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Elderly priest's arrest stirs unprecedented protests in India

Father Stanilaus Lourduswamy, along with 15 others, allegedly conspired with Maoist rebels to destabilize the federal government in what critics have called 'absurd.'

By Anto Akkara

National Catholic Register (03.11.2020) – <https://bit.ly/2UbhZG8> – Few arrests in Indian history have evoked such widespread protests as that of Jesuit Father

Stanislaus LourduSwamy on Oct. 8. Better known as Father Stan Swamy, this 83-year-old is a renowned crusader for the exploited and impoverished indigenous people of eastern Jharkhand state.

Three weeks after the arrest of Father Stan, under India's terrorism law, outrage and protests continue unabated in parishes and cities across India with nuns, priests and bishops taking to the streets in both metropolitan and remote regions of the country, even as international solidarity for the detained priest grows.

Officers of the National Investigation Agency (NIA) bundled off the octogenarian priest from his residence on the night of Oct. 8, stunning fellow Jesuits at the Jesuit social action center in Ranchi, capital of Jharkhand state. The NIA flew Father Swamy next morning to Mumbai on the west coast.

Father Swamy is the last of the 16 arrested in what is being called the Bhima Koregaon "conspiracy," which has been dubbed "flimsy" and "absurd" by defense lawyers and other critics. These 16 individuals, which include activists, lawyers and writers, are alleged to have conspired with Maoist rebels to destabilize the federal government. The arrests began in July 2018 and all of them have been charged under the "Unlawful Activities (Prevention) Act," which denies bail to the accused.

India's government is already under fire by international observers for their human rights record. Most recently, Michelle Bachelet, U.N. High Commissioner for Human Rights,

appealed to the Indian government to safeguard the rights of human rights defenders and NGO members, and their ability to carry out their work on behalf of the groups they represent.

“I urge the Government to ensure that no one else is detained for exercising their rights to freedom of expression and peaceful assembly – and to do its utmost, in law and policy, to protect India’s robust civil society,” the High Commissioner said in a statement on Oct 20.

Catholic leaders respond

A stinging condemnation of Father Lourduswamy’s arrest came on Oct 26 from Cardinal Charles Bo of Yangon, the president of the Federation of Asian Bishops Conferences (FABC).

“It is with great shock and agony the FABC heard of the arrest of the 83-year-old Jesuit priest and his incarceration and we are surprised at the charges brought against him,” Cardinal Bo said.

“The arrest and cold-hearted incarceration of Father Swamy reminds us of the treatment meted out to Mahatma Gandhi when he stood up for the rights of the Indian people,” the FABC president said in his appeal.

Within hours of Father Lourduswamy’s arrest, the Jesuit Conference of South Asia (JCSA), the largest Jesuit conference in the world with more than 4,000 members, deplored the

action.

Following Father Lourduswamy's arrest, the Social Justice and Ecology Secretariat of the Jesuits worldwide issued a statement on Oct 9: "We...strongly condemn the arrest of Father Stan Swamy, demand immediate release and refrain from arbitrary arrests of innocent law abiding citizens."

In solidarity with the priest, the SJEC ha also launched a petition demanding that the government quash the "false charges and release Jesuit Fr. Stan Swamy."

Bhima-Koregaon conspiracy

A small village in Maharashtra state with Mumbai as its capital, Bhima-Koregaon is associated with a historic battle when on Jan. 1, 1818, dalits (low castes treated as social outcastes) dominated in the British Army that had earlier defeated the army of a local Hindu king.

At the Victory Pillar, installed by the British East India Company in memory of those who had fought for the company in the battle, thousands of dalits come to pay respect every New Year day.

The 200th anniversary in 2018 resulted in a larger than usual gathering that converged at Bhima-Koregaon. During the celebrations, there were clashes between dalit and maratha (another caste) groups, resulting in the death of at least one

person and injuries to several others.

During the investigation of this violence, the Bharatiya Janata Party-led coalition government of Maharashtra claimed to have stumbled on a nation-wide “Urban Naxal conspiracy” by members of the Maoist party, Naxal, against the BJP government, which filed the conspiracy case that was taken over by the NIA in early 2020.

Two days before his arrest, Father Stan elaborated in a video the attempts by the investigators to implicate him in the conspiracy, accusing him of possessing “incriminating documents” to link him to Maoist groups and the Bhima-Koregaon conspiracy. While reiterating that he has “never visited” Bhima-Koregaon, Father Swamy said he had been twice raided and had been subjected to more than 15 hours of interrogations since the conspiracy case was filed in 2018.

A simple question

Earlier in 2018, Father Swamy had summarized his advocacy work for the deprived adivasis (indigenous people) who have been steadily marginalized in Jharkhand by the mining and industrial lobby, in an article in The Wire, India’s leading news portal. In the article, Father Swamy asked, “Does raising questions on the rights of Adivasis make me a ‘Deshdrohi (anti-national)’? when he was linked to the Bhima-Koregaon conspiracy.

In fact, the sedition case against the Jesuit missionary was

filed when Jharkhand was under BJP rule in 2018. Father Swamy had a foretaste of the trouble to come in October 2019 when the Jharkhand police – under BJP rule at the time – raided his residence. The police confiscated his spartan possessions – a wooden chair, table and cabinet on orders of the court, citing the priest's to appear in court regarding a case of social protest.

“The central (federal) government is silencing those who stand up for the rights of adivasis. Father Stan was a voice for the adivasis and their rights. There is a hidden agenda behind this,” declared Chief Minister Soren, addressing the video press conference, organized by the People's Union for Civil Liberties (PUCL) on Oct. 21, which included a dozen eminent speakers from across the country.

Such an unequivocal rebuttal of a sedition charge by a chief minister exposed the political fault-lines behind the arrest of the 16 that includes Father Swamy.

Voices of protest

Leaders of half a dozen opposition parties who addressed the People's Union for Civil Liberties' conference were unanimous in their belief that Father Swamy's arrest was politically motivated, all on a “flimsy charge,” said Mihir Desai, a senior lawyer who is defending those of his colleagues charged with sedition.

In their own statement, the PUCL noted, “Father Stan's

meticulous documentation of the untold suffering experienced by adivasi youth, hundreds of whom were imprisoned for no offence at all, earned the ire of the police and the state which launched a witch hunt against Father Stan and some others in the human rights movement in Jharkhand.”

Sanbor Shullai, BJP legislator of eastern Meghalaya state, surprisingly joined the chorus of protest, writing an Oct. 13 letter to Prime Minister Narendra Modi, demanding the release of the Jesuit.

“The arrest of Father Stan Swamy, who has dedicated his life with a mission to uplift the tribals of Jharkhand, has triggered insecurity among the minority Christian community not only across the state but throughout the country,” said Shullai. He described the arrest as “highly questionable and condemnable.”

Likewise, eminent author and historian Ramachandra Guha promptly decried the arrest of Father Swamy who has spent a “lifetime fighting for the rights of adivasis.”

“That is why the Modi regime seeks to suppress and silence them; because for this regime, the profits of mining companies take precedence over the lives and livelihoods of adivasis,” Mr Guha tweeted.

Bail denied

Despite all the protests and the daily headlines, on Oct. 22, the NIA court denied bail on health grounds to the 83-year old priest suffering from Parkinson's disease.

"We were stunned by Father Stan's arrest. We are a bit relieved that the protest is catching up. But the question is when is he going to be released? That is what worries us," said Auxiliary Bishop Theodore Mascarenhas of Ranchi and CBCI secretary general during 2016-2019, in an Oct. 29 interview with the Register.

With Father Swamy's arrest, Bishop Mascarenhas pointed out that "our constitutional right to speak up for the poor and marginalized is being denied."

"The people here are worried and agitated," added Bishop Mascarenhas, who had joined a public protest in front of the St Mary's Cathedral in Ranchi along with Archbishop Felix Toppo in solidarity with thousands protesting in the streets.

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