

# A New Era

# For

# JUSTICE



They killed him

Bulletin 5 April 2022

Justice is the voice of a coalition of organisations and networks in the UK who stand up against injustice.

The April issue of *Justice* focuses on the custodial death of Stan Swamy, a Jesuit who spent all his life defending the rights of India's marginalised indigenous peoples (the Adivasis) and supporting their struggle against the neo-liberal takeover of their lands, forests and water sources. Join us in demanding justice for Stan Swamy.

Scores of human rights defenders - academics, environmentalists, lawyers, writers, poets, songwriters, student activists - are in Indian prisons alongside thousands of labouring Adivasis and other Indian citizens for expressing their opinion against the policies of the governments that have been serving India's corporate giants and mining companies who are making the poor poorer. Moreover, the current government led by Narendra Modi has created an environment of terror against the religious minorities of Christians and Muslims. Democracy in India is at stake under this increasingly autocratic government. Yet world leaders remain silent and even fete those in the lead.

The UK government, for its own bilateral trade and defence interests, continues to promote India as the world's largest democracy. *Justice* has been urging readers to raise this issue with their local MPs (see previous [Justice](#) bulletins). Earlier in April, Boris Johnson, prior to his two-day India visit, tweeted that, "As we face threats to our peace and prosperity from autocratic states, it is vital that democracies and friends stick together. India, as a major economic power and world's largest democracy, is a highly valued strategic partner for the UK in these uncertain times. My visit to India will deliver on the things that really matter to the people of both our nations - from job creation to economic growth, to energy security and defence." This is a blatant lie and a danger for world peace and harmony. Read [Amnesty International India's message on the UK Prime Minister's](#) inauguration of a JCB factory in Gujarat while at that very moment, the same JCB's bulldozers were demolishing shops and houses of Muslims in north east Delhi.



## Father Stan Swamy: Silenced in death

<https://frontline.thehindu.com/cover-story/silenced-in-death/article35258197.ece>

We reproduce some extracts from Anupam Katakam's article published on 30 June 2021, as the points made remain as acutely relevant today as almost a year ago.

"The passing of 84-year-old Father Stan Swamy (born 26 April 1937) marks the lowest point in the functioning of several institutions of the state, which seemed to be more keen on keeping in jail the life-long crusader for the rights of tribal people than helping his cause or upholding the rule of law.

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“Father Stan Swamy was neither an anarchist nor a leader. His only intention was to stand alongside the most marginalised and vulnerable, understand them and protect them. A Jesuit priest, he spent six decades of his life in the Bihar–Jharkhand belt fighting for land, forest, livelihood and human rights.

“Arrested and charged under the Unlawful Activities (Prevention) Act (UAPA) for his alleged link to banned Maoists who the National Investigation Agency (NIA) believes were behind the 2018 Bhima Koregaon caste violence, Father Stan Swamy was brought to Mumbai on October 9, 2020, and immediately imprisoned.

“Suhas Palshikar, a social and political scientist, said: “In this case, the judiciary comes out with a very poor record. Instead, the judiciary should seize this opportunity to revisit the constitutional validity of the UAPA. Both the Congress and the BJP are complicit in this. They have all put innocent people behind bars and then done nothing about it.”

“He walked into jail, a little unsteady, but reasonably healthy. By May 2021, at his last court hearing and public appearance via videoconference, he seemed disoriented and incoherent. Mihir Desai, his lawyer, said that they had been requesting his hospitalisation for weeks before the court finally allowed it. Each time his bail hearing came up, the NIA would claim that Father Stan Swamy’s medical reports were in order and that his condition was not as critical as it was made out to be. Periodically, the prison authorities sent him to the State government–run J.J. Hospital in Mumbai, where he would undergo some perfunctory treatment and be sent back.

“This process left Father Stan Swamy so upset that he told a bench led by Justice Kathawalla in a feeble voice: “Eight months ago, I would eat by myself, do some writing, walk, I could take bath by myself, but all these are disappearing one after another. So Taloja jail has brought me to a situation where I can neither write nor go for a walk by myself. Someone has to feed me. In other words, I am requesting you to consider why and how this deterioration of myself happened. Yesterday I was taken to J.J. Hospital, so I got an opportunity to explain what I should be given. My deterioration is more powerful than the small tablets that they give.” He added: “I would rather suffer and possibly die shortly than

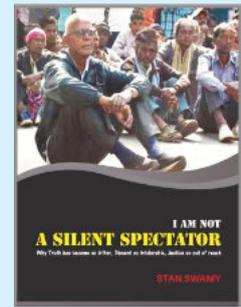
go to that hospital. It is a very difficult moment for me.”

[I am not a Silent Spectator](#)  
[An autobiographical fragment,](#)  
[memory and reflection of Stan](#)  
[Swamy](#)

**A flame that burns bright**

[We reproduce the Forward by Nandini Sundar, Professor of Sociology, Delhi University,

available online at [https://isibangalore.com/images/researchPdfs/I\\_am\\_not\\_a\\_silent\\_spectator\\_Stan\\_Swamy.pdf](https://isibangalore.com/images/researchPdfs/I_am_not_a_silent_spectator_Stan_Swamy.pdf)]



It was an unexpected honour to be asked to write the foreword for Stan’s memoirs. Stan Swamy is one of the treasures of this country and one of my personal heroes.

It is because of people like him who, even in his 80’s, have not lost hope – despite multiple betrayals of his dreams – that people still believe in the Constitution. A tall thin man with a spine of steel, there is something both wise and childlike about Stan, and this is reflected in these essays. Above all, what the essays reveal, is Stan’s enormous compassion and courage, and the way he lives his faith.

Some years ago, Stan set up a research and training centre in Namkum on the outskirts of Ranchi called Bagaicha. As you come in you see a big stone slab in the centre, on which is inscribed all the struggles that have taken place in Jharkhand for over two hundred years. This Pathalgadi (or stone slab inscription) predates the Pathalgadi movement that Stan writes about, but it shows Stan’s deep investment in his adopted home, Jharkhand. As he writes in the last essay of this volume, there is a tradition among adivasis, that when someone departs the earth, she or he is invited back to dwell in the house and be a companion to the still living. In life or death, Stan is a companion and guide to the people in Jharkhand and beyond, a flag bearer for justice wherever he is.

Ever since the Jesuits arrived in India in 1542, they have culturally adapted their faith to the land, and provided invaluable service, especially

in the field of education. But even among this selfless mission, there were some who ventured further afield and practiced their faith by serving people, especially the most marginal. But this is done through meticulous research and documentation, not in a superficial manner. The story of how Stan and his comrades at the Indian Social Institute Training Centre in Bangalore summarized and circulated Paolo Freire's Pedagogy of the Oppressed, tried to ensure that land was given to the tiller, and reached out to a wide variety of social movements, even in the face of opposition from powerful elements in the Church - is a testimony to the power of his faith. The Jesuits have been a major source of education for democracy in India, and India owes a great deal to them.

Why is the Indian state so petrified of an 80-year old Jesuit called Stan Swamy - so much that they sent police, twice, all the way from Pune to raid his room and confiscate his bare belongings? First, the central BJP government, acting with the Pune police, tried to implicate him in the Bhima-Koregaon case which, is clear to any thinking person, is a trumped-up effort to silence a well-known human rights activist. In 2018, the BJP government in Jharkhand, filed an FIR against Stan and others for a Facebook post. A year and a half later, they tried to arrest him, and also claimed that he was absconding, when of course he was doing no such thing.

The government is scared because Stan has courage and is not scared to raise his voice against injustice wherever he sees it in any form. And, of all the issues that has affected Adivasi India in the last decade or so, it is the 'mass jailing of people', allegedly for supporting Maoists. As Stan points out, when an entire young generation is in jail, the impact on society is devastating. Stan, with his colleagues, conducted meticulous and innovative research, where they met 102 under trials in their homes, and found that 97 per cent of those arrested, had zero connection with the Maoists. In January 2018, a PIL filed by Stan on this issue was admitted in the Jharkhand High Court, with the Court ordering the government to furnish information on the undertrials.

It is, indeed, too much of a co-incidence that soon after his PIL, the state has gone after Stan with a vengeance. Where is the level playing field that the law promises?

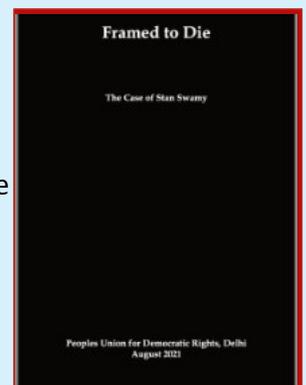
Stan writes movingly of dispossession, due to large projects and the struggles that people have waged to resist this; he writes of migration and the losses to individuals and communities; he bears witness to the sufferings and resilience of the people, of whom he has now, become a part. This collection of short essays - autobiographical fragment, memory and reflection - is a gift from Stan to all of us.

### [Framed to Die](#) [The case of Stan Swamy](#)

*People's Union for Democratic Rights, Delhi*

"Framed to die" documents the manner in which Stan Swamy was framed, confined in a prison cell, and finally forced towards a fatal illness under due process of law called

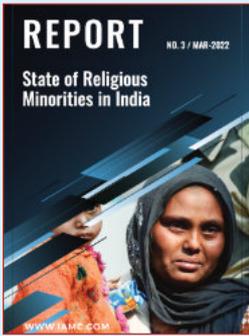
Unlawful Activities Prevention Act (UAPA). Published on 6 August, 2021 i.e. a month since Stan Swamy passed away (died in custody on 5 July 2021), the book points out that no official enquiry, even the mandated magisterial inquest, was initiated during the month.



### **Stan Swamy's custodial death - blot to India democracy: UN body**

The UN body's Working Group on Arbitrary Detention, at its ninety-second session, November 15-19 2021, adopted this opinion that Jesuit Father Stan Swamy's death in custody will forever remain a stain on India's human rights record.

For the report (advance edited version, published in February 2022) click <https://www.ohchr.org/sites/default/files/2022-03/A-HRC-WGAD-2021-57-India-AEV.pdf>



## State of Religious Minorities in India

[A report published in March 2022 by the Washington-based advocacy organisation Indian American Muslim Council](#)

The IAMC notes: “As Prime Minister Narendra Modi and his Bharatiya Janata Party (BJP) still have not effectively condemned recent and past calls for mass violence against Christians and the genocide of Muslims, this report details the continuing hate speech (including renewed calls for mass violence and genocide), discriminatory policies, harassment, and violence targeting Christians and Muslims over March 2022. Utilizing news reports and data from human rights organizations, this report outlines how the events of March 2022 display the multilevel complicity of the Indian government and society in the cycle of systematic and widespread persecution of religious minorities.”

### [India: intimidation and threats against Meena Kotwal \(joint communication\)](#)

In early April 2022, the UN Special Rapporteur on Human Rights Defenders Mary Lawlor [also released a communication](#) to the Government of India regarding intimidation of and threats by Hindutva nationalistic groups against Ms. Meena Kotwal, a Dalit journalist and founder of [The Mooknayak news website and YouTube channel](#) and woman and minority human rights defender working and reporting on human rights issues. The Indian government did not respond to the communication which notes that the threats made to Ms Kotwal included comments that she would “suffer the same fate at Gauri Lankesh” (see [Justice Issue 1 for our piece on Gauri Lankesh](#)).

### **Ram Navami celebrations turn into anti-Muslim violence across India**

[Hindu mob rampage Muslim localities in 8 Indian States](#)

During the week beginning 10 April, while Hindus celebrate Ram Navami, Hindu mobs carried out anti-Muslim violence in at least eight states in India -



Bihar, Gujarat, Goa, Jharkhand, Karnataka, Madhya Pradesh, New Delhi, West Bengal. It appears to be an orchestrated violence by the current Bharatiya Janata Party (BJP)-led government on religious minority Muslims as the pattern of mob violence was very similar at all the places.

### [‘No one listened’: Jahangirpuri residents cry after bulldozers raze ‘illegal’ shops & structures](#)

On Wednesday, 20 April 2022, the North Delhi Municipal Corporation, in the presence of hundreds of police personnel, demolished shops, temporary structures and the external gate



of a mosque in the riot-hit area of Jahangirpuri. The operation continued even after the Supreme Court ordered status quo. Read The Mooknayak’s ground reports here: [“I had sorted some garbage to sell before Eid so that we could celebrate the festival well, but the bulldozer ruined everything” - the pain of the people of Jahangirpuri](#)

[Delhi Jahangirpuri violence: “If we are Bangladeshis, then we have been given voter IDs only for our votes,” local people speak of their pain.](#)

On 22 April, diasporic Indian civil society groups led a Twitter storm in support of the victims using the hashtag #MuslimVictimsMadeCulprits (see for example: <https://twitter.com/IAMCouncil/status/1517546355429883906>)

### **UK Prime Minister Boris Johnson says, India is the largest democracy!**



Amnesty International India

In the backdrop of the North Delhi Municipal Corporation using JCB bulldozers to raze down shops and houses of Muslims in Delhi’s Jahangirpuri area, UK Prime Minister’s inauguration of a JCB factory in the state of Gujarat is not only ignorant but his silence on the incident is deafening.

As Indian authorities clamp down on human rights daily, the UK government must not remain a mute bystander. It must bring human rights to the discussion table. India cannot wait another day for justice.

The demolition continued despite and in defiance of an order by the Supreme Court of India asking authorities to stay the demolition exercise. The residents of Jahangirpuri were not even given an opportunity to salvage their possessions.

These brazen attacks on the right to livelihood and adequate housing of religious minorities in India is an attack on their hopes for secure future.

### India's year of fear

To read, please click [\*Rising Hindu nationalism, hate speech and violence pose a real threat to Christians and Muslims\*](#)



Stan Swamy's 85th birth celebration at Bagaicha (Ranchi), Jharkhand (b. 26 April, 1937; d. 5 July 2021).

**Join us in our struggle to bring peace,  
justice and happiness for all.**

Write to: [justice.coalition-uk@protonmail.com](mailto:justice.coalition-uk@protonmail.com)