resulted in violent and bloody conflicts, as in the break-up of Yugoslavia, while others have had an impact on well-established democracies like the United Kingdom, where in 2007 nationalist parties came to power in Scotland (a position spectacularly consolidated in 2011) and in Wales (as junior coalition partner for four years). At the same time, however, the widely anticipated decline of the nation-state in the face of globalisation does not seem to have materialised. Neither of these characteristics is very helpful in isolation. It would be more useful to focus instead on the interrelationship between nationalism and the ‘cosmopolitan challenge’, used here to denote a set of trends ranging from migration and the creation of diasporas to the even wider phenomenon of transnationalism, regionalisation and globalisation. Rather than argue that this challenge is fundamentally antagonistic to supposedly beleaguered nation-states and marginalised nationalists, my book *Nationalism in the Twenty-First Century* (Palgrave 2012) highlights its actual interplay with nationalism and nation-building, and the ways in which nationalist ideologies have attempted to rise to the cosmopolitan challenge. Using examples from across the world, from Estonia to Fiji, and India to the USA, it does not argue that either nationalist ideology or the nation-state are in decline, but looks instead at how they are adapting to the cosmopolitan challenge.

Interpreting the principle of national self-determination to mean different degrees of autonomy, or sovereignty, is one pragmatic response to the evolution of globalisation and regional governance. Contemporary sub-state nationalists in the likes of Scotland and Catalonia also use the process of regional integration to support demands for greater autonomy from their overarching nation-states. This is just one example of how nation-states and nationalist movements are responding to the current political context, which is different to that faced by nineteenth and even twentieth-century nationalists. Regionalisation, in turn, is one among a range of contemporary phenomena which can be broadly termed the cosmopolitan challenge, and which exist in creative tension with both sub-state nationalism and nation-building. There are no clear principles regulating the relationship between globalisation, regionalisation and nationalism. Regionalisation and globalisation have been variously interpreted as beneficial or detrimental, not only to each other, but also to nation-states and nationalism more generally. If we follow the zero-sum analysis epitomised in so-called 'Eurosceptic' discourse, namely that member states 'lose' sovereignty as European integration progresses, then regionalisation appears to work against both the survival of nation-states and the aspirations of sub-state nationalists for autonomy. On the other hand, a look beyond the European Union at other forms of regional integration suggests that regionalisation does not necessarily entail a loss of sovereignty. For example, organisations like the Association of Southeast Asian Nations (ASEAN) and the North American Free Trade Area (NAFTA) are premised on intergovernmental cooperation, which does not mean ceding sovereignty, but rather aims to enhance domestic legitimacy, national prosperity and international clout.

A widespread disillusion with political and business elites, after years of disappointing economic growth, is a common factor that underpins resurgent nationalism across the globe. In western Europe the added ingredient is anger at high levels of immigration. In Russia it is lingering humiliation about the collapse of the Soviet Union and nostalgia for great-power status. In Asia the extra spice is a shifting balance of power that has encouraged nations such as China and South Korea to focus on historical grievances, particularly against Japan. In America outrage at the growth of Islamic State has begun to stoke an appetite for a return to a more assertive and militarised foreign policy.

In Europe key gauges of the strength of nationalism will be the general election in Britain and some local elections in Germany. A strong showing by UKIP in Britain will stoke fears that the country may soon leave the European Union. Meanwhile, the Alternative for Germany party, which argues that German interests have been subordinated to the EU's, will push to establish itself as the country's third political force. The French political class will nervously watch opinion polls for more evidence of the rise of the National Front's leader, Marine Le Pen, as a viable candidate for the presidency.

What most activists and intellectuals across India seem to have forgotten is that those who forged India's constitution were ardent liberal democrats. The latest episode, of course, that has galvanised both the government and the opposition, involves the

harassment of some student leaders at India's premier Jawaharlal Nehru University (JNU).

The students have been accused of organising an event commemorating the hanging of 2001 parliament attacks convict Afzal Guru, where "anti-India slogans" were allegedly raised.

Admittedly, much of the sloganeering, which precipitated the harsh actions of the government, was naive and self-indulgent.

Guru, a Kashmiri militant, was executed in 2013 after all his legal challenges were exhausted, and a presidential clemency plea denied.

The decision to dismiss his pleas, it needs to be underscored, had in any case, taken place under a different political dispensation. Commemorating his death anniversary hardly constituted an act of sagacious judgment.

The government could have simply condemned the callousness of the event and let matters rest. Instead it sent the police into the campus, *arrested several members of the student union* and allowed at least one of them to be publicly humiliated at the time of his court appearance.

What the country is currently witnessing is simply a more naked and blatant version of some deeply illiberal, hyper-nationalistic trends. Virtually every political party, regardless of ideological stripe, has to varying degrees been complicit in the closing of minds in India. Even the organised political Left, which is so vociferously crying foul over the current government's high-handed actions in the name of nationalism, maintained a curious and deafening silence when unpopular views and ideas were under attack earlier.

The tragedy that now stalks the land is that many of those decrying the chest-thumping nationalism of the BJP were themselves complicit in constricting the arena of free speech.

Consequently, their strident denunciations of the BJP's ham-fisted tactics tend to ring a bit hollow. And the BJP, which has never had much use for the pluralist, secular tenets embedded in India's constitution, now feels at liberty to intimidate and bully those who dare question its ideological writ.

It is a pity indeed that few, if any, Indian intellectuals, let alone its political class, would make common cause today with Camus' brilliant formulation - a sentiment that many of India's constitutional framers might actually have embraced. They would have a tough time recognising the tortured debate about nationalism and free expression in India taking place today. The Bharatiya Janata Party (BJP)-led government seems to have convinced itself that it has a monopoly in defining what constitutes nationalism. To that end, it has chosen to hound intellectuals, students and activists who hold a vision of India that differs from that of their own.

Suggested solutions

Recent events call upon all Indian as citizens to reflect on our relationship with the entity that we call India; to reflect on the nature of the feeling we have for India, and indeed, what is the “India” that we have feelings for. The mindless frenzy which a lot of us have got ourselves into over the alleged chanting of anti-India slogans at JNU is partly a symptom of the lack of a clear personal understanding of our own feelings of love, patriotism, nationalism, civic responsibility and devotion. Having not reflected on this, we fall for the seductive tunes of entrepreneurs of emotion, who often use our feelings to promote their own political ambition.

From its earliest origins, Indian nationalism has been liberal in nature. The signature of the freedom movement was to expel the British, without hatred. The setting up of a secular state with a liberal constitution, in the face of a violent demand for and reaction to the creation of a Muslim Pakistan, is a remarkable monument to that national sentiment. This is consistent with India’s civilisational ethos and daily practice as well. We are liberal to varying degrees. We are nationalistic and patriotic to varying degrees. Some may be more liberal, others might be more nationalistic, but most of us are both.

Like the bumblebee that insists on flying despite scientists’ view that a creature of its shape and weight is incapable of flight, we live our liberal nationalist lives regardless of what political philosophy says. This is not to say all is hunky dory — there are regular tensions over what the limits of one’s rights ought to be — but we manage our affairs reasonably well, given our immense diversity and divisions.

The way to manage these tensions is not to give up one for the other, as the left and the right wing demand of us, but to insist on both. Individual liberty is mere theory unless the state protects it and makes it real. We saw this at the Patiala House courts where journalists were beaten up as the police refused to intervene. Nationalism without liberalism is a monster. We saw this when lawyers and a local Delhi politician brazenly resorted to violence in the name of nationalism.

Concluding Remarks

Please remember that the agenda is carefully subdivided into two keywords which cannot be used interchangeably. Remember to do independent research on both. Come up with constructive examples and cases which furthers your argument. Also, keep in mind that you must forge relations with your fellow members belonging to your party prior to the simulation in order to avoid repeating the party’s stance. Lastly, please remind yourself that for the two days of Shri MUN 2016, you have stepped out of your own shoes and taken on the responsibility to represent someone other than yourself. You must not deviate from the party’s stance. The executive board will penalize deflections in committee. Be logical, rational, structure your thoughts in a cohesive manner and we assure you that you will have a memorable MUN experience. All the best!

Regards,

Anoushka Gupta
Chair

Sai Manik Sud
Vice-Chair

Anirudh Bhashyam
Vice-chair

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