

THE CRACKDOWN ON CIVIL SOCIETY

Relevant for: Governance in India | Topic: Peoples' Participation/ Role of Civil Society in Governance

It is a truth universally acknowledged that the modern democratic state, armed with technologies of surveillance and control, possesses the kind of power that has never ever been exercised by any other state in history. In a democracy, the individual transits from subject to citizen. Yet there is no one more vulnerable and more helpless than our rights-bearing citizen if the, otherwise, democratic state decides to terrorise, kill and drill fear and trepidation in the mind of the body politic. The other dominant institution of our times, the market, is completely amoral. It is supremely indifferent to human suffering. It has neither sympathy nor room for citizens exploited by the state, and by its own need for resources, labour, and profit.

The only sphere that stands between the individual and the omnipresent and omnipotent state is civil society. In this figurative space, individuals come together in webs of associational life. Associations have the capacity to challenge the brute power of the state through petitions, protests, dharnas and ultimately judicial activism. Given unresponsive political parties, citizens can access centres of power and privilege only through a vibrant civil society.

Shock arrests: on activists' arrest

Civil society is, of course, a plural sphere, and all manners of associations find space for themselves here, from football clubs to reading groups to film fan societies. Each democratic association is important, but we cannot deny that civil liberty and human rights groups are an essential precondition for human well-being. Some Indian citizens were randomly and arbitrarily imprisoned during the Emergency (1975-77) and the fundamental rights of others were truncated. It is, therefore, not surprising that in the aftermath of the Emergency, the civil liberties movement made a dramatic appearance on to the scene of Indian politics. The movement which developed into, or acted in concert with, the human rights movement took on an extremely significant task, that of protecting the fundamental right to life and liberty granted by the Indian Constitution.

Every political revolution in the world has begun with the rights to life and liberty. These two rights lie at the core of other rights that have been developed and codified as critical for human beings. The two rights stretch from the right not to be tortured or killed, to the right not to be arrested and imprisoned by the lackeys of the state without due cause. The right to life is a basic right, but our lives do not mean anything if we are incarcerated for no rhyme or reason.

In the decades that followed, human rights groups have become the custodian of the Fundamental Rights chapter of the Indian Constitution. They have investigated cases of arbitrary imprisonment, custodial deaths, deadly encounters and coercion of any citizen who dares to speak up against the state or dominant groups. These organisations have carefully documented the causes and the triggers of communal and caste violence, and established an excellent archive on the abuse of power by governments. They have asked questions which few Indians have had the courage to ask. And above all, they have protected the rights of vulnerable sections of our own people, the Adivasis, the Dalits and Muslims.

Civil liberty and/or human rights activists are lawyers, academics, journalists and public minded citizens of India. What matters is their very human concern for the poor and the disadvantaged, the dispossessed and the vulnerable. What matters is that civil society activists protect the moral conscience of our society. Not all civil society groups do so, some are in the sole business of

getting funds from the state or others. Not all sections of the media do so, they are often cowered down by their corporate bosses, and the lure of fame and lucre. Unhappily, the majority of Indians keep quiet when their own fellow citizens are tortured by the police, stripped of access to resources and livelihoods, lynched, exploited by corporate India, and neglected by the mainstream media. Human rights activists shoulder the fight for the rights of the oppressed.

Their role is crucial for democracy because today we are ruled by a government that openly defies ethics and morality, that casts itself in the mould of realism, and that is supremely indifferent to the plight of millions of its citizens. We are ruled by leaders who dismiss the need for civil society because the cadres and the front organisations of its ideological backbone, the Rashtriya Swayamsevak Sangh, seek to dominate the space between the individual, the market and the state. The consequences are serious. Over 10 years ago, during UPA I, we were speaking of the right to food, to employment, to education, to information and to land. We theorised that India was moving towards a social democratic state vide civil society activism. Today there are few organisations that articulate the right not to be lynched, or who struggle for the right to life and liberty. Human rights activists are among these few organisations. They have courageously taken on the challenge posed by corporates, a ruthless state and its venal police, and the cadres of right-wing organisations that specialise in violence.

Who are the activists who were arrested for 'Maoist links' in nation-wide raids?

Activists have been penalised for their eternal vigilance, which, as Irish lawyer-politician John Curran said in 1790, is the price we pay for liberty. The government and right-wing organisations have pursued and terrorised human rights activists. On August 28, lawyers, poets, academics and activists known for their defence of the dispossessed were targeted by the Maharashtra police. The houses of Sudha Bharadwaj, Varavara Rao, Vernon Gonsalves, Arun Ferreira, [Gautam Navlakha](#), Anand Teltumbde and Stan Swamy were raided, and some of them imprisoned.

The reasons for the harassment of these warriors in the cause of justice are unsubstantial and unconvincing. The police simply cannot establish that their speeches at the Elgar Parishad meeting in Pune in December 2017 incited the violence unleashed on a Dalit gathering at Bhima-Koregaon on January 1, 2018. It was earlier reported that the peaceful gathering was attacked by activists belonging to two Hindu right-wing organisations: Shiv Pratishthan led by Sambhaji Bhide, and Hindu Ekta Manch led by Milind Ekbote. Mr. Ekbote, committed to Maratha/Hindu supremacy, was arrested in March 2018. Soon he was cleared by the police and the Maharashtra government. Now a completely different set of agents has been brought in and charged with urban Maoism, a term that has neither a history nor a geography. It is simply silly.

This is the latest blow inflicted on civil society by a party that wishes to see only its own organisations dominating the space of associations. The attempt might just rebound on the party. The well-known Italian theorist Antonio Gramsci, jailed by the Mussolini government in the 1920s, set out to answer a crucial question. Why had a revolution occurred in semi-feudal Tsarist Russia, and not in the Western capitalist world as predicted by Marx? He concluded that revolutions only happen when the government directly and unashamedly exercises brute power, as in Russia. They do not happen in countries which possess civil societies, for here projects of domination and resistance can be played out. Citizens just do not need to revolt. Is there a lesson our rulers need to learn from this piece of profound wisdom?

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