

Editorial

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Respecting life and the trust deficit- a call for immediate remedy

Article 21 of the Indian Constitution clearly states that "No person shall be deprived of his life or personal liberty except according to procedure established by law." Also, it is stated in Article 22 that "No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice." India's Apex Court, The Supreme Court clearly states that in matter relating to basic human rights or personal liberty, International laws should be taken into account on top of the articles provided by the Constitution of India. In spite of having all these provisions in the Indian Constitution relating to basic human rights and Liberty, there are reports of unrelenting violations of human rights and torture in Police custody during interrogation and even custodial deaths on a regular basis.

To torture an individual in Police custody during interrogation is an inhuman act and one of the most condemnable acts in human civilization. Such act has no place in a civilized nation. If such type of act occurs, then it can be said that we are regressing as a society. The duties of a police officer, also known as a law enforcement officer, are to focus on protecting people and property. But if these custodians of law happen to act the opposite and start torturing individuals while in custody, who will the common people turn to for protection? Such atrocities by the Police and other law enforcement agencies towards the people is the single biggest reason for the common public for losing confidence in the Law of the Land.

To arrest and book a culprit is a basic duty of the police. But to interrogate a culprit and torture using 3rd degree methods in Police custody is not permitted by the law. If a culprit or suspect is to be interrogated then it should be done in a scientific way. Police should understand the values of human life. In one way, those Police which have wronged and used extrajudicial force should not be spared too. Regardless of ranks and social stature, those who have wronged should be judged and punished as according to the rule of law in full purview of the Public. Those who are representing the state should all work in a way which is acceptable and appreciable by the general people who are looking up to these authorized law enforcers to protect their rights and lives. Victims of Custodial death whose rights have been violated can now appeal to law court for compensation from state and to punish those responsible behind the death and these has now become the law of the land.

A Verdict by Supreme Court clearly mentions that a culprit who is convicted or those undergoing trial has to enjoy all the fundamental rights mentioned in Article 21 of the Indian Constitution and the state has to ensure that the rights are not violated in any way. To strip an individual of all its rights guaranteed by the Indian Constitution after arrest is wrong. A convict lodged in Jail or those undergoing trial should be given his basic Fundamental rights and this has to be ensured by the competent Jail authorities and the Police. If any individual is violated of his/her basic rights while in custody, state should take appropriate action against those responsible. In such case, state cannot escape citing "Sovereign Immunity", clearly states the Supreme Court of India. People living a carefree and happy life is the most important law, as per Supreme Court of India.

In a landmark verdict by the Supreme Court of India in 1997, the apex court rules that any individual who has been arrested or is going to be arrested should be given his Right to Live. The ruling announces 11 points to be followed by the Police and other related authorities. One of the points mentioned that a Police officer should make his identity clear and should wear a badge while making his arrest and a valid arrest memo is to be used duly signed by two individuals, the arrested individual is to have routine health checkup every 48hrs by Doctors appointed by State Health Directorate and a lawyer of the accused should be present during the entire interrogation. The ruling further states that those Police officers violating these points by Supreme Court can result in Departmental action and even Contempt Case can be registered against the authorities in a High Court. Violating this ruling of the Apex Court, an SP in Assam was slapped with 50thousand rupees fine and two years conviction.

There is still a long way to go in making the general public reinvest their trust and confidence in the law enforcers of the land. Until the trust and support of the mass can be won, every other step towards improving law and order in a state or a country will remain a tantalizing dream. It is the onus of the state and central government to do the needful at the earliest.

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ON THE REFERENDUM IN IRAQI KURDISTAN

Courtesy - Beyond the Horizon
By:- Prof. Jose Maria

Since Secessionism in Iraqi Kurdistan under the banner of referendum, in the service of imperialist and Zionist interests Communists agree with the principle of the right of nations to self-determination by means of their own struggle and not by outside interventions. The communists achieved this principle through their struggles against colonialism and imperialism, which violated and are violating national rights. At the same time, the communists do not issue a blank check for the rights of nations to secede in all cases. In each case, a concrete analysis must be carried out in order to determine whether the secession will be in the best interest of the struggle of the working class and in favour of the people against neo-colonialism, imperialism, and Zionism. If not, the question becomes, "Will secession be in the service of world reaction that will strengthen the counter-revolutions in the world?" We agree with the separation of Ireland and Scotland from Britain, for example, because such separation weakens the world counter-revolution and creates a more favourable ground for class struggle in these countries. We disagree with the division of Yugoslavia because it served the world reaction.

In the case of Iraqi Kurdistan: 1) The Autonomous Government of Iraqi Kurdistan has decided to conduct an organized referendum with the official and open support of Israeli Zionism to secede from Iraq and to establish an "independent" Kurdistan in northern Iraq. This runs contrary to the constitution of Iraq, which the Autonomous Government had signed to it. Is a bourgeois and national chauvinist government and a close ally of imperialism and Zionism in the region really independent? In the next step, the Kurdish regions of Turkey, Syria, and Iran should join the "independent" Iraqi Kurdistan to declare a so-called unified and independent state of Kurdistan. This independence is even opposed by the Security Council of the United Nations.

The only country that openly and officially supports this "independence" is the aggressive state of Zionist Israel whose expert agents continue to sabotage and provoke conflict in the region. Also, Saudi Arabia has hidden behind Israel and the U.S. imperialists and has actively moved to build a reliable base for their sinister intentions in the region. Israel has been active in Iraqi Kurdistan for many years. It has deployed military and spy agents to train the Iraqi Kurds and to strengthen their ties with Israeli Kurds who are moving to the area and buying lands in Kurdistan.

After the 1979 Revolution, the Iranian pro-Israeli trends of Mansour Hekmat, with financial and logistical assistance from Israel, entered Iraqi Kurdistan and encouraged the Kurds to make connections with the Israelis. Hekmat's theories are in the service of removing obstacles to "independent Kurdistan". The theories of struggle against Iranians' love for homeland and the support for "patriotism" of national chauvinist Kurds are two examples of such theories; the first was falsely portrayed as chauvinism, and the second as a symbol of internationalism. According to Hekmat's followers, non-Kurdish communists should be "internationalists" and vote for the secession of Kurdistan, but Kurdish communists should be nationalists and, with all powers and under all conditions, support the dismantling of Iran. They contrive stories that the secession of Iraqi Kurdistan will lead to intensification of class struggle and bring the prospect of socialism in Kurdistan closer. What an invalid statement! Did the rise of the state of Israel intensify the class struggle against the Zionist bourgeoisie within Arab-sieged Israel, or conversely, did it lead to the suppression and disarmament of the Jewish communists with their tradition of a

heroic anti-fascist struggle? Will the struggle of the Kurdistan working class against their own bourgeoisie flourish and intensify, or will it be suppressed due to a range of factors such as the following: the geographical situation of Kurdistan, the real or fabricated permanent threat by its neighbours, the use of unilateral and misleading propaganda tools and pretexts (such as "external threat", "Kurdistan security", and "defense of the existence of the Kurdish people"), the brainwashing of the workers and the public by the imperialist propaganda experts in favour of the Kurdish bourgeoisie, and the conversion of Kurdistan to a base of imperialism and Zionism? It is clear that, as an accomplice to the imperialism and Zionism, the bourgeoisie of Iraqi Kurdistan provides a "calm environment" for the establishment of a national, jingoistic government.

2) Iraqi Kurdistan opened the oil resources to Israel in the aftermath of its complicity with imperialism and Zionism in their invasion of Iraq and the overthrow of its UN-recognized government. The U.S. imperialists and Israeli Zionists, through their political/economical-financial assistance, used the Iraqi Kurds to change the political geography of the region and to create a counter-revolutionary base against all revolutionary forces and the people of the region. In addition, the sell out Kurds who collaborated with Bill Clinton, George Bush, Obama, and Netanyahu in the destruction of Iraq, strengthened Daesh (ISIS) through a fabrication of events. They encouraged and assisted Daesh in its move towards Baghdad. These counter-revolutionary Kurds are now President Trump's accomplices in the further destruction of the region.

There are Kurdish organizations that consider themselves as revolutionary and communist, but they do not fight against these pro-imperialist and pro-Zionist moves in the region. Their activities consist of a fight for the "Right to Self Determination" by means of alliance with imperialism and Zionism, the creation of a counter-revolutionary base, and a second Israel in the region with the purpose of suppressing the area's revolutionaries while stabilizing Israel's status in the region.

This counter-revolutionary Kurdistan, in the context of strategic policies of imperialism and Zionism, will not only be the enemy of the people of the region, but must also fight the presence of any revolutionary and labour movement within Kurdistan itself. Mullah Mostafa Barzani, the undisputed Kurdish leader and the father of Massoud Barzani, a graduate of the University of Tel Aviv, repeatedly called for U.S. support for Kurdistan and even expressed the desire to annex Iraq's Kurdistan to the U.S. as its fifty-first state. (See page 57, *International Politics and the Middle East*, Carl Brown.) Has such a request served the interests of the people of the region and of Kurdistan? Mullah Mostafa Barzani congratulated the Israelis on the defeat of the Arabs in the Six-Day War. Barzani fought with the Shah of Iran and the Savak and Mussad operatives against the Arab people and sent the Kurdish revolutionary anti-Shah opponents to the gallows. In October 1998, U.S. imperialism provided aid to the sell out opposition, including two main Kurdish groups, the Democratic Party of Barzani and the Patriotic Union of Talebani and to the Kurdish Islamic Movement, \$97 million military aid and \$2 million propaganda aid, for their assistance in the U.S. occupation and looting of Iraq.

There is no Kurdish organization that has condemned these plots against the people of the region including the Kurds. Now, putting aside the theory, Doesn't the emergence of such a counter-revolutionary centre and

the right hand of Zionism and imperialism in the region objectively harm the revolutionary national and workers' movements of all people of the region and even the Kurds? Doesn't the emergence of such a counter-revolutionary centre objectively harm the revolutionary and democratic unity of the working classes of nations within each country while representing a futile attempt that damages the struggle for socialism for all people of the country? Doesn't the counter-revolutionary decision of secession generate chaos in the region in the interest of imperialism is no right to suppress or plot against other nations. No nation can disassociate its fate from the fate of other nations. No nation can generate an atmosphere of false hope for self-determination by means of alliance with imperialism. Such a nation would become indifferent to the bloody repression of other people by the common enemy: the reactionary rulers of the region. The people of the region have the same destiny as the Palestinian people who are the victims of Zionist aggression.

The people of the region also support Palestinian liberation struggles against the artificially-built state of Israel. Those who defend the oppression, expulsion, murder, and genocide of the Palestinian people, those who expressed happiness and applauded the Zionist victory over the Arabs, cannot be the supporters of democracy, freedom, and rights of nations to self-determination. One should not ignore the fact that in the aftermath of upcoming events of the economic and military siege of "Independent Kurdistan", there will be situations that harm the Kurdish people. Unfortunately, the Kurds in alliance with the region's reactionary forces, as past experiences have shown, will be the first victims of attempts for secession and of regional conflict. 3) In this class struggle that has been waged, apart from a few individuals, the seats of Kurdish communist groups and revolutionary organizations are unfortunately empty. No Kurdish group has come to the scene as a defender of the class interests of the working people, to defend their unity, and to expose and destroy the common and oppressive enemy in each specific country. When non-Kurd communists in Iran or Iraq speak for the elimination of national oppression, in the arena of culture and education in mother tongue or otherwise, they advocate this for all people in Iran, whether Kurd or Azeri. Naturally, the duty of the communists of oppressed minority nations is to promote national unity, to cooperate and ally with other people, to promote the advantage of the existence of a greater country, and to promote the cooperation and alliance of the proletariat of all these nations under the leadership of the party of the working class in Iran or Iraq. The Iranian communists' support for the legitimate demands of minorities should expose the face of the bourgeoisie of nationalities that intend to deceive their own working class and should contribute to the unity of the class struggle. It's ridiculous that a self-declared progressive Kurd calls on non-Kurdish communists to defend their secessionist activities unconditionally. According to them, "Kurdish communists" should call for national secession, and non-Kurd communists should also defend national secession and sacrifice the expediency of class struggle and the interest of workers for the interests of national chauvinists.

This relationship is not naturally dialectical. By this logic, the "Kurdish communists" are looking for non-Kurdish allies who confirm their secessionist movement with a "communist stamp". 4) The rights of nations to self-determination which Lenin puts forward, deals with the rights of nations to establish their own national governments, especially during

the anticolonial struggles that the Socialists of the Second International did not recognize. The Second International claimed that since they were "civilized" and their country was more advanced, it was permissible in terms of the interest of the global developments and the growth of productive forces that African and Asian and other colonies remain in the hands of colonialists. With respect to pure democracy, Lenin never addressed the issue of the rights of nations to self-determination, which he correctly regarded as democratic bourgeois rights. There is no such right to pure democracy. Democracy has always had class content. This should be taken into account with regards to the treatment of the right of people to determine their own destiny. The right of nations should be evaluated and given practical support with consideration for the interests of the communist movement. From Marxism-Leninism's point of view, the issuance of a blank check for each group that is "fighting" in abstract for the "right of nation to self-determination" is in complete contradiction with Marxism. In the Soviet Union, the communists never tolerated the plots by the imperialist "Rada" in Ukraine or "Musavat- (Equality) - a national liberal party" or "Dashnaks" in the Caucasus, and suppressed them with the help of the Red Guard and communists of the regions.

and in the service of a re-division of the world into new areas under imperialist influence? If history and reality have shown that the answers to these questions is negative, and surely they have, then this move should not be supported on the basis of a general principle. No progressive force can conceal itself under the cover of the "right of nations to self-determination" by means of alliance with imperialism and Zionism. National chauvinist Kurds argue that it is no one's business whom they want to accept as their master, that alliance and cooperation with Israel and the United States will be their own decision, and that they alone will determine who their friends and enemies are.

If we accept this pseudo-argument, why should the people and working class of the region "raise a snake in their sleeves", which intends to establish a base against the existence of other countries? Is this not a suicidal move for the people and working classes in the region? Isn't it selfishness and nationalist blindness to call on all revolutionary forces to accept the creation of a colony in which swords are sharpened against the neighbours? Is it permissible to not recognize as democratic and respectable the moves of a force that "voluntarily" and "democratically" accepts complicity with Israel and imperialism? The "rights" that lead to the destruction of the rights of others or threatens the lives of others, are not rights, but are instead acts of conspiratorial violence. Just as there is no right to murder or to aggression, there The interests of socialism and the working class demanded that the bourgeois sections of these governments or forces be suppressed. In Finland, the working class movement was suppressed by the betrayal of the right-wing "socialists" and by the direct intervention of the Germans and by the reactionary bourgeoisie of the Baltic countries. The Finland solution stemmed from the weakness of the Bolsheviks during the First World War and was never repeated. The national chauvinist Kurds who do not have knowledge of the history of this secession are sticking to "Finland Solution" example in vain and citing it with ignorance.

(To be conted.....)