

## Precious and less precious lives: Precious and less precious freedom

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The just concluded Markapur kidnap episode forces one to reflect on the utter lack of any policy or principle in the Government's handling of such incidents. The response depends exclusively on the value put by the rulers on the life/lives of the abducted.

IAS officers (the Gurthedu episode), Legislators (the Koyyuru episode), well-connected civil contractors (eg., Marthanda Rao) and the progeny of VIPs (Sudhir Kumar, who else) merit a positive response. Lesser mortals are left to the mercy of the kidnappers. The only novelty this time round is that their wives and kith and kin have been encouraged to undertake hunger strikes and agitational activity, including attacks upon offices of newspapers, with the active connivance – nay, participation - of the police.

It is foolish on the part of the Home Minister to cite the Supreme Court's observations in the Raj Kumar episode. The Supreme Court would have been much more circumspect if a similar intervention had been sought at the time of the Kathmandu-Kandahar hijack. Or else the very vocal relatives of the passengers of that plane would have told the Court where it got off, and the Court knew that. Further, the State's Home Minister knows perfectly well that he and his government would not have been found searching for excuses if a Superintendent of Police or an MLA or a businessman close to the ruling party had been kidnapped. Supreme Court or no Supreme Court, quick efforts would have been set in motion to defuse the tension and pave the way for release of the abducted.

And in the case of lesser mortals, the option of a counter-kidnap or vengeance is never far from the minds of our rulers. During the last four to five days, a number of persons believed (by the police) to be sympathetic to the People's War have received threatening phone calls, and not merely in the vicinity of the area where the kidnap took place, but even as far off as Warangal. Of course any such action may prove costly for the lives of the abducted, but who cares when lesser mortals are involved ?

The People's War too must have realised by now that such kidnaps are not exactly making it popular. Common human consciousness cannot digest the endangering of the lives of unconnected/innocent/unarmed people, whatever may be the cause. And therefore, if the Government refuses to countenance the demand of the naxalites, there will be little public outrage. The Government knows this, and that is why its attitude is so casual. But whatever may be our criticism of the Peoples War, as citizens of the country

we must ask our Governments to have a transparent and even-handed policy vis-à-vis kidnaps, so the lesser mortals are not sacrificed in the name of the high principle that an administration committed to the Rule of Law cannot bow to unlawful pressures, while the lives of the Marthanda Raos and the Sudhir Kumars are saved by sacrificing all principles to the expediency of protecting that one precious life.

There is another discrimination in the matter which needs equal mention. In the emotional reactions to the kidnap, a rational question raised by the Peoples War has not received due attention. This is that some of the prisoners whose release it sought have spent more than 7 years of actual term in prison, and if they had been any body but naxalites, they would have got the benefit of premature release of convicts ordered periodically by the Governor. The Constitution allows the State and Central Governments (the Governor and the President, strictly speaking) the discretion to release any convict whatsoever at any time whatsoever, which power is used annually by the Governor of A.P., to release convicts who have completed 7 years of actual sentence and ten years of sentence with remissions. G.Os to this effect are issued on certain ceremonial dates, such as 15<sup>th</sup> August, 26<sup>th</sup> January, 1<sup>st</sup> November, 2<sup>nd</sup> October etc. But in the last three to four years, certain categories of convicts are being excluded from this benefit, in the name of the heinous or antisocial nature of the offence they are guilty of. Naxalite prisoners are uniformly excluded, as if the mere fact of it being a naxalite offence makes it heinous/anti-social. It is this discrimination that the People's War has questioned in the Markapur episode.

One moral of the story then is that if lawful powers of discretion are used unfairly, unlawful methods of redress will be resorted to, and then whom do you really blame?