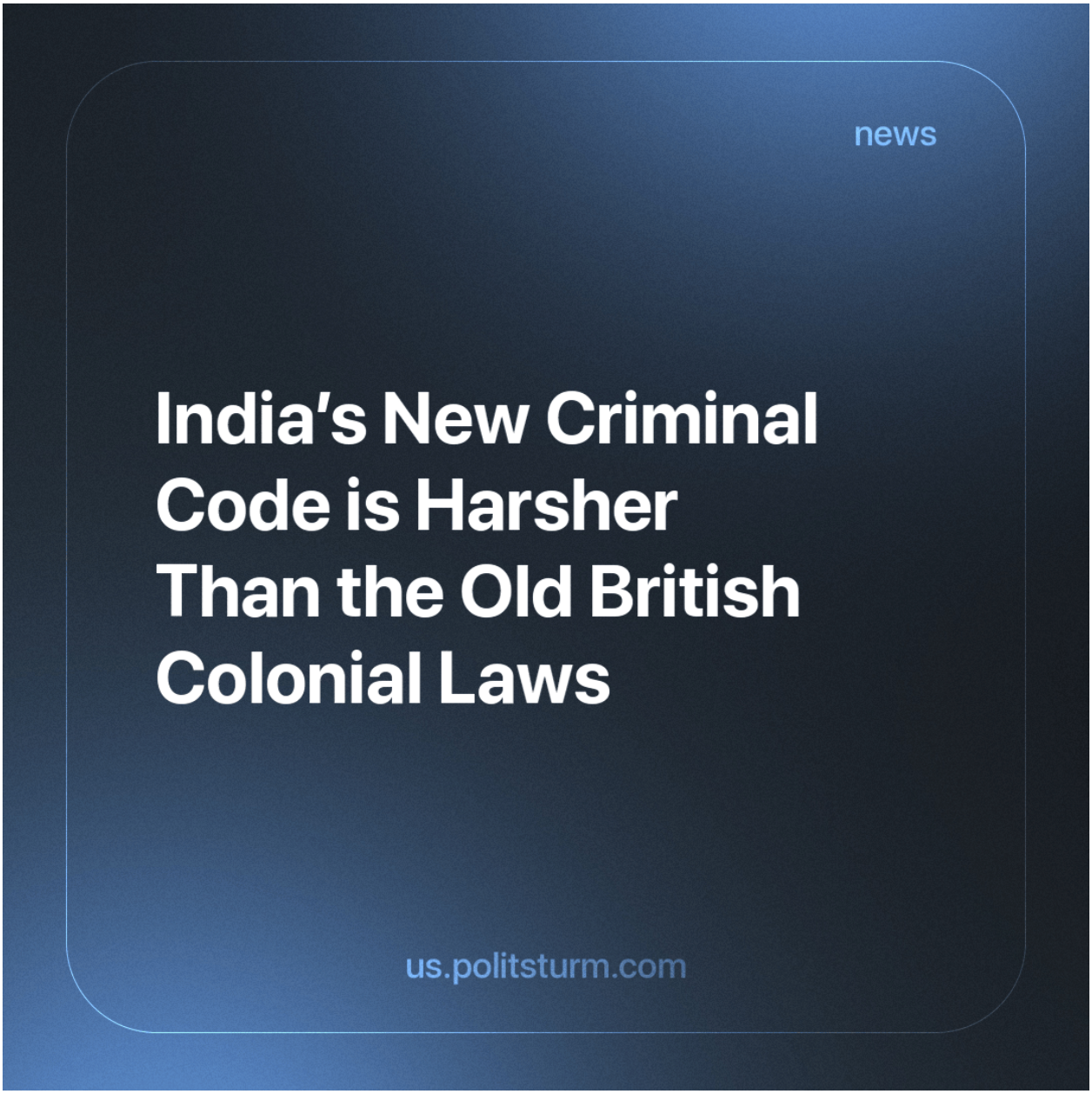
India’s New Criminal Code is Harsher Than the Old British Colonial Laws



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In the 2023’s monsoon session, BJP introduced Bharatiya Sakshya Bill 2023, which will replace the Indian Evidence Act of 1872, adopted during the British colonial rule. This was done in the name of “breaking the shackles of British slavery”. However, this law does nothing but reinforces those shackles upon the working class of India.

The infamous “sedition law” also known as IPC section 124 of old Indian Penal Code was not abolished under this “reform”. On the contrary: even harsher and stricter punishment has been introduced by the BJP, which pales in comparison to what colonial British rule had introduced. Under the new law, for example, a person who tries to “encourage separatist activities” or tries to “threaten the integrity” of the Indian State is now liable to 7 years to life imprisonment which was only 3 years under the old British law. This is particularly of a great concern for workers and the peasants of India, when this government is already infamous for the use of “Sedition Act’ against the dissenters, trade unionists, striking workers and farmers, social activists etc.

That's not the only thing that has changed under this new “criminal reform”. This law extended the power of the police force who could detain any person without any warrant for a period of 90 days. Under the old British law, the police only had power to detain a person for a maximum of 15 days without a warrant, and this was used by the British to quell any dissenters who threatened British rule over India a century ago.

Such examples only show that in the capitalist India workers and peasants of this nation are under even more draconian laws which were meant to curtail the freedoms of the nation during the colonial rule. Of course, it doesn’t mean that the colonial rule was “more progressive”.

These laws only show the increasing fascization process of the Indian capitalist state and how it transfers from being a dependant state to becoming a big power in the modern imperialist world. As Lenin rightly said: “Freedom in capitalist society always remains about the same as it was in ancient Greek republics: Freedom for slave owners”. These laws only confirm what Lenin pointed out 100 years ago. Such laws are meant to protect the rule of the capitalist class over the Indian state and crush any opposition to overthrow such a system. But as time has shown, the locomotive of history cannot be stopped and the workers will achieve the power in the country despite any efforts made by capitalists to stop this from happening.

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