

Course correction – **Sedition, once more**

Invoking it against those opposed to changes in citizenship law is reprehensible

The slapping of sedition charges against noted Assamese scholar Hiren Gohain and two others for remarks made against the proposed citizenship law is a textbook case of misuse of the law relating to sedition. The FIR against Mr. Gohain, peasant rights activist Akhil Gogoi and journalist Manjit Mahanta relates to speeches at a recent rally that alluded to the possibility of a demand for independence and sovereignty if the Citizenship (Amendment) Bill was pushed through Parliament. Mr. Gohain and others have obtained interim bail from the Gauhati High Court. The registration of the case has caused much public outrage in Assam. In addition to Section 124A (sedition), they have been accused of entering into a criminal conspiracy to “wage war against the government of India” (Section 121) and “concealing a design to facilitate” such a war (Section 123). The action of the police in charging them with “offences against the state” under the Indian Penal Code is quite reprehensible. It is possible that speeches at the rally organised by the Forum Against the Citizenship Amendment Bill contained strident opposition to the legislative changes that would allow persecuted non-Muslims from three neighbouring countries to obtain Indian citizenship. The thrust of the protest, therefore, would be squarely covered by the exception to the sedition clause, which says comments expressing disapprobation of government measures with a view to obtaining their alteration do not constitute an offence, as long as there is no incitement to violence or disaffection. Mr. Gohain, a Sahitya Akademi awardee, and one of Assam’s best known public intellectuals, has explained that he had intervened more than once to silence some youth who had talked about invoking their sovereignty if the Centre continued to ignore their demand.

In recent years, there have been many instances of State governments seeking to silence political dissent by accusing dissenters of promoting disaffection. It is precisely to prevent such a heavy-handed response to strident political criticism that courts have often pointed out that the essential ingredient of any offence of sedition is an imminent threat to public order. Unless there is actual incitement to take up arms or resort to violence, even demands that go against the legal or constitutional scheme of things would not amount to sedition. Mere expression of critical views, howsoever scathing, cannot be an excuse for accusing someone of planning to wage war or promote disaffection against the government. It is against such a backdrop that the Law Commission, in a consultation paper released last year, had called for a reconsideration of the sedition section in the IPC. While the provision, which is couched in broad terms, needs a much narrower definition, the right course is to scrap Section 124A, a relic of the colonial era, altogether.

Meanings of Difficult Words :

- **Sedition** - language or behaviour that is intended to persuade other people to oppose their government
- **Invoke** - to use a law or rule in order to achieve something
- **Reprehensible** - very bad and deserving to be criticized
- **Noted** - well known for a particular quality or ability, and usually admired
- **Scholar** - someone who studies a particular subject and knows a lot about it, especially a subject that is not scientific
- **Remark** - a few words that give the facts or your opinion about someone or something
- **Proposed** - offered formally as an idea or plan
- **Textbook case** - a classic, perfect case/example
- **Misuse** - the use of something in the wrong way or for the wrong purpose
- **Peasant** - someone who works on another person’s farm or on their own small farm
- **Activist** - someone who takes part in activities that are intended to achieve political or social change, especially someone who is a member of an organization

- **Rally** - a public meeting that a lot of people go to in order to support someone or something or to protest against someone or something
- **Allude** - to mention someone or something in an indirect way
- **Sovereignty** - the right to rule a country
- **Amendment** - a change made to a law or agreement
- **Interim** - temporary and intended to be used or accepted until something permanent exists
- **Outrage** - a strong feeling of anger and shock at something that you feel is wrong or unfair
- **Accuse** - to say that someone has done something wrong or committed a crime
- **Conspiracy** - a secret plan by a group of people to do something bad or illegal, especially in politics
- **Conceal** - to prevent someone from seeing or knowing something
- **Facilitate** - to make it possible or easier for something to happen
- **Offence** - a crime or illegal activity for which there is a punishment
- **Penal** - relating to the punishment of criminals
- **Persecute** - to treat someone extremely badly, or to refuse them equal rights, especially because of their race, religion, or political beliefs
- **Thrust** - to put something somewhere with a quick hard push
- **Protest** - a strong complaint or disagreement
- **Squarely** - in a clear and definite way
- **Disapprobation** - disapproval of someone or something that you think is immoral
- **Alteration** - a change in the appearance or form of something
- **Offence** - a crime or illegal activity for which there is a punishment
- **Incitement** - something that encourages people to be violent or commit crimes, or the deliberate act of encouraging violence or crime
- **Disaffection** - the state of no longer feeling loyal towards a group or organization
- **Intellectual** - someone who is well educated and interested in art, science, literature etc at an advanced level
- **Intervene** - to become involved in a situation in order to try to stop or change it
- **Invoke** - to use a law or rule in order to achieve something
- **Sovereignty** - the right to rule a country
- **Instance** - an example of something happening
- **Dissent** - strong disagreement, especially with what people in authority think or with what the majority of people think
- **Precisely** - exactly
- **Heavy-handed** - using too much force, or not considering people's feelings enough when dealing with a situation
- **Strident** - holding firm opinions or beliefs and tending to express them frequently, in a way that offends some people
- **Ingredient** - one of the things that give something its character or that make it effective
- **Imminent** - likely or certain to happen very soon
- **Incitement** - something that encourages people to be violent or commit crimes, or the deliberate act of encouraging violence or crime
- **Howsoever** - in whatever way
- **Scathing** - criticizing someone or something in a very strong way
- **Be couched in something** - to be expressed a particular way

- **Scrap** - to not continue with a system or plan
- **Relic** - an object from the past that has been kept
- **Colonial** - relating to a system or period in which one country rules another

Course correction – **Half done: on the ban on plastic**

A plan is needed for plastic waste in packaging and manufacturing

India won global acclaim for its "Beat Plastic Pollution" resolve declared on World Environment Day last year, under which it pledged to eliminate single-use plastic by 2022. So far, 22 States and Union Territories have joined the fight, announcing a ban on single-use plastics such as carry bags, cups, plates, cutlery, straws and thermocol products. Puducherry will implement a ban from March 1. Where firm action has been taken, positive results have followed. A Bengaluru waste collective estimates that the volume of plastic waste that they collect dropped from about two tonnes a day to less than 100 kg. Voluntary initiatives are having an impact in many States, as citizens reduce, reuse and sort their waste. Yet, this is only a small start. Waste plastic from packaging of everything from food, cosmetics and groceries to goods delivered by online platforms remains unaddressed. It will take a paradigm shift in the manner in which waste is collected and handled by municipal authorities to change this. Governments must start charging the producers for their waste, and collect it diligently, which will lead to recovery and recycling. But the depressing reality is that State and local governments are unwilling to upgrade their waste management systems, which is necessary to even measure the true scale of packaging waste.

The Plastic Waste Management Rules, 2016 are clear that producers, importers and brand owners must adopt a collect-back system for the plastic they introduce into the environment. Although the rules were notified in the same year, amended later and given high visibility by the Ministry of Environment, Forest and Climate Change, not much has been done to take the process forward. At the very least, local bodies should consult manufacturers or importers to assess the problem. Delaying such a measure has created the anomalous situation of small producers of plastics facing the ban, while more organised entities covered by the Extended Producer Responsibility clause continue with business as usual. Such enforcement failure is not an argument in favour of relaxing the prohibition on flimsy plastics that are typically used for under 15 minutes, but to recover thousands of tonnes of waste that end up in dumping sites. Cities and towns need competent municipal systems to achieve this. Again, there is little doubt that plastics play a major role in several industries, notably in the automotive, pharmaceutical, health care and construction sectors. But it is the fast moving consumer goods sector that uses large volumes of packaging, posing a higher order challenge. This calls for urgent action. Governments should show the same resolve here, as they have done in imposing the ban.

Meanings of Difficult Words :

- **Acclaim** - public praise for someone or something
- **Cutlery** - the knives, forks, and spoons that you use for eating food. The usual American word is silverware
- **Firm** - strong
- **Voluntary** - a voluntary action is done because you choose to do it, and not because you have to
- **Initiative** - an important action that is intended to solve a problem
- **Impact** - an effect, or an influence
- **Cosmetics** - substances that you use on your skin to make yourself look more attractive
- **Groceries** - food and other goods for the home that you buy regularly
- **Unaddressed** - not considered or dealt with
- **Paradigm shift** - a basic change in ideas or methods

- **Diligently** - in a way that is careful and uses a lot of effort
- **Recycling** - the process of changing waste materials such as newspapers and bottles so that they can be used again
- **Unwilling** - if you are unwilling to do something, you do not want to do it or you refuse to do it
- **Importer** - a person, company, or country that brings goods into their country in order to sell them
- **Amend** - to make changes to a document, law, agreement etc, especially in order to improve it
- **High visibility** - intended to attract attention
- **Anomalous** - unusual or unexpected
- **Clause** - a part of a legal document or law that officially states that something must be done
- **Flimsy** - light and not providing very much protection
- **End up** - to be in a particular place or state after doing something or because of doing it
- **Dumping site** - a place where large amounts of waste are taken and left
- **Competent** - capable of doing something in a satisfactory or effective way
- **Automotive** - relating to cars and other motor vehicles
- **Pharmaceutical** - relating to the production or sale of medicines and drugs used for treating medical conditions
- **Consumer** - someone who buys and uses goods and services
- **Impose** - to introduce something such as a new law or new system, and force people to accept it

Course correction – **Escape options: on the Brexit vote**

After losing the Brexit vote, the British PM's best option is to postpone the exit date

After the British Parliament's overwhelming rejection of Prime Minister Theresa May's Brexit deal, chances are the government will postpone the March 29 deadline to leave the European Union. An extension of the exit date – hinted at by Britain's Chancellor of the Exchequer and France's President following the vote – seems the least controversial in the spectrum of complex alternatives. For a start, Ms. May is expected to sail through the motion of no-confidence against her government moved by the Opposition leader, Jeremy Corbyn of the Labour Party. Both the Conservative Eurosceptic backbenchers, and Northern Ireland's Democratic Unionist Party, which supports the minority government in London, have promised to oppose the motion. Consequently, the onus of taking the country out of the EU will remain with Ms. May, who struck a conciliatory note after the defeat in the House of Commons with a 230-vote margin (432 to 202) on Tuesday. Ms. May argues that there is no better deal than the one she has painstakingly negotiated with the other 27 members of the EU. Yet, the build-up to the vote, delayed by over a month, laid bare the difficult task of persuading MPs on the merits of the agreement. Ms. May will hope to win the Commons' approval on Monday for a Plan B. At the minimum, it must do better on the contentious Irish backstop that could come into force after the transition period expires, and something that Brexit supporters oppose. It is highly improbable that the EU can offer any big improvements so soon to ensure that the backstop, which allows the flow of goods between Northern Ireland and the Republic of Ireland, will not indefinitely lock Britain into a customs union with the EU. Such an arrangement, which would necessarily limit London's freedom to make trade deals with third states, is regarded as anathema for a country that championed Brexit as a route to regain its sovereignty.

Deep differences persist within the Conservative and Labour parties on the terms of exit they must obtain from Brussels. There is also increasing clamour for a second referendum from remainers in the two parties, who view the uncertainty as symptomatic of a flawed Brexit project. Their case is rooted in concerns that citizens be enabled to make a more informed decision, given the mounting evidence on the economic impact of Brexit. But such enthusiasm would have to be balanced with the consideration that

the majority of MPs, despite strong opposition among members, have resolved to respect the June 2016 popular mandate. In any case, a reversal of the 2016 Brexit result is not a guaranteed outcome. There is, meanwhile, support growing within and outside **Parliament** to avert, at all costs, a crashing out of the EU in late March, with imponderable consequences for the economy and society. Ms. May will gain in stature if she takes Parliament into greater confidence, not just her own party backbenchers.

Meanings of Difficult Words :

- **Brexit** - an exit (= act of leaving) by the United Kingdom from the European Union (short for "British exit")
- **Postpone** - to decide that something will not be done at the time when it was planned for, but at a later time
- **Overwhelming** - much larger, stronger, more important etc than anything else in a situation
- **Deadline** - a specific time or date by which you have to do something
- **Chancellor** - the leader of the government in some countries
- **Exchequer** - the government department responsible for a country's financial matters
- **Controversial** - a controversial subject, opinion, or decision is one that people disagree about or do not approve of
- **For a start** - used for introducing the first point in a series, especially in an argument
- **Sail through** - to do something, or to deal with something, very easily
- **Motion of no confidence** - a voting process in which people show that they do not support a person or group in power
- **Conservative** - not willing to accept much change, especially in the traditional values of society
- **Euro-sceptic** - someone, especially a politician, who thinks that their country should not be part of the European Union
- **Backbencher** - an ordinary member of the British Parliament who does not have a senior position
- **Unionist** - someone who believes that Northern Ireland should remain part of the UK, especially a member of a political party that supports this belief
- **Consequently** - as a result
- **Onus** - if the onus is on someone to do something, it is their responsibility or duty to do it
- **Conciliatory** - trying to end an argument and make people feel less angry
- **House of Commons** - the part of the parliament in the UK or Canada that consists of politicians who have been elected by the people
- **Painstakingly** - very carefully and thoroughly
- **Negotiate** - to try to reach an agreement by discussing something in a formal way, especially in a business or political situation
- **Persuade** - to make someone agree to do something by giving them reasons why they should
- **Contentious** - causing disagreement between people or groups
- **Backstop** - something that can be used to solve problems after everything else has been tried
- **Transition** - the process of changing from one situation, form, or state to another
- **Expire** - if an agreement, offer, or official document expires, the period of time during which it exists or can be used comes to an end
- **Improbable** - not likely to happen or to be true
- **Anathema** - something that you strongly dislike or strongly disagree with
- **Sovereignty** - the right to rule a country
- **Persist** - if an unpleasant feeling or situation persists, it continues to exist
- **Clamour** - an urgent request for something by a lot of people

- **Referendum** - an occasion when everyone in a country can vote to make a decision about one particular subject
- **Uncertainty** - a nervous feeling that you have because you think bad things might happen
- **Symptomatic** - showing the existence of a problem or of a bad situation
- **Concern** - a feeling of worry about something, especially one that a lot of people have about an important issue
- **Mounting** - increasing, especially in a way that makes a situation worse
- **Impact** - an effect, or an influence
- **Enthusiasm** - the feeling of being very interested in something or excited by it
- **Meanwhile** - at the same time
- **Imponderable** - something that is impossible to judge or calculate exactly
- **Gain in something** - to get more of something, usually as a result of a gradual process
- **Stature** - the amount of public respect or popularity that someone or something has

Course correction – **Sedition and politics: on the charge-sheeting of JNU students**

The charge-sheeting of JNU students is a move to criminalise contrarian opinion

The filing of sedition and conspiracy charges against three former Jawaharlal Nehru University students and seven others nearly three years after a political event on its campus, is a needlessly heavy-handed response to campus sloganeering. That it took so long to ready a charge sheet, which has been filed a few months ahead of the general election, casts a shadow of political motive. It would have been far wiser to dismiss this as an instance of radicalised student politics than proceed against them with a stringent colonial-era law, which should not have been allowed to even remain in the statute book. There is no convincing case that the students, and the others present, disrupted public order or incited violence. Even if all the charges about the shouting of “anti-national” slogans and supporting those who questioned the country’s sovereignty were true, these acts do not merit the use of the sedition law. The Delhi Police had arrested JNU student union leader Kanhaiya Kumar in February 2016, but failed to protect him from assault while being produced in court; it did nothing to bring to book his assailants. Now, in filing formal charges of sedition, it continues to ignore the law laid down by the Supreme Court on what constitutes ‘sedition’. The essential ingredients of Section 124A of the Indian Penal Code, that there should be a call for violence or a pernicious tendency to foment public disorder, are conspicuously absent in the case.

Campuses on which radical politics thrives are anathema to the ruling dispensation. However, that cannot be a justification for the sort of fear-mongering about the direction of campus politics that the ruling party and its supporters have been indulging in since the developments of 2016. Campuses ought to nurture political opinions of different shades, but there has been a disquieting tendency to brand as “anti-national” those who do not endorse all actions of the state. That the ABVP, the student wing of the RSS, has not done well in several student union elections may also be a factor in driving antipathy towards some institutions. In every case of sedition, which is filed invariably in connection with a dissenting speech or piece of writing, there is a political element. In this case, the filing of the charge sheet appears to subserve the political and electoral purpose of advancing a populist nationalist agenda. It is also liable to be seen as an attempt to criminalise contrarian views among student activists and also a clampdown on dissent. It will be in the fitness of things if the trial court

examines the Delhi Police report in the light of the Supreme Court's restricted interpretation of sedition before it takes cognisance of it.

Meanings of Difficult Words :

- **Sedition** - language or behaviour that is intended to persuade other people to oppose their government
- **Charge-sheeting** - to accuse someone officially of committing a crime and ask them to reply to the charge or defend themselves
- **Contrarian** - someone who often has the opposite opinion to most other people
- **Conspiracy** - a secret plan by a group of people to do something bad or illegal, especially in politics
- **Former** - used for describing someone or something that had a particular job, title, status etc in the past, but not now
- **Campus** - an area of land containing all the main buildings of a university
- **Heavy-handed** - using too much force, or not considering people's feelings enough when dealing with a situation
- **Sloganeering** - the use of slogans, especially by politicians who want to communicate a simple message that people will remember
- **Motive** - the reason that you do something
- **Instance** - an example of something happening
- **Radicalise** - having been made more radical (= extreme) in your political or religious beliefs
- **Stringent** - stringent rules or conditions are strict and make you achieve high standards
- **Colonial** - relating to a system or period in which one country rules another
- **Statute book** - a book containing a list of all the statutes in a state or country
- **Statute** - a law passed by a government and formally written down
- **Disrupt** - to interrupt something and prevent it from continuing by creating a problem
- **Incite** - to encourage people to be violent or commit crimes by making them angry or excited
- **Sovereignty** - the right to rule a country
- **Assault** - a physical attack on someone, or the crime of physically attacking someone
- **Bring someone to book** - to punish someone, or to make them explain their behaviour publicly when they have done something wrong
- **Assailant** - someone who violently attacks another person
- **Ingredient** - one of the substances that are combined to make something
- **Pernicious** - very dangerous or harmful, especially to someone's moral character
- **Tendency** - a strong chance that something will happen in a particular way
- **Foment** - to encourage people to have angry feelings or to protest or fight
- **Conspicuously** - very noticeable or easy to see, especially because of being unusual or different
- **Thrive** - to become very successful, happy, or healthy
- **Anathema** - something that you strongly dislike or strongly disagree with
- **Dispensation** - official permission to do something that people are not normally allowed to do, especially from a religious authority
- **Fear-Mongering** - the act of encouraging fear
- **Indulging** - to allow yourself to have or do something that you enjoy

- **Nurture** - to provide the care and attention necessary for a young child, animal, or plant to grow and develop
- **Disquieting** - making you feel very worried or nervous
- **Endorse** - to express support for someone or something, especially in public
- **Antipathy** - a strong feeling of not liking someone or something
- **Invariably** - always, or almost always
- **Dissenting** - to express strong disagreement, especially with what people in authority think or with what most people think
- **Subserve** - help to further or promote
- **Advancing** - moving forwards or progressing
- **Populist** - representing the interests and opinions of ordinary people
- **Agenda** - all the things that need to be done or that need to be thought about or solved
- **Liabile** - legally responsible for causing damage or injury, so that you have to pay something or be punished
- **Contrarian** - someone who often has the opposite opinion to most other people
- **Activist** - someone who takes part in activities that are intended to achieve political or social change, especially someone who is a member of an organization
- **Clampdown** - a determined attempt by someone in authority to stop people doing something bad or illegal
- **Dissent** - strong disagreement, especially with what people in authority think or with what the majority of people think
- **Trial court** - a court of law where cases are tried in the first place, as opposed to an appeal court
- **Interpretation** - an explanation of the meaning or importance of something
- **Take cognizance of something** - to consider something before you take action or make a decision

☞ " "EVERYONE WANTS HAPPINESS.
NO ONE WANTS PAIN.
BUT
YOU CANT HAVE A RAINBOW
WITHOUT A LITTLE RAIN." "☞