

# State vs People

Dipanjan Rai Chaudhuri

The Indian state has gone to war to establish the interests of big capital in the central forests of India and the original inhabitants are fighting back. Writers and talkers who sincerely believe in what they write and talk about are experiencing great anguish at the collapse of the political space in which there is discourse and debate and the development of civil war in the country, a direct confrontation between two armies.

Sumanta Banerjee (*EPW*, March 13-19, 2010) explores the possibility of a third initiative aimed at limiting and resolving the conflict by methods which he calls 'non-violent', though his definitions of 'violence' and 'non-violence' are so extended that it is perhaps better to categorise his methods as 'movements/dialogues short of war.'

Of the three 'actions' he proposes, the first requires the Indian state "to curb the authoritarian and arbitrary powers of its law-enforcing agencies" and to put "an end to the state's disreputable practice of using the law enforcing agencies to suffocate voices of peaceful dissent," and the second "requires collaboration between the state, political parties and social action groups of civil society" to rebuild the old and build up new "democratic structures" and turn the "state's coercive apparatus" "against the powerful nexus consisting of corrupt politicians, unscrupulous business houses and the criminal underworld."

One is puzzled by what he requires the Indian state to do, when his basic understanding of the Indian state is the following : "the state and its institutions (the bureaucracy, the police and even the judiciary) are inclined to take decisions heavily loaded in favour of the powerful forces...When such conflicts take militant forms,...the state intervenes by acts of both commission and omission. In both these acts, the state plays the role of a patron of violence."

## TWO FACES

The apparent inconsistency is resolved if one understands that when the hegemony of the ruling classes is accepted by society, that is, their legitimacy to exercise power is not questioned and their rule is not challenged, the state allows democratic choice and dissent, it allows the bureaucracy to appear impartial, the judiciary independent, the police and military subservient to the rule of law.

The illusion grows that, in essence, this is what the state is like, an instrument above classes and mediating between them.

But the moment the legitimacy of the state to exert power on behalf of the ruling classes is questioned and its rule is challenged the velvet glove is cast off and the iron claws come out. It is useless appealing then to democratic norms or the rule of law. In fact, laws are changed to strip the legal code of protection to dissent, witness the Unlawful Activities (Prevention) Act and the Chhattisgarh Special Public Security Act. This is true not only for a state like India where individual freedom is not so big a deal, but also for that bastion of freedom, the USA, witness the USA Patriot Act.

So long as the US state thought itself beyond the reach of all who were being forcefully pacified under Pax Americana in different corners of the globe, it boasted of a relaxed democracy at home and nailed other countries featuring in the US State Department Human Rights Record files for arrest without charge and torture among other atrocities. September 11 destroyed the US state's sense of immunity and with it its famous commitment to democracy.

The atrocities carried on by the US in the military prison at Guantanamo Bay can no longer be hidden. A US court awarded two and a quarter crores of dollars worth of damages to five victims of atrocities perpetrated by one Charles Taylor Jr and the Anti-Terrorist Unit (ATU) forces he commanded. The order on damages outlines the multiple forms of torture; cruel, inhuman, or degrading punishment or treatment; arbitrary arrest and prolonged detention to which the plaintiffs were subjected and recognizes the past, present and future physical and mental suffering those abuses inflicted. As the order states, "Mr Taylor's horrific and repeated actions, as detailed in the complaint and testified to by the plaintiffs, are a chilling example of man's inhumanity to man, to borrow a phrase from Robert Burns. Such actions, because they were designed to strip the plaintiffs of their humanity and dignity, deserve the strongest judicial condemnation [...]." Barrack Obama had promised to shut down this den of iniquity by January, 2010, but he seems to be quite comfortable with Bush and Cheney's dungeons for torture, just as he is proving to be so with other such of their ideas.

According to the US Human Rights Report (Xinhua, 12.3.2010), prisoner abuse is one of the biggest human rights scandals of the United States.

An investigation by US Justice Department itself showed 2,000 Taliban combatants were suffocated to death by the US army-controlled Afghan armed forces, after their surrender.

The United States maintains 900 bases worldwide, with more than 190,000 military personnel and 115,000 accessory staff.

These bases are causing environmental contamination. Toxic products of bomb explosions are affecting the health of the local children.

According to the report, toward the end of the US presence in Subic and Clark military bases, as many as 3,000 cases of raping the local women had been filed against US servicemen, but all were dismissed.

The Advocacy Director of Amnesty International had to say the following :

"The minute [the] US is comfortable doing it to non-US citizens, water-boarding or other types of torture, or keeping them in detention without trial for a long, long time, it is almost seven, eight years now, and trials also [are] not fair, it will not take long before they apply it to their own citizens."

His grim foreboding has come true. Now, the US state stands accused of human rights violations of its own citizens, at home. The indicter is China. The US State Department Human Rights Record regularly condemns China (latest 11.3.2010), and China, too, now issues a US Human Rights Record. The appendix highlights some points of the Record registering violations of human rights of US citizens.

## **THE WHIPLASH PROPOSAL**

September 11 was a threat to the US state. In the case of India the state, controlled by big capital, the landlords and US business interests feel threatened by the peoples' movements and the Maoists who are unifying these movements. In fact, this answers also the question raised by Sumanta Banerjee (and others), why the Indian state will talk to Muivah of the Nagas, but not with the leaders of the people's movements in the central forests. The Nagas want a small piece of India's eastern periphery, threaten a small secession. But the movements now going on in the central forests have the potentiality of engulfing the whole country, a secession of the whole people from the oppressor state. So, concerned citizens should not have the expectation that the Indian state will enter into any meaningful dialogue with the people of India on any topic ranging from "decentralization of power and equitable reallocation of resources" to the civil war in the forests.

There is now only the third action plan proposed by Sumanta Banerjee, what he calls a Whiplash movement of the masses (on the lines of Gandhi's Non-cooperation, Civil Disobedience and Quit India movements or Jayaprakash Narayan's Sampurna Kranti movement) "to lash the Indian state and whip it to change its policies". This plan has immense possibilities if the movement comprises a self-less national leadership, committed to development as seen from the view-point of the working people and resistance to US and other foreign business interests, and untainted by electoral politicking, and local action all over the country against corruption, rights violation and mal-development, and for local, pro-working people development initiatives a la Shankar Guha Niyogi's *Sangharsh and Nirman*.

The danger is that the fruits of the struggle will be hijacked by some electoral party or another (Congress and Gandhi, Janata Dal, BJP and Jayaprakash) unless there is from the start a debate within the movement regarding people's development and people's power. Finally, it is difficult to share Sumanta Banerjee's hope that "in the ultimate analysis, however, it is the Indian state that will have to take positive steps to put an end to poverty and social injustice." The people will have to do it, acting, not through the present state but in spite of it.  
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### **APPENDIX :**

—US HUMAN RIGHTS RECORD

(From China, with love)

Quotations from Xinhua (12.3.2010) :

#### **1. Spying on citizens**

While advocating "freedom of speech," "freedom of the press" and "Internet freedom," the US government unscrupulously monitors and restricts the citizens' rights to freedom when it comes to its own interests and needs, the report said.

The US citizens' freedom to access and distribute information is under strict supervision, it said.

According to media reports, the US National Security Agency (NSA) started installing specialized eavesdropping equipment around the country to wiretap calls, faxes, and emails and collect domestic communications as early as 2001.

The wiretapping programs was originally targeted at Arab-Americans, but soon grew to include other Americans.

After the September 11 attack, the US government, in the name of anti-terrorism, authorized its intelligence authorities to hack into its citizens' mail communications, and to monitor and erase any information that might threaten the US national interests on the Internet through technical means, the report said.

Statistic showed that from 2002 to 2006, the FBI collected thousands of phones records of US citizens through mails, notes and phone calls.

In September 2009, the country set up an Internet security supervision body, further worrying US citizens that the US government might use Internet security as an excuse to monitor and interfere with personal systems.

The so-called "freedom of the press" of the United States was in fact completely subordinate to its national interests, and was manipulated by the US government, the report said.

At yearend 2009, the US Congress passed a bill which imposed sanctions on several Arab satellite channels for broadcasting contents hostile to the US and instigating violence.

## 2. Abuse of power

The country's police frequently impose violence on the people and abuse of power is common among US law enforcers, the report said,

Over the past two years, the number of New York police officers under review for garnering too many complaints was up 50 percent.

In major US cities, police stop, question and frisk more than a million people each year, a sharply higher number than just a few years ago.

Prisons in the United States are packed with inmates.

The basic rights of prisoners in the United States are not well-protected. Raping cases of inmates by prison staff members are widely reported, the report said.

According to the US Justice Department, reports of sexual misconduct by prison staff members with inmates in the country's 93 federal prison sites doubled over the past eight years.

According to a federal survey of more than 63,000 federal and state inmates, 4.5 percent reported being sexually abused at least once during the previous 12 months.

## 3. Women, children frequent victims of violence

Women are frequent victims of violence and sexual assault in the United States, while children are exposed to violence and living in fear, the report said.

It is reported that the United States has the highest rape rate among countries which report such statistics. It is 13 times higher than that of England and 20 times higher than that of Japan.

Reuters reported that based on in-depth interviews on 40 servicewomen, 10 said they had been raped, five said they were sexually assaulted including attempted rape, and 13 reported sexual harassment.

It is reported that 1,494 children younger than 18 nationwide were murdered in 2008, the *USA Today* reported.

A survey conducted by the US Justice Department on 4,549 kids and adolescents aged 17 and younger between January and May of 2008 showed, more than 60 percent of children surveyed were exposed to violence within the past year, either directly or indirectly.

[Source : [www.sanhati.com](http://www.sanhati.com)]