

# India: opportunity for peaceful resolution of Naxalite conflict

The Congress Party Has a Chance to Redeem Itself in Chhattisgarh

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**Where the Congress has the chance to be really transformative is in how it addresses the Naxalite conflict. This is Rahul Gandhi's litmus test to show if he and his party care about India's adivasis.**

After 15 years of repression, misrule and loot of Chhattisgarh's natural resources, the defeat of Raman Singh's BJP government offers a historic opportunity for the state. In voting so decisively for the Congress, the people have not just unseated an incumbent, but signalled the kind of change they want.

Some of these aspirations are presaged in the Congress's manifesto, prepared, we are told, [after extensive consultations with different sections of society](#). Apart from the farm loan waiver, increased minimum support prices and unemployment allowance, an emphasis on quality healthcare and education seem to be priorities for people, and the Congress would be wise to treat these as its priorities too.

But where the Congress has the chance to be really transformative is in how it addresses the Naxalite conflict. This is Rahul Gandhi's litmus test to show if he and his party care about India's adivasis.

If the Congress initiates talks with the Maoists, as they say in point 22 of their manifesto, they will have the full support of the people of Bastar. Far from "[teaching Congress a lesson for supporting urban Maoists](#)", as Modi repeatedly said on the campaign trail, the people of the region have given the Congress 11 out of 12 seats. There are indications in this win – for instance, the fact that they allowed Congress candidates to campaign in interior villages – that the Maoists too are ready for some kind of talks. They would be colossally foolish to give up an opportunity for a negotiated peace.

But equally important, a foundation must be built for such talks to succeed, and this can only be built on the basis of justice. 'Development' is no substitute for justice; both are rights but in different spheres and cannot be traded off against each other.

It is perhaps divine providence that the [Delhi high court judgment on Sajjan Kumar](#) came on the same day as the swearing in of the new Congress governments. Even though the party failed the test of justice in Madhya Pradesh by appointing Kamal Nath as chief minister, it has a chance in Chhattisgarh to redress its own historic wrongs.

Mahendra Karma, the Congress leader who was the local face of the BJP-backed Salwa Judum movement is no longer around to haunt the Congress. But the legacy of entire villages burnt, rape survivors, and children whose parents were brutally killed under the banner of Salwa Judum will continue to dog the footsteps of both the Congress and the BJP.

In a country where violence piles up on violence and every part of the country is torn and bleeding due to its own history of pogroms and massacres, it is easy to forget. Let me therefore quote from just one fact-finding report of December 2007, by Shanta Sinha, then the chairperson of the National Commission for the Protection of Child Rights, J.M. Lyngdoh (former CEC) and Venkat Reddy:

The public hearing was held in Charla and was attended by more than 200 IDP: men, women and children. The team heard the testimonies of over 35 people. Every testimony included a narrative of extreme violence committed against them, their families and property, by the Naxalites, Salwa Judum and the security forces. Many people shared accounts of family members being killed and women raped by the Salwa Judum. Having faced repeated acts of violence, harassment, arson and pillage the only option for these people was to run away from their villages and seek refuge in another state....Leaving behind their land and livestock they have arrived in Andhra Pradesh in a state of penury and distress.

The current deputy speaker of the Rajya Sabha, Harivansh, then editor of *Prabhat Khabar*, was a member of another fact-finding report on Bastar, *War in the Heart of India*, by the Independent Citizens Initiative, which found armed minor SPOs on the prowl, people forced into camps and complete lawlessness.

There has been no shortage of ground reports, media accounts and testimonies submitted to courts at all levels as well as institutions like the NHRC in the past 13 years which indicate human rights violations on a large scale, including mass gang rapes and the killing of unarmed civilian children. Unlike Delhi 1984 and Gujarat 2002, however, these atrocities have lasted for years over a vast area. As recently as September 2018, on a visit to Konta, I found the security forces were still raiding villages, destroying goods and killing individuals randomly on suspicion of being Maoists. Unlike 1984 and 2002, the violence has also not been one-sided: the only political strategy the Maoists appear to know is 'counter violence', whether against security forces or suspected (civilian) informers.

It is not as if the courts have not responded to these pleas - in its 2011 judgment the Supreme Court, apart from directing that SPOs be disbanded and disarmed, also directed the prosecution of all those guilty of human rights violations and compensation to all those affected. The tragedy, however, is that the government of Chhattisgarh wilfully flouted all these directions. A case for contempt has been pending in the Supreme Court since 2012.

In its manifesto, the Congress has promised to raise the prices of forest produce, to implement the Forest Rights Act 2006 and the Land Acquisition and Rehabilitation Act (LARR) 2013. All of these are extremely important, and can make a difference to people outside the zone of immediate conflict as well as to lives ravaged by violence and illegal mining.

The Congress has also promised to give each 'Naxal affected panchayat' Rs 1 crore. However, money to panchayats will not solve the problem - the brute reality is that in the worst "Maoist affected Panchayats", it is the Maoists and not the government who decide whether panchayat funds can be spent.

The Maoist complaint is that the money is spent on paper only, through collusion between district officials and sarpanches who live in Salwa Judum camps. They also argue that the excessive inflow of funds corrupts people, and have implemented a model of self-reliance in their areas, where people work on each other's fields and build ponds collectively.

“The people”, however, want panchayat funds so that they can develop their own villages instead of migrating as coolie labour to Andhra, but in these regions also trust the Maoists more than the government to protect their land and their lives. Villagers want schools and they want health facilities. The government has been saying that teachers can’t go back to the villages without security, but the people don’t see these as connected – for them it is security camps, which are the greatest source of insecurity.

The only basis on which this complicated narrative can be slowly changed is if the government makes justice its first priority. Fortunately, there are many examples around the world where such long running counter-insurgencies have been addressed – like Peru’s Truth and Reconciliation Commission, or Guatemala’s Commission for Historical Clarification. Closer home, we have already submitted a Rehabilitation Plan to the Supreme Court, which outlines certain procedures. These include a survey of all conflict affected villages in Bastar to map the loss of lives and property; announcement of compensation; fast-track courts to release all those falsely accused in Naxalite cases; and restoration of essential services like schools, anganwadis, public distribution system etc.

For over a decade we have been pleading for an independent monitoring committee or at least a joint committee to oversee this rehabilitative exercise, in which all sides can work together instead of being adversarial.

Unlike its predecessor regime which believed that the way to fight legal battles where the evidence is clearly against you is to imprison your opponents on scurrilously false charges, the new government has a chance to act honourably. It should throw open the state to journalists, researchers, lawyers and activists – who have in the past been threatened, forced out, and vilified, and withdraw all false cases against them. Bastar can no longer be the fiefdom of megalomaniac police officers who threaten to stone human rights activists or run over them in SUVs. To be sure, prosecution of those responsible for human rights violations will be difficult with MLAs like Salwa Judum leader Vikram Mandavi of Bijapur, but not insurmountable.

The Jeeram Ghati incident in which much of the Congress leadership was killed, and in which some Congress quarters suspect BJP complicity, should indeed be investigated. But the government must move beyond justice for the Congress to justice for the people it represents. There is so much work to be done – and so many exciting new beginnings that are possible.

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