

# Rights and Wrongs of Armed Resistance

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Civil Liberties/Democratic Rights groups have for long grappled with the problem of their relationship with groups and organizations which subscribe to armed resistance and/or have been proscribed by the authorities. In truth it is a senseless policy to suppress any political ideology, because ideas and issues should not be shackled. It is not acceptable that just because the State has declared some ideas to be abhorrent, and proscribed proponents of such views. People are witness to systematic abuse by authorities of these arbitrary powers for their self-interest or for narrow consideration. Especially because the provision invoked for imposing a ban fall under the genre of “national security” guided legal provisions where parliamentary oversight and judicial redressal in reality get circumscribed. What compounds the problem is when a crackdown ensues even the routine formality of what passes for ‘rule of law’ gets suspended to the exigencies of war where kill or get killed becomes the reigning doctrine.

Thus from fighting legal provisions, accompanied by procedures and rules that enhances the power of police and prosecutor at the expense of the accused, and simultaneously relaxes the exacting standards for collecting, collating and use of evidence, to the next where rules of military engagement take over and general demand becomes asking the warring sides to adhere to international covenants and protocols governing war [protocol III of Geneva Convention which apply for non-international conflicts] a seminal jump in public understanding is compulsorily brought about.

At the time *Operation Steeplechase* was launched by the Eastern Command of Indian army against the Naxalites in 1971 (few months before the war with Pakistan) 45,000 crack troops were deployed. Indian Express (October 14, 2009) quotes Lt General Jacob to claim that there were neither a written order nor record of this operation. At that moment Naxalites did not have much of experience with weapons, armed resistance, or art of war either. Going by what Shivraj Patil told the Lok Sabha on March 1, 2006, Maoists in 60-70s possessed country made guns, axes and swords rather than guns or had squads and PGLA. But there was hardly any notice taken of the war then. It passed unnoticed except for those who became its victims. But one thing remains unchanged. State’s approach remains essentially *unchanged*.

Of course, there are many who believe that Maoists have brought this war upon themselves and in turn this will invite repression on adivasis lured by them. How a force which has “modest capabilities” according to the PM, speaking to the CMs on 6th January 2009, with an approximate total of 8000 weapons, large quantities of explosives and country made weapons can pose a threat to Indian State which possesses fourth largest armed force in the world and which has deployed 75,000 central para military forces trained in jungle warfare colleges backed by, at least 150,000 state armed constabulary, air support and using light to heavy weaponry, is somehow never explained. What is important is that questions of ethics are, however, posed to CL-DR groups;

how can they, under any pretext, justify use of violence to achieve political ends?

For one thing by outlawing a political manifestation State succeeds in criminalising an idea and destroying an organization, especially one which enjoys mass support. In past experience outlawing ideologies and ideological organizations acts as a 'force multiplier' in that these laws accord legitimacy to armed resistance. How? Because if non-violent activism i.e. dissemination of literature, mobilizing and organizing people to politically articulate their demands, hold mass meetings....are outlawed; if Maoists, their sympathizers or anyone who even remotely speaks the language of resistance, can be hunted, arrested, tortured, killed or persecuted, even denied humanitarian assistance then the State forecloses the appeal of what passes for "mainstream politics". By allowing such groups to organize, work, hold mass meetings, as any other organization increases the appeal and persuasive powers of other ways of offering resistance. In other words, appeal of un-armed resistance gets enhanced only when the State begins to cease to wage war against its own people. It is this that forms part of the world view of CL/DR groups and informs their activities.

However, history moves in a different way. Without armed people, organized and therefore properly harnessed violence, there can be no transformation of society. Without the protracted people's war and PLA as well as people's militia it would have been well nigh impossible for Nepal Maoists to compel the political formations to forge a front with them in 2005. In fact they would have never reached the status of strength from which to bargain/negotiate had they remained unarmed. Indeed in Nepal after a long debate the party has agreed that had it not been for their armed cadres they would have faced a bloodbath probably at the scale of Indonesia. Nepal Maoists do not however, believe that they need to renew military operations. What they say is that the fact that they are armed, legitimized through the UN sanctioned agreement, provides them with a strength and their opponents know that they cannot be crushed militarily.

Without this to believe that ruling classes, so well armed, will peacefully submit/surrender may remain a wishful thinking. True, revolutions may have failed after the initial phase of success but there are few instances of revolution which has managed to retain power without arms. Either armies have split to lend support to the rebels or the ruling left combine has managed to neutralize the army of the ruling classes by arming the people or in some other ways. But nowhere has any revolution ever succeeded simply by remaining non-violent.

## **VIOLENCE**

Question of means and ends, of natural aversion of people towards violence, the fact that an armed group/party can end up using its weaponry to impose its will etc have been employed to argue against violence. And yet, it cannot be denied that violence has and will continue to play an emancipatory and empowering role. How else can one describe the fight against imperialism in Indochina or elsewhere? Did not the victory of Japanese against Russia in 1905 enthuse Asian people to challenge European racism? Did not the experience of

Indian soldiers who fought for the British Empire in Sudan, Iraq, China, Crimea bring to realize that they were as good, if not better, than the European soldier colleague of theirs. Did it not persuade many to become radicalized and get inspired by 1917 Russian revolution? Can one deny that the heroism and bravery of Russians led then by Stalin during the second world war, especially the defeat of the German elite forces in Stalingrad mark the beginning of the end of the defeat of German Nazi army? Why should one dismiss this reality? Some argue that they are not against war but use of political violence to achieve political goals? Thus the opposition is not per say against violence, only to organized violence because the very fact of organization is anti-democratic. This is a strange argument and actually diabolical. There is nothing more harmful than so-called spontaneous uprising of the people where mob mentality takes over and killing spree ensues. This causes more harm than good. In France after the war 45,000 "nazi collaborators" were lynched to death. How is this superior to relatively fewer deaths at the hands of say Maoists in last 42 years? It is claimed that presence of a force with weapons intimidates dissent. But when every second person is armed who intimidates whom? Indeed violence demands that it be harnessed and used sparingly which it can only be with training and discipline.

But are not means important? Can one reach the ends people desire by recourse to means which are violent? As Prof Randhir Singh says "it is axiomatic that the means are justified by the end they achieve; there is simply no other way to justify them." Now, if the state and its votaries can justify its monopoly of violence by referring to the use of force to restore law and order say in a situation of rioting, civil strife etc, notwithstanding acceptance that state also engages in use of force/violence to militarily suppress people's movements, then why is it that political activists should fight shy in accepting that use of force in pursuit of freeing people from exploitation and oppression is wrong, even when everybody acknowledges that not every act of theirs furthers people's cause?

Even the most ardent proponents of non-violence concede that violence in certain conditions/circumstances is legitimate and needed. Stopping a riotous mob from lynching those less privileged, raping women, killing children....Death of a tyrant or mass murderer does not melt the heart of the most peaceable person. Which is to say, that people do condone violence. Besides, citizens are trained to accept legitimacy of state using violence, even when it can be demonstrated that in 63 years since 'transfer of power' not a single year has passed when the Indian military has not been used against their own people demanding and raising the most valid concerns. The enumerable crimes committed by the military in the ignoble task of military suppression has not resulted in the 'good' people in India ever demanding that war as a matter of state policy against their own people under any pretext ought to be ruled out. If the PM on July 7, 2009 on the floor of the Lok Sabha could declare that war as an option is ruled out against Pakistan, a country painted in the most vile manner by the media and establishment, then why not rule it out against his own people? If engagement and dialogue is the only way out why not pursue the same approach with the aggrieved people. If constituency for peace exists in India and rapprochement with Pakistan will see it expand then

why cannot the government have the same approach towards its own people? Now if one does not do that and instead prepares for war what are the people supposed to do? Sue for peace? Surrender?

The point is as Prof Randhir Singh points out “(s)ound ethics requires us to always to judge the action by the results, good or bad, and not by its conformity to a rule, regardless of results”. And then goes on to argue that “(t)he principle that it is never right to depart from moral principles, even to achieve some good end, no matter how many people would suffer if the rule were not broken, far from reflecting a superior ethical standpoint, is supremely unethical and is generally regarded as such.” And therefore, draws public attention to the “real issue....over means and ends is not therefore as to whether we may or may not adopt means involving evil to attain a good which outbalances that evil or to avoid a still greater evil, but as to whether the good attained is really worth the cost, or whether there is another route to that good involving less evil”.

This writer begs to differ from Prof Randhir Singh. Violence plays an emancipatory role, when the weaker is able to defend themselves, when they can save people from being trampled upon by ruthless military which invariably in matters of rich and poor sides with the rich and the powerful and the privileged. To pick up guns, to learn to handle guns, to harness it for a purpose which is greater common good, why should one consider such violence per say as “evil”? Which is to say, that people need to consider violence as value neutral. It is how it is used, harnessed, for what purpose is used that becomes more relevant. Thus people have to look closely before concluding one way or another. To assume that just because communal fascists use violence and therefore there is no difference between how they use and anyone else uses it, or that it is one and the same, is grossly erroneous. In fact the big difference is that for the communal fascist a community becomes enemy and taking civilian lives is considered perfectly legitimate. Then they are invariably backed and patronized by the state, Indian State in so far Hindu communal fascists are concerned, which molly coddles them, reduces the nature of their homicidal crimes, treats them with kid gloves, refuses to accept that they are the treacherous force which targets Indian people. This is something Indian security apparatus refuses to accept.

There are some who point to certain action of the Maoists, (beheading, people’s court awarding death, killing of ‘informers’, attack on economic ‘assets’), and from that arrive at the conclusion that these acts carry within them “social impact”, and insist that no achievement lasts if it is brought about violently. There are others who go a step further and argue that whether or not crimes get committed the very fact that they are armed and justify violence suffices to raise questions about strategy and tactics of a movement, its understanding of social reality, and mars the chances of a state and society, where weapons in possession of one party can be used to cow down people in general and dissidents in particular. Both arguments have to be addressed. Furthermore, it is the ‘poorest among the poor’ who are used as foot soldiers and they are the ones who suffer most? Finally, how will an armed movement agree to disarming itself in order to ensure that others are not harmed who too

work among the people, albeit may not agree with the politics of armed movement?

Unless one party seizes power and imposes its diktat over everyone such a situation cannot arise. Because it took place in China or Soviet Union does not mean that this will happen in India in the 21st century with its own political history. In fact it did not happen in Nepal where a protracted people's war pitch-forked CPN(Maoist) to become the leading political force. In contrast to CPN(M) all the other parties have used and see National Army (NA) and police as their force, there to protect them. In India political parties who accept the present status quo know that when they acquire government power they have access to a huge repressive force at their command. And even as opposition parties they are not defenseless. Even in the best of circumstances the forces commanded thus by political parties is many times stronger than that of the left wing rebels.

Besides, the unfolding dynamics of a political development are not predictable or uni-linear. Maoists in Nepal, once they reached strategic equilibrium with Nepal's royal military, decided to replace strategic offensive with democratic closure. In conditions which apply in India, where one party hegemony is difficult to envisage considering the diversity and political plurality with which people have lived for more than six decades to believe that CPI(Maoist) can impose their one party rule is good for fear inflators but for any sober scholar this is well nigh impossible. This way or that without having armed cadres and without recourse to using weapons in some areas where war is imminent, social transformation of Indian State and society is not possible. But this does not mean that in every instance and everywhere there has to be or will be war. Those who work in say Delhi do not feel the need for arming themselves because so far they are able to work un-thwarted. Of course Delhi is a bad example because in some places in India state has had no compunction in assassinating a dissident. Nevertheless, it cannot be denied that the conditions which operate in DK for instance do not operate everywhere, uniformly, across India. But in J&K, NE and now tribal region of central India are different. Conversely, where left and progressive sections dominate and spearhead popular resistance use of weapons may not be necessary. In any case, size and spread of political consciousness in India is vastly different than elsewhere in the world.

It is often argued by some that any organized military force is in itself anti-democratic whereas violence which ensues as a result of mass uprising is alright. Contrarily it should be pointed out that a spontaneous recourse to violence can cause greater harm. In France as mentioned earlier after 2nd war more than 45,000 people were lynched for being "collaborators" of Nazi occupation force. Would people justify this lynching in the name of spontaneous reaction of masses freed from Nazi tyranny? In fact it is in the nature of violence, as with fire, that it must be harnessed or else it can cause greater damage than good. Therefore, what is regarded as anti-democratic i.e. training, hierarchy and discipline, are of utmost necessity. Indeed fascist political formations use the spontaneous mass violence path to gloss over their deliberate targeting of minorities or left and progressive elements. It is when

force is organized that one stands chance for compelling them to ensure that those who violate ethics of war can be brought to justice. This writer's experience is that working to get armed rebels to agree to abide by ethics of war, or be held publicly accountable, is best possible when they are a disciplined and organized force. A rag-tag band is incapable of adhering to this and tends to be less accountable. When armed forces are sent to suppress a people it is part of their brief to terrorise the civilians. They are expected to burn, loot and kill precisely in order to crush an insurgency. Whereas insurgents cannot afford to do that or else they will lose what is their biggest advantage; mass support. Indeed pitting mass spontaneous violence is a patently irresponsible, if not convenient, way to accuse left radical rebels.

Finally, it is intriguing as to how the left radical rebels whose numbers are variously said to be 5600, 8000, 10,000 and even 20,000 pose a threat? While they are better armed than before, they are organized better and receive fairly rigorous arms training, incidents of violence were confined to 400 police station areas out of 14,000. Yet, why is it that possession of 8000-10,000 guns by Maoists and explosives a bigger problem when, according to International Action Network on Small Arms India has more than 40 million private guns. And most of it is with the upper class/caste men. Besides, is possession of weapons more important than who possess them, given the power equation in the society? Or is it that people resent that Maoists refuse to give up armed struggle?

There is violence and violence. Therefore, a distinction must be drawn between spectacular raids such as for looting armouries, freeing prisoners and defending what is called "janta sarkar" as in Bastar and heinous acts such as beheading or custodial killing. But not all crimes attributed to Maoists/Naxalites have been committed by them. In the Nayagarh (Orissa) in 2008 incident the media carried unsubstantiated report of Maoists mutilating the bodies of dead soldiers. And some eminent persons issued a statement without even bothering to verify the facts of the matter. The Khagaria massacre in September 2009 was attributed to them although it later turned out to be a caste conflict over 40 bighas of land. Thus, Jehanabad jail break, for example, was criticized by 'good' people of India for inviting possible retaliation by landlord armies in Bihar upon the poor. This did not happen. But it exposed the administration as being capable of stopping landlord armies if it so wishes. This enhanced rather than eroded the sense of security of landless dalit agricultural labour.

This is not to say that Maoists have been upright in all circumstances, and above criticism or fault. The recurring mistakes committed by the armed cadres and targeting of passenger train etc do raise question about the so-called 'people's war' when they have yet to curb such attacks on civilians. However, their critics should know that Maoists have been rather forthright in accepting criticism as well as engaging in debate. In fact no other Naxal group has ever engaged in debate with so many groups and individuals over the past 40 years as the Maoists and their forerunner PU and PWG. The question is all that is fine but what about killing of 'informers' and the role of the so-called 'people's court', which is cited against them? As a DR activist this writer damns mad at

them for engaging in custodial killing. But four years of efforts has at least brought them to accept that the party will consider the issues raised as well as take a position on compliance with Geneva protocol III. And rights activists must remain engaged with them, precisely because they form an integral and leading part of resistance against neo-liberal policies which continue to rule the roost.

Under such circumstances to essentialize the issue of Maoist violence is the way in which class society dehumanizes struggles and movements. There are, besides, as many instances of movements degenerating because they use violence as there are of those, which use non-violent methods. But the bottomline is that reproduction of social inequality is unacceptable. Those who believe in step-by-step process, and others in leap or qualitative jump, from one stage to another, must accept that there will remain a divide and both must respect each other. Those who decry armed struggle claim that popular movements can make existing institutions responsive to people's needs. The point is that these movements get crushed, co-opted and contained before they ever reach a stage where they can challenge authority. These efforts have not come to standstill because of Maoist rebellion, but, actually gained some space and used their presence to espouse their politics, which would probably have been ignored otherwise.

Here is a quote from a very senior IPS officer and believer in crushing Maoist movement RK Raghavan : "to say that ... (the tribal person) would have remained mute and soft forever is being somewhat naïve, especially at a time when the divide between... (them) and the rest of the lot is becoming more and more galling. The average tribal person believes he/she has nothing to lose in life, and the only way he/she could make himself/herself heard is by fighting an unjust social order".

The rout of NDA government in 2004 was directly related to its pursuit and promotion of predatory global capitalism. The experience of the 'silenced majority' under UPA rule I and II has been of big words and small deeds. The biggest deal for "aam aadmi" was NREG. But was it not the fear of Maoists, which ensured passage of 'national rural employment guarantee scheme' and the formulation of the forest bill? Why NREGA but the recent decision of the Jharkhand administration to withdraw cases filed against at least one lakh adivasis to wean them away from Maoists not something where credit goes to Maoists? Maoists have their use too for reformers who leverage them for pushing reforms.

Consider, for instance, what the Home Minister told the Lok Sabha on last 7 July, that "(n)axalism is no longer a disjointed or uncoordinated actions by groups in states. Today naxalism is directed by CPI(Maoist) which is now a very structured organization. It even has a Central Military Command." In other words they are now a strong organized military force capable of launching multiple simultaneous attacks, in which several groups of 200-500 armed cadres, travel long distances, escaping a network of surveillance/intelligence/informers. Equally important to note that without

people identifying themselves with the Maoists, voluntarily and not out of fear, this fairly large social support base cannot be sustained.

To vanquish such a force is of course not impossible. Indian state possesses immense arsenal and laws to suppress rebels. But, it is not improbable that the Indian State may find for once its resilience tested. So, it is unlikely that the war will end by 2012, as the UPA government believes. But now even the Union home minister has begun hedging his bets by saying that it will be a “long drawn” out war. One reason is because unlike what intellectual detractors of Maoists have to say, when the State cracks down on Maoists they will not be cracking down on some alien armed cadres, but will be taking on the people because there is no difference between people and Maoists. Moreover, it is in the nature of sub conventional warfare, an euphemism for counter-insurgency, that first task is to wean away the people from the rebels. On all sides of the jungle exit and entry is now controlled by armed forces. Medicines, food stuffs, pencil (lead is dual use) and notebooks are not allowed into areas held by Maoists. It is yet to hear the mealy mouthed pacifists ever open their mouth to condemn the government. Recent experience of the team which visited Nendra in south Dantewada district of Bastar is noteworthy because after the SP Dantewada threatened the team members; anyone seen in the jungle will be shot dead it was left to Union home secretary GK Pillai to order that they be allowed. Those who do not have access to the home secretary stand little chance of getting in or getting out. Strangely enough, some even deny that there is a war being launched against the Maoists!

Now Indian State propagates that Naxalites are irredeemably bent upon waging a war against the Indian State and are anti-development. Thus short of suppressing them there is no other option. Of course Maoists want to seize power. And certainly those who take up arms cannot escape opprobrium for violations of principles, in what they themselves regard as ‘people’s war’. But the more important question is what brought this about? It did not happen overnight but over forty three years? In this period several groups gave up this path to pursue non-violent parliamentary or extra parliamentary struggle. Their experience hardly inspires confidence that the Indian state has become amenable to people’s concerns now that some of these left wing rebels gave up arms. In this sense, appeal if not prospect of non-violence has been undermined, by the state itself. What is so remarkable about this? How does it make non-violent political transformation attractive? If struggle for power requires positioning for strength why should Maoists try what is not possible (peaceful way), and not do what is necessary (offer armed resistance)?

Or else what are the Maoists supposed to do, say in Bastar? Surrender to enable corporation a free run of forest, land and waters of adivasis? Will this provide tribals a better deal? Has the condition of people improved since Maoists retreated from north Telengana? Will the three districts of Purulia, Bankura and West Mednipur in West Bengal usher in prosperity were the Maoists to pullout from there? Will the UP government bother about the 30 year long struggle of dalit ‘patta’ holders to get possession of land when they woke up to their plight only when Maoists began to organize them? Will the NDA government in Bihar, engaged in distributing arms, begin to distribute

land were Maoists not around? Will the UPA II give up its corporate led "development" program? Will they return the land grabbed through coercion and fraud? Reverse privatization of rivers in Chattisgarh? Will they allow adivasis to return to their village from where they have been displaced? Let critics of Maoists ponder over these issues first. □□□