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The political and social climate in this 'diverse' nation has evolved so much in recent times that one could be put behind the bars for the simple acts of sitting or standing. While the 'standing struggle' of the Adivasis from different parts of the state in front of the Kerala Secretariat, which will complete 50 days this week, is construed as mockery by the state, the act of sitting comfortably in your seat while the national anthem is played in the theatre (most often before a mind-numbing masala flick), can get you arrested for sedition. It seems the only option left is to run, to where though is the question.

Salman, a college student from Trivandrum, learned the perils of sitting the hard way. The local police knocked on the doors of his house yesterday night at midnight, handcuffed him and took him away. His crime?

On Monday

evening, he and his friends had gone to the Nila theatre to catch the film 'Njan Steve Lopez'. When the National Anthem was played before the film, he and his friends continued sitting and when it ended, they howled, allegedly in 'contempt'.

Now, a group of 'patriotic' film buffs sitting behind them could not take this disrespect towards their national anthem and they had a heated debate with them, which continued even after the film. One of the patriots personally knew one from the other group and when he went back home, tracked the rest through facebook. In one of their profiles (Salman's), they found a post which was put up on independence day, mocking the show of online patriotism all around him. Patriot whose sentiment was hurt promptly sent a complaint to the police, who picked up the 'anti-national' in no time.

(We are still not sure if Salman actually howled as we are still being told only the complainant's/police version. He is yet to talk to his parents or an advocate. Also, sources tell us that some of the complainants knew him personally and there could be a back story to this complaint. The visual media has meanwhile added things which are not even in the FIR to spice up their reports. One report says that he had an altercation with people who were standing up while the anthem was being played, which is proven false from the CCTV footage).

The cases charged against Salman are- Section 124A (Sedition), which could mean imprisonment for life, Section 66A of the Information Technology Act, one of the most misused act in recent years and Prevention of Insults to National Honour Act, 1971.

There sure is rich irony in that the incident happened during the screening of 'Njan Steve Lopez', which more than hints at the way the state plays with the lives of individuals, sometimes ending them silently in fake encounters. It also is a meditative piece on the 'apathetic' youth of today, among whom Steve Lopez is an anachronism. Probably, the guys who complained got the wrong ideas after watching the film and thought of setting right to some wrongs.

The shocking part of this is that the complainants, all of whom are in the 20-30 age group, are active practitioners in the theatre circuit in the city. Such overt displays of nationalism coming from such a group sends worrying signs for the future of the cultural sphere here.

Speaking to this reporter at the Thampanoor Police Station today, two of the complainants said that they wanted to convey a "message" to those who harbour negative feelings towards the country.

"There is nothing wrong in criticising the Government. But the country is different and such insult needs to stop. After the show got over, we told them that if they want to criticise the country, they should stop using all the things that the country provides, including its currency, public transport and other amenities and then protest. We know the country is not perfect and that there are issues in Kashmir, North East and in other places. But such sentiments are unwarranted," said one of them.

When asked about their political allegiances, they were evasive at best and feigned innocence at the worst.

"We did not want to hurt anyone or to put them in jail," said one.

So, didn't they know that such a complaint will have such a response from the state? Silence.

Now, let us get down to the acts under which he is charged. According to the orders pertaining to the singing of the anthem published in the Ministry of Home Affairs' website,

“Whenever the Anthem is sung or played, the audience shall stand to attention. However, when in the course of a newsreel or documentary the Anthem is played as a part of the film, it is not expected of the audience to stand as standing is bound to interrupt the exhibition of the film and would create disorder and confusion rather than add to the dignity of the Anthem.”

Here, the anthem was played before a film and there was no obligation on Salman's part to stand up.

A Bihar lower court order in 2005, in response a petition filed against Laloo Prasad Yadav and Rabri Devi, for sitting during the national anthem during the Republic Day celebrations, said that **“being seated during a national anthem, however seemingly repugnant, is not a crime against the law.”**

The MHA order also says that- **“As in the case of the flying of the National Flag, it has been left to the good sense of the people not to indulge in indiscriminate singing or playing of the Anthem.”**

In this case, the theatre owners may have to answer for 'indiscriminate playing' of them anthem. This practise of displaying your patriotism in theatres was mandated by law in Maharashtra in 2003. It tells you a lot that one of the earliest adopters of this was Big Cinemas, run by the Reliance group. It is also worth remembering that the CEO of another patriotic business group is currently lodged in Tihar jail for defrauding investors.

The National Anthem is now played in at least five theatres in Trivandrum, three of those Government-run. The length of some of these varies, sometimes crossing the stipulated 52

seconds. A movie-goer cannot be faulted for aching to sit during the Lata Mangeshkar-Asha Bhosle version which stretches to 1 minute 45 seconds.

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In every show, a handful of movie buffs have asserted their right to sit and watch the anthem being played. But the glares and loud insults from those standing, many a time, force those sitting to sometimes stand up. Recently in Bombay, a lady slapped a man with a chappal for daring to sit during the anthem before the film. Some stand up right at the start to avoid such ugly scenes, while a few others arrive a little late for the show. It is time we stuck to our right to sit, without meaning any disrespect.

The one thing which Salman could be faulted is for howling after the anthem got over, but this could also be interpreted as a response to the rank bad animation visual (of a fluttering tricolour) which accompanies the anthem being played in Nila theatre.

The Prevention of Insults to National Honour Act, 1971 says that “Whoever intentionally prevents the singing of the Jana Gana Mana or causes disturbances to any assembly engaged in such singing shall be punished with imprisonment for a term, which may extend to three years, or with fine, or with both.” Salman didn’t either prevent or disturb DURING the singing, as per the reports now, and hence cannot technically be charged.

Given the facts, charging him under Section 124 A (Sedition) is taking matters too far. This single charge could ruin the life of a boy who is still in college. The police were today seen parading him eagerly in front of the television cameras, as they these days do with every accused, who are then shown simultaneously across six Malayalam channels, which are running half-hour long daily crime shows at 10.30 p.m. A debate certainly is in order on such forced nationalism, but then that is too much to ask for currently. The day when you could be arrested for not changing your facebook display picture to national flag on Independence Day is not that far away.

The nationalist brigade meanwhile has unleashed an attack on Salman's facebook page. The comments piling up there are reminiscent of the kind used by 'Sachin fans' against Sharapova a few weeks back, for the crime of not knowing the Indian national icon. The vile language used by them, some of whom claim to be RSS activists,(some have even advocated raping his mother and a majority wants him to be packed off to Pakistan) are worthy of being charged under various sections of the criminal act. But then we all know there is only one-way traffic on this bridge.

PS- It's about time the award winning Marathi film ' Fandry' was screened widely across the country. In a poignant sequence, the young protagonist, who comes from lower caste family which is destined to hunt pigs, stands in attention to the National Anthem from the nearby school, right in the middle of a pig hunt. The tribe for whom patriotism is an excuse to deny all the negatives about their country never got a better slap.

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