

THE BAN ON THE MAOISTS: WHOM WILL IT HURT?

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The ban on the Maoists in Andhra Pradesh is merely a return of old times. The ban was in force for twelve years, from 1992 to 2004, and is now back after a gap of about 15 months. The only difference is that the party was then called CPI (M-L) (Peoples War) and is now called CPI (Maoist). The other difference is that at that time it was principally confined to Andhra Pradesh and the Godavari river basin areas of Chattisgarh, Vidarbha and Western Orissa. Today, thanks to mergers, its spread cuts a swathe from the Krishna river basin to India's border with Nepal.

The Government has blamed the indiscriminate violence of the Maoists for the ban. Well, they have always been ruthlessly and unhesitatingly violent, though not always indiscriminately so. And whenever they have been indiscriminate in the use of violence, public opinion in the State, which is not altogether as hostile to them as English media reports would have us believe, has forced them to explain and apologise. But what extra power does the ban give the Government to control or deal with their violence that normal criminal law does not? Every conceivable act of violence is banned by the Indian Penal Code, and accessories to violence are handled by the law of Explosives and Firearms. What remains to be banned, if violence is what the Government is worried about?

The A.P. Public Security Act, the law under which the Maoists have been banned, leaves it to the Penal Code to punish acts of violence. For its part, it punishes some thing else. It punishes the giving or soliciting of contributions for the banned association, taking part in their meetings or activities, assisting in the running of their affairs, promoting their meetings, and assisting, abetting or aiding the activities in any manner whatsoever. It is necessary to understand that what is rendered a crime by this Act is not assisting, aiding, promoting their acts of violence. That is a crime by virtue of penal law itself. It is aiding, assisting, promoting activity other than the acts of violence that the ban renders a crime.

What could such activity be? Printing or disseminating their literature, seeking their assistance in resolving some problem you are faced with, not necessarily by violent means, arranging a room for them to hold their organisational meetings, which need not necessarily be meetings to plan acts of violence, providing a sick member of the association shelter to enable him/her to get medical treatment, sending cooked rice and dal to the activists having a meeting on the outskirts of your village, etc.

In other words, in the name of banning the Maoists for their violence, what is banned is their politics, the political sympathy and the social empathy they attract. It will be retorted that their politics is violent and so there is no difference between these entities.

That is the sad mistake Government after Government has made in Andhra Pradesh. They have refused to acknowledge that for the Maoists violence is an instrument and not the whole of their politics. It is true that in recent years they have let the instrument decide many responses that should have been politically decided. Indeed that is a major criticism of the Maoists that their well-wishers have been making for some years now, but nevertheless the distinction remains real. And it is made plain when the Government places a ban on the Revolutionary Writers Association too, an association of writers of a frankly Maoist persuasion, but nothing more than purveyors of the philosophy of Maoism as they understand it. They have been criticised for indulging in militant talk out of turn, but nobody has ever accused them of indulging in acts of violence or abetting them in the sense of penal law.

When I say 'the politics' of the Maoists I am not referring to Marxism-Leninism or Mao's thought but politics in the sense of the social choices they make, the social and economic causes they espouse, and the social classes they support. It is their proximity and partiality to the poorest of the poor and the lowest of the low in these matters that has ensured that they survive through terrible repression, and the equally terrible mistakes made by them. Governments which have insisted on treating their politics as nothing but violence have no explanation why the movement which began in one district thirty five years ago has spread to every corner of the State, in the teeth of the most ruthless policing.

It is the futility of more and more ruthless policing answered by increasingly sophisticated and callous violence by the naxalites, that made many in the State prevail upon the two main political parties, the Congress and the Telugu Desam Party (TDP), to offer a ceasefire and talks to the Maoists. Simultaneously an appeal was made to the Maoists to respond, in the interests of the people. The TDP Government insisted on imposing the precondition that they should lay down arms before there could be any talks. That was obviously futile, for the Maoists are in no mood to surrender and join the Parliamentary stream. The Congress Party, out of power for nine years, listened more sympathetically, and that is how the ban came to be lifted last summer and a cease-fire agreed upon as prelude to a dialogue. The cease-fire survived for six full months, and one round of talks did take place. But the talks broke off, for reasons quite complex, but principally because the decision-makers in the Government unrealistically saw the talks

as prelude to the disarming of the naxalites; and when they found things going differently, they lost interest in the dialogue.

The ban will not in any way affect the Maoist underground, but it can mean considerable harassment to the rural poor and the tribals who constitute their social base. That, indeed, is the unstated object of such bans, for such measures are instruments in the counter-insurgency tactics of cutting off the social base of insurgency to isolate the militants. May be that appears very intelligent as military tactics, but it can be very inhuman in its consequences, more particularly when the victims are going to be the lowest of the low in our society.