

LETTER

THE DIRECTIVE

The Union Home Ministry's directive to intellectuals, NGOs and Civil Society Groups against committing any act that might be construed as support—direct or indirect—of the CPI (Maoist) agenda was publicised in most newspapers on 7 May, 2010. The directive informs the general public that all such (unspecified) activity is punishable "with imprisonment for a term not exceeding ten years or with fine or with both".

This directive constitutes a frontal assault on fundamental rights granted through provisions for Freedom of Expression and Speech, guaranteed under article 19(a) of the Constitution. It is not a directive banning an organisation, which itself violates fundamental democratic principles. It is an attempt to ban dissent that originates from a host of diverse ideological positions against anti-people government policies, by labelling these Maoist and by labelling Maoists "terrorist". Over the past few months, there has been a growing, concerted, well articulated and stringent public criticism of the government's neo-liberal economic policies and the destructive impact that these have had on tribal areas and on the democratic fabric of the country. This critique has drawn attention to the intimate nexus between the state and powerful multinational corporate actors and interests. The recent expose of the telecom scam has once again clearly established the nature and extent of this nexus. These critiques have also carefully detailed the fundamentally unconstitutional, exploitative, anti-poor and elitist logic behind mega-projects that are being promoted as "development". Prominent among these are mining projects such as those at Niyamgiri (Vedanta), Karampada (Arcelor Mittal Company) and Lohandiguda (Tata) which have received international criticism as well. It is such projects that the government is referring to and seeking to gain ratification for, in the very same directive. The directive therefore has more to do with its vested interests in these destructive 'development' projects that it has initiated, than with any response to Maoist activity.

A vast number of individuals and people's organisations across the country - which have no link whatsoever with the CPI (Maoist) - express strong critical views on government policies and social transformation; these could be similar to those held by CPI (Maoist), despite differences on quite a few aspects and methods of achieving objectives. Through this directive the government seeks to implicate such people under the Unlawful Activities (Prevention) Act, 1967, as propagating the ideology of CPI (Maoist). Holding a political view and political ideology cannot be interpreted as a criminal activity under Indian constitution.

Radical left ideologies of various kinds are upheld and practised by hundreds of individuals and organisations in the country and worldwide. How do the law enforcers propose to distinguish the ideologies practised by these

individuals who don't belong to any party, or are members of parties that are not banned but have Maoism—or versions of radical leftism that are close to Maoism—as their guiding philosophy, from that practised by the members of the banned CPI (Maoist)? Or is the directive aimed at preventing and controlling certain kinds of thought itself?

The government should welcome the fact that Maoist leaders are directly contacting intellectuals. This could lead to a healthy democratic debate on the basic issues of the people. In any case, various individuals and organisations had been publicly taking up these issues from November 2009, on their initiative, without any contact with Maoists. No intellectual or NGO can be persuaded by CPI (Maoist) or any other party just because they are contacted. In fact, rather than assuming that the average citizen is vulnerable to immediate brainwashing by Maoists and their "intellectual supporters", the government should publicly present its own ideological counterpoints - unless it is itself not convinced of its own ideological strength. The parties in power should engage with all those parties and organisations which have sharply different political and ideological stand points and not with military force. Trying to suppress the free expression of ideas and opinions is the hallmark of a fascist state. This directive must not become the harbinger of that.

Justice Rajindar Sachar, Randhir Singh, B D Sharma, Arundhati Roy, Amit Bhaduri, Manoranjan Mohanty, Prashant Bhushan, Sumit Chakravartty, G N Saibaba, S A R Geelani, Madhu Bhaduri, Karen Gabriel, P K Vijayan, Saroj Giri, Rona Wilson, Anirban Kar.