# RESTRICTING THE CHAIN OF VIOLENCE

Written by **Dewansh Vashishth** 

2nd year BA LLB, School of Law, Christ University, Bangalore

(This manuscript is published in **South Asian Law Review Journal**)

### **ABSTRACT-**

In the article, the author describes the origination of the naxalites and the ideology followed by these groups. The difference between the terms naxals and Maoists are also explained and how the ideology of these two groups are similar yet different. The article also highlights the causes due to which naxalism expanded within the country and various means to curb the problem of naxalism. The author also talks about the formation of Salva Judum and the consequences of it and provides a conclusion which the author thinks best fits in the situation.

<u>Keywords</u>- Naxalite, Maoism, Red Corridor, Salva Judum, Koya Commandos.

<u>Research area-</u> smaller groups take up arms to defend themselves from powerful groups, which however, lead to violation of several human rights and affecting the social and political framework of government.

# **INTRODUCTION**

Naxal is a derived from the word Naxalbari, which is a village in West Bengal. Charu Majumdar and Kanu Sanyal led a leftist group of Communist Party of India (CPI) to establish a revolutionary rule in the country. It was basically a movement of labors and peasants. The rebellion originated in 1969 as a left-wing revolutionary peasant uprising, backed by the Communist Party of India (Marxist and Leninist) (CPI-ML) group, in the Naxalbari area in the district of Darjeeling, in the northern-part of West Bengal. Initially, the movement originated as a mass movement, but gradually the naxalites organized themselves into small groups under the leadership of Kanu Sanyal and Charu Majumdar. They developed new strategies and learned Guerilla warfare. The local peasants and the dwellers were trained for armed revolts against the landowners and other rich and affluent. Initially, the naxalite groups were active on certain areas of West Bengal, Kerala and Andhra Pradesh. However, they also expanded their area of operation to Bihar and Madhya Pradesh. The regions which were occupied by these naxalites came to be known as the Red Corridor. This region experiences maximum number of

http://www.yourarticlelibrary.com/india-2/naxalite-movement-in-india/47746/

Maoist- Naxalite insurgencies. These areas have the highest number of illiteracy rates, poverty and overpopulation in India.

### **DIFFERENCE BETWEEN MAOIST AND NAXALITE**

Both the Maoists and Naxalites are considered to be underground outfit which fight against law and authority by means of violence. Naxalites and Maoists are similar in many aspects; however, there lies differences among the two terminologies. The two terms must not be used interchangeably as both they have different ideological origin. The Maoists were originated in China and derived their communist theory from the teaching of Mao Zedong, a Chinese political leader, while the Naxalites were a fighting group that had its roots in a district named Naxalbari in West Bengal. The Maoists believed on the ideology that- "Power flows from a barrel of gun". The Maoists fight for the rights and demand for an equal share in the development for the tribal people while the Naxalites fight for the rights and demand for an equal share in the development for the poor people. Maoists operate in tribal areas and their area of operation is usually places which are rich in minerals. The Naxalites operates in areas where the poor people are exploited by the misuse of power of the landlords. Naxalites believe in the ideology of Maoists but implement this ideology by means of violence.

#### **IDEOLOGY OF NAXALS**

The naxalites are considered as far left radical communists that tend to support the ideology of that of the Maoists, that is, Maoism. This doctrine of the Mao Zedong was practiced in China. The central idea of this ideology was to give importance and lay stress towards the development of peasants, small scale industries and agricultural civilization. And in order to achieve this, there must be permanent revolution.

#### **CAUSES FOR SPREAD OF NAXALISM**

<u>Culture</u>- the culture of tribal are very different from what we follow, that is, they are more connected to nature and other natural resources. They have their own lifestyle which is entirely different from the people living in urban areas. People among these regions view foreigners or outsiders as a threat to their culture and lifestyle.

<u>Forest policy and mismanagement</u>- there occurs various conflicts which arise due to failure in implementation of 5<sup>th</sup> and 9<sup>th</sup> schedules of the Constitution of India.

<u>Land Reforms and absence of industrialization</u>- the government tends to take away the land of the people in the name of urbanization, leaving these people homeless. The agricultural production and rural economy was damaged. This acquisition of land and homes of the people

and tribes by the affluent class people influences the poor people to take up arms and follow the violence route. Due to absence of proper industrialization, there prevails unemployment among the rural people that leads to dissatisfaction with the government.

<u>Non implementation of tribal policies</u>- even after the independence of India, the alienation of the tribal was not stopped and they were subjected to displacement due to large projects. Moreover, there were issues regarding the food security, sanitation and other means of livelihood.

<u>Middle class youth</u>- The educated youths have been the largest supporters of the Naxalist movement as maximum of the youths involved in the movement are medical and engineering graduates.<sup>2</sup>

Economic cause- there is failure by the government on implementing various incentives to the people in exchange of their lands. This leaves the people with no means of survival and earning livelihood.

Governance- the rural and poor people are deprived of their socio- economical rights. Most of these people remain uneducated, due to which there is no awareness among these masses.

### **SOLUTION TO CURB NAXALISM**

The issue of the naxalites calls for three basic solutions- social and economic development, military force and multi-lateral dialogues. The national expenditure should be focused more on the development of the poorer regions by way of development in healthcare facilities, social welfare, education and many other aspects. Following are the detailed solutions to curtail the problem of Naxalism in India-

<u>Steps for Welfare of tribal</u>- rural and poor people suffer with rebellious instincts and unrest as they are being subjected inequalities, illiteracy, lack of opportunities, etc. the Naxalites also influence the other tribal groups, dalits, etc to take arms and join them for their self interests. It becomes very important for the government to stop these downtrodden sections of society to fall into the naxal traps.

<u>Rehabilitation and resettlement-</u> It was easy for the government to set up mining grounds, irrigation areas, industries, etc., in the area without any provision for the resettlement of the displaced people which has only added to the woes of the poor, who are left with no alternative but boycott the pain inflicting government and its policies and support the Naxals.<sup>3</sup>

Access to basic resources- the major cause for unrest among the people is due to the exploitation of their lands and forests and disruption of their cultural heritage. Moreover, they

\_

<sup>&</sup>lt;sup>2</sup> http://www.jagranjosh.com/general-knowledge/naxalism-and-its-causes-1400242166-1

<sup>&</sup>lt;sup>3</sup> http://topyaps.com/top-10-ways-to-finish-naxalism-in-india

are deprived of the basic amenities like healthcare, sanitation, education, food security, etc. this further gives the people a reason to support Naxalism.

<u>Remove Disparity</u>- there is a growing economic disparity among the people in India. The poor keeps on getting poorer and the rich keeps on getting richer. This disparity in one of the greatest problem we are facing today and many experts believe it to be the reason for rise of Naxalism.

<u>Prevailing Unemployment</u>- many of the rural people join the Naxalite groups due to insecure livelihood and unemployment. It becomes the duty of state to provide proper opportunity to all its citizens and also increase the wages to improve the standard of living of the people.

<u>Good Governance</u>- according to Manmohan Singh, Naxalism is the most serious threat to the internal security that India faces today.<sup>4</sup> The presence of Naxalites in the country reveal may loopholes in the law and order of the country. In order to finish naxalism, the country requires a good central government with a proper plan of action to curtail naxalism within the country.

Though all these steps were being taken, the problem of naxalism cannot be encountered. They were more in paper than in reality. The common people still faced violence by these naxals. In order to protect themselves, the people organized into a group known as Salwa Judum.

### **SALWA JUDUM**

The term 'Salwa Judum' means a peace march or purification hunts.<sup>5</sup> It was considered to be a spontaneous reaction or revolt which arose against the Naxalites due to years of atrocities and harassment suffered by the tribes or rural people. The Salva Judum was constituted in 2005 in the district of Dantevada in Chhattisgarh. The term Salva Judum was coined by Mahendra Karma, one of the ministers under Ajit Jogi's government and head of the movement Salva Judum. However the concept of this anti naxalite militia was given by Madhukar Rao, who was an old school teacher. The movement consisted of Special Police Officers (SPOs) and many adivasis who were against the Naxals and their ideologies. Many of the people in Salwa Judum were adivasis who were struck by naxal violence. These members were promised by the government to be given salaries employment, arms, military training, and assurance of permanent jobs. However, after the emergence, there were many conflicts which took place between the naxals and these forces where many innocent people were injured and were shot dead. In the Dharbha Ghat Massacre, congress leader Mahendra Karma was killed in a blast with many other congress leaders and common people. This incident took place while he was campaigning for elections in 2013. The naxalites took the responsibility of this attack and called it revenge against the atrocities committed by Salwa Judum. Karma was shot fired with 78 bullets. There were many more conflicts that happened between the naxalites and members of Salwa Judum. The target of Salwa Judum was to curtail the problem of naxalism, however, the

\_

<sup>&</sup>lt;sup>4</sup> http://m.indiatoday.in/story/Naxalism+greatest+threat+to+internal+security+PM+/1/82763.html

<sup>&</sup>lt;sup>5</sup> https://sites.google.com/site/myperspectiveindia/home/salwa\_judum

same thing started happening with the Salwa Judum, which happened to the naxals. The idea of Salwa Judum, which was brought as a peace revolt against the naxals gradually, became a violent movement that started inflicting violence on the innocent people and started exploiting their lands and homes.

The members of Salwa Judum recruited children below 15 years of age as SPOs which was a severe violation of Human Rights. People were forced to join the Red Mission. The people who refused to join the mission of refused to attend the meetings faced repeated attacks. Even though, many atrocities were committed by the Salwa Judum, their crimes were not considered by law. People demanded to stop militarization of society and use people as a shield for anti naxal operation. People also demanded judicial enquiries for the atrocities committed by the Salwa Judum.

The adivasis were the victim of the conflicts among the naxalites and the Salwa Judum. In 2011, the Supreme Court of India stated that it is the duty of the state to cease Salwa Judum for safety of the common people. The Supreme Court found that Salva Judum is deploying its members as Special Police Officers, in the name of Koya commandos to fight against the Maoist insurgency, and declared it as illegal and unconstitutional, and ordered their immediate disarming. This judgment was given by Justice B. Sudershan Reddy and S. S. Nijjar. The writ was filed by Prof. Nandini Sundar, who was an anthropologist.

Moreover, state cannot give arms and ammunition to people in order to kill other people. According to the survey taken by the Forum for Fact-finding Documentation and Advocacy, it was found that around 12,000 children were made members to Salva Judum in order to fight the Maoists. The reason for the formation of Salwa Judum did not remain the same and harms were inflicted to the common people. The issue arose when the state conferred too much power to the members of Salwa Judum. As the saying goes- "too much power conferred is injurious to a healthy society". This situation was a reflection of the same quote. The issue arises when the chain of violence is repeated. Initially, it was the naxalites which were against the government and in order to restrict the government from destroying their cultural heritage took up arms to fight them. Then due to power, the naxals started exploiting innocent people. Now these people, in order to protect themselves from naxalites joined hands and took up arms against them. However, they grew powerful and misused their power over the innocent people.

In 2014 it was reported that the children living in villages were being forced to join naxalite forces and follow the ideology of the naxals. The Maoists abduct villagers, either boy or girl and force them to take up arms, to accomplish their motives. The attack of the Maoists has increased gradually within the past years after the ban on Salwa Judum. On 24<sup>th</sup> April 27, 2017, a group of naxalites have attacked on the paramilitary troops in the Bastar District in Chhattisgarh. In the attack, the naxalites killed over 25 paramilitary personnel. Uproar was created to end the Maoiwadi movement for once and for all. The government claims to combat

\_

<sup>&</sup>lt;sup>6</sup> https://sites.google.com/site/myperspectiveindia/home/salwa\_judum

<sup>&</sup>lt;sup>7</sup> https://www.revolvy.com/main/index.php?s=Salwa%20Judum

the naxalites, however there are no proper strategies implemented by the government to tackle the issue. When there are any case of insurgencies and attacks by the Maoists, the government criticizes and does nothing else. People have started to believe that the government cannot be trusted for protection of their rights and lives, and in order to be safe they collectively need to fight the naxalites. Mahindra Karma's son, Chavindra Karma declared that although there is no movement to tackle the Maoists, but in the future it can be created. According to Chavindra Karma there can be creation of Salva Judum 2.0 also referred as Vikas Sangharsh Samiti. He also added that, Naxalism cannot be fought only thorugh political means but it also requires the support of the local bodies and villages in order to remove it from its grass root. However, this creation of Salva Judum would again create chaos and trouble for the innocent people if not run and supervised properly, and used to generate its own selfish interests.

#### **CONCLUSION**

The formation of the smaller groups, in order to protect themselves from the atrocities committed by the naxalites is reasonable till the extent that there is no violence within the country. However, when these groups start misusing their power to violate the rights of the innocent people, it becomes unjustified to give legal backing to such organizations or associations.

Naxalism has become the biggest internal threat which India faces. There are many policies which are being made by the government but are not implemented practically. It must be made sure that these policies are properly being implemented and are not merely words on paper. There must be establishments of institutions or organizations that look into the implementation of these policies. Even though, there is a need to formulate any organization, like Salva Judum, to gain local support, the organization should be monitored by the government. There shall not be any acts that are unconstitutional, for example- providing guns and ammunition to the local people or to people who are not authorized by the Government. The anti- Maoist organization must be ad-hoc in nature and not permanent. The members of such organization must be selected by the government but however, the government cannot have the superior control of the functioning of the organization.

#### **REFERENCES-**

#### **Books**

Prakash Singh, The Naxalite Movement in India.

Sumanta Banerjee, In the Wake of Naxalbari: A History of the Naxalite Movement in India.

## **Websites**

http://www.thehindu.com

http://defenceaviationpost.com

http://topyaps.com

https://www.revolvy.com/main/index.php?s=Salwa%20Judum

http://www.oxfordscholarship.com

http://www.sociocosmo.com

http://www.dnaindia.com

http://www.britannica.com

http://www.encyclopedia.com

http://www.tehelka.com

http://www.yourarticlelibrary.com