

The Bhima Koregaon Case: Urban Naxals as Political Prisoners?¹

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Bhima Koregaon case, named after the village in Pune district (Maharashtra) where, in 1818, Dalit soldiers of the British army trounced the troops of the local ruler – a Brahmin -, Peshwa Bajirao II. On January 1, 2018, like every year, Dalits of Maharashtra, mostly Mahars, gathered to commemorate this event in the form of an Elgaar Parishad (litt. “Congress for Speaking Aloud”), organized by two retired lawyers, including an ex-Supreme Court justice. During their meeting, they contested BJP’s “homogenizing Hindutva”² that rejected divisions among Hindus and criticized the Modi government.³ They were attacked by upper caste Hindu nationalists and one of the latter died.⁴ A Dalit activist filed a complaint against two men, Sambhaji Bhide, an activist “close to Prime Minister Narendra Modi”⁵ who had been associated with the RSS and Milind Ekbote, a former BJP corporator who had gone to jail several times – among other things for participating in a communal riot.⁶ The latter went to jail briefly, but the police, in spite of the report it had prepared that showed that both men were guilty of “a well-planned conspiracy,”⁷ looked for other accused after a disciple of Bhide, Tushar Damgude, filed a complaint. This shift took place while the notion of a “Maoist conspiracy” was waived by a Pune-based RSS-affiliated think tank, the Forum for Integrated National Security.⁸ Soon after, the police arrested new accused who were presented as “Urban Naxals.”

The expression “Urban Naxals” designates urban Maoists, by contrast with those in rural India (and in the tribal areas in particular), the crucible of the Indian version of Maoism,

¹ Excerpted from C. Jaffrelot, *Modi’s India. Hindu Nationalism and the Rise of Ethnic Nationalism*, Princeton Nj, Princeton University Press, 2021.

² A. Ingole, “Movements as politics. Bhima Koregaon in the Times of Hindutva,” *Economic and Political Weekly*, 53 (2), January 13, 2018. (<https://www.epw.in/journal/2018/2/commentary/movements-politics.html> - Last accessed September 14, 2020).

³ K. Iyer and S. Khapre, “Amid second round of arrests and Maoist link claims, a look at why Elgaar has come to matter,” *The Indian Express*, September 2, 2018 (<https://indianexpress.com/article/india/why-elgaar-parishad-has-come-to-matter-december-31-2017-bhima-koregaon-pune-police-5335510/> Last accessed September 14, 2020).

⁴ A. Johari, A. Dey, M. Charian and S. Satheesh, “From Pune to Paris: How a police investigation turned a Dalit meeting into a Maoist plot,” *Scroll.in*, September 2, 2018 (<https://scroll.in/article/892850/from-pune-to-paris-how-a-police-investigation-turned-a-dalit-meeting-into-a-maoist-plot> Last accessed September 14, 2020).

⁵ “Many friends of Sanbhaji Bhide: Bhima Koregaon riots accused enjoys massive social media following, including Tushar Damgude,” *FirstPost*, August 29, 2018 (<https://www.firstpost.com/india/many-friends-of-sambhaji-bhide-bhima-koregaon-riots-accused-enjoys-massive-social-media-following-including-tushar-damgude-5066761.html> Last accessed September 14, 2020).

⁶ A. Dey, “Bhima Koregaon: Hindutva leader Milind Ekbote is lying low after getting bail,” *Scroll.in*, September 5, 2018. (<https://scroll.in/article/893032/bhima-koregaon-hindutva-leader-milind-ekbote-is-lying-low-after-getting-bail> Last accessed September 14, 2020).

⁷ “Bhima Koregaon Exclusive: ‘Secret’ official report blames Sambhaji Bhide and Milind Ekbote for the violence,” *Times Now*, September 1, 2018. (<https://www.timesnownews.com/india/article/exclusive-bhima-koregaon-violence-secret-state-documents-pune-police-maharashtra-government-accuse-sambhaji-bhide-milind-ekbote-for-clashes-hindutva/278017> Last accessed September 14, 2020).

⁸ Johari, Dey, Charian and Satheesh, “From Pune to Paris.”

“Naxalism” – a movement named after the revolt of the peasants of Naxalbari in 1967. This expression was coined by Arun Jaitley in 2014 to describe activists of the Aam Aadmi Party, a regular political party.⁹ But it was popularized by a Bollywood film director, Vivek Agnihotri, who defines an Urban Naxal “as an intellectual, influencer or activist who is an invisible enemy of India.”¹⁰ The idea of such a conspiracy was propagated, however, by the Sangh Parivar, via its support to Agnihotri. A 2019 booklet attributed to the RSS and to which Agnihotri contributed, argued that Urban Naxals had not only been “infiltrating into police, armed forces, bureaucracy, civil services, etc.,” but had also mounted a “campaign to overthrow the Indian government” and that “all left leaning professors and journalists [we]re Naxal supporters and even support[ed] violence by Naxal groups...”¹¹ In September 2018, the then Home Minister, Rajnath Singh, warned people that Naxalites had “come to the cities and are trying to influence people.”¹² Narendra Modi himself told students in 2019 to wonder whether “urban Naxals, some people who consider themselves intellectuals, are not trying to gain political mileage by putting a gun over your shoulders [...] You will have to find out if this is not a conspiracy by them to destroy your life. They cannot think of anything else but hatred for Modi.”¹³

In June 2018, the police of Maharashtra – a state ruled by the BJP at the time -, in the course of its investigation in the Bhima Koregaon case, arrested five “Urban Naxals” who were accused, not only of instigating violence in this particular case (in spite of the fact that only two of them took part in the Elgaar Parishad), but also of plotting a “Rajiv Gandhi style” assassination of Narendra Modi¹⁴. Their profile matched that described by Agnihotri: Surendra Gadling was a lawyer, Shoma Sen was a retired English professor, Sudhir Dhawale was a poet and publisher, Mahesh Raut and Rona Wilson were human rights activists. Two months later,

⁹ Subsequently, Jaitley spoke of “half Maoists,” describing them as “a serious threat to Indian democracy. Willingly or otherwise, they become over-ground face of the underground” (Cited in G. Singh, “The State Is Using the ‘Maoist’ Label to Muzzle Liberal Criticism,” *The Wire*, August 28, 2018. <https://thewire.in/rights/the-state-is-using-the-maoist-label-to-muzzle-liberal-criticism> Last accessed September 14, 2020).

¹⁰ Vivek Agnihotri, *Urban Naxals: The Making of Buddha in a Traffic Jam*, Gurugram, Garuda Prakashan, 2018.

¹¹ D. Grey, “RSS circulates booklet targeting ‘Urban Naxals’,” *Sabrang*, July 22, 2019 (<https://sabrangindia.in/article/rss-circulates-booklet-targeting-urban-naxals> Last accessed September 14, 2020).

¹² “Naxalites have now come to cities, are trying to influence people: Rajnath Singh,” *Hindustan Times*, September 1, 2018 (<https://www.hindustantimes.com/india-news/naxalites-have-now-come-to-cities-are-trying-to-influence-people-rajnath-singh/story-fdHc6NmfOTvfn7ThzdWhEN.html> Last accessed September 14, 2020).

¹³ “Citizenship Act protests: ‘Urban Naxals’ instigating students for their politics, claims PM Modi,” *Scroll.in*, December 17, 2019 (<https://scroll.in/latest/947096/citizenship-act-protests-urban-naxals-instigating-students-for-their-politics-claims-pm-modi> Last accessed September 14, 2020).

¹⁴ On the publicity orchestrated around attempts at killing Narendra Modi – that is part of the repertoire of victimization, see Tushar Dhara, “The many plots to assassinate Narendra Modi,” *The Caravan*, September 2, 2018 (<https://caravanmagazine.in/politics/many-plots-to-assassinate-narendra-modi>). Last accessed October 20, 2020.

the police arrested also, in the same case, poet-activist Varava Rao,¹⁵ lawyer and trade unionist Sudha Bharadwaj¹⁶ and human rights activists cum authors and columnists, Arun Ferreira and Vernon Gonsalves. Two more “Urban Naxals” were arrested in April 2020: first, Anand Teltumbde, a former executive, regular contributor to *Economic and Political Weekly* and professor at the Goa Institute of Management¹⁷ who has authored many books including *Republic of Caste*, and second, Gautam Navlakha, an ex-editorial consultant with *Economic and Political Weekly* and a member of the People’s Union for Democratic Rights. Then, an 83-years old Jesuit priest who has worked amongst the Tribals of Jharkhand all his life was arrested because of alleged Maoist links¹⁸. They were all accused of conspiracy aiming at overthrowing the government and assassinating the Prime Minister on the basis of letters recovered from the computers of two of the arrestees. Amnesty Tech, the Amnesty International’s digital-security team, discovered subsequently that one of these computers contained malware allowing remote access and alleged that the letters could have been planted.¹⁹ The idea that the letters had been manufactured was supported by the fact that Naxals’ communication is heavily coded.

While searching the houses of the accused, the police of Maharashtra indulged in cultural policing, listing books that were not banned as evidence against them²⁰ and commenting upon their political ideas and social attitudes. The policemen who searched the house of Varavara Rao’s daughter and son-in-law, who heads the Department of Cultural Studies at the English and Foreign Languages University of Hyderabad, asked them, “Why are you reading books on Mao and Marx? Why do you have books published in China? (...) Why are there photos of Phule and Ambedkar in your house, but no photos of gods?”²¹ To Rao’s

¹⁵ See P. Chakrabarti, “Varava Rao: Understanding his politics, literary work, and the Elgar Parishad case,” *The Indian Express*, July 17, 2020 (<https://indianexpress.com/article/explained/varavara-rao-politics-jail-coronavirus-6510434/> Last accessed September 14, 2020).

¹⁶ On the career of Sudha Bharadwaj, see M. Gupta, “If You Try to Be Safe and in the Middle, You Will Never Succeed,” *The Wire*, September 28, 2018 (<https://thewire.in/rights/a-woman-must-develop-her-own-identity-and-not-be-subsumed-by-the-collective> Last accessed September 14, 2020).

¹⁷ See his open letter: “I can’t counter state propaganda’: Anand Teltumbde’s open letter a day before he is to be arrested,” *Scroll.in*, April 13, 2020 (<https://scroll.in/article/959082/i-cant-counter-state-propaganda-anand-teltumbdes-open-letter-a-day-before-he-is-to-be-arrested> Last accessed September 14, 2020).

¹⁸ “Explained: Who is Stan Swamy, the latest to be arrested in the Elgar Parishad case?”, *The Indian Express*, October 17, 2020 (<https://indianexpress.com/article/explained/who-is-stan-swamy-6717126/>). Last accessed October 20, 2020.

¹⁹ M. Kaushik and A. Sivan, “Bhima Koregaon case: Prison-rights activist Rona Wilson’s hard disk contained malware that allowed remote access,” *The Caravan*, March 12, 2020 (<https://caravanmagazine.in/politics/bhima-koregaon-case-rona-wilson-hard-disk-malware-remote-access> Last accessed September 14, 2020).

²⁰ P. Nair, “Bhima Koregaon Files: The Story Of Nine Activists Being Punished Without Trial,” *Outlook*, September 23, 2019 (<https://magazine.outlookindia.com/story/india-news-bhima-koregaon-files-the-story-of-nine-innocent-activists-being-punished-without-trial/302119> Last accessed September 14, 2020).

²¹ S. Janyala, “Elgaar Parishad probe: Policemen referred to my caste, asked why no sindoor, says arrested activist Varavara Rao’s daughter,” *The Indian Express*, August 30, 2018 (<https://indianexpress.com/article/india/elgaar-parishad-probe-policemen-referred-to-my-caste-asked-why-no-sindoor-says-arrested-activist-varavara-raos->

daughter, they said, “Your husband is a Dalit, so he does not follow any tradition. But you are a Brahmin, so why are you not wearing any jewellery or sindoor? Why are you not dressed like a traditional wife? Does the daughter have to be like the father too?”²² These policemen echo here the discourse of Hindu nationalist vigilantes when they try to make people comply with the high tradition of their religion associated with upper castes and specific forms of worship and reject leftist ideologies in an anti-intellectual manner.

The internationally renowned historian, Romila Thapar, and other scholars filed a petition in August 2018 against these arrests. But two of the three judges of the bench refused to release the accused on bail. The dissenting judge, Justice Chandrachud observed that a “A clear cut distinction has to be made between opposition to government and attempts to overthrow government by rising up in arms.”²³ For him, the Bhima Koregaon case was “an attempt by the state to muzzle dissent... each of them is prosecuted for being a defender of persons subjected to human rights violations.”²⁴ In other words, the accused of the Bhima Koregaon were victims of judicial authoritarianism and political prisoners.

A day after the Shiv Sena-NCP-Congress government - which had just replaced the BJP-led government after the September 2019 elections – had decided to review the chargesheet against the accused, the Union Ministry of Home Affairs handed over the investigation to the NIA to make sure that the procedure would continue.

[daughter-5331859/](#) Last accessed September 14, 2020).

²² Janyala, *Elgaar Parishad probe*.

²³ T. Anwar, “Bhima Koregaon: Differentiate Between Dissent and Attempts to Overthrow Govt Using Arms, Says SC,” *Newslick*, September 19, 2018 (<https://www.newslick.in/bhima-koregaon-differentiate-between-dissent-and-attempts-overthrow-govt-using-arms-says-sc> - Last accessed September 14, 2020).

²⁴ R. Chandra, “Activists' Arrests: The Exceptional Has Been Made the New Normal,” *The Wire*, 1 November 2018 (<https://thewire.in/rights/activists-arrests-the-exceptional-has-been-made-the-new-normal> Last accessed September 14, 2020).