

## SHOCK ARRESTS: ON ACTIVISTS' ARREST

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

If the arrest of [five prominent activists by the Pune police](#) in a coordinated operation across four States has resulted in such indignation, it is because of the widespread suspicion that this is part of an orchestrated crackdown on political dissent. The intervention of high courts and later the Supreme Court has given rise to the hope that they will not be put away without sufficient basis, and that the case for proceeding against them will be properly scrutinised. The focus will now be on the next hearing of the Supreme Court, but the dramatic development — which has come months after some Left-leaning activists were arrested in a case relating to the Bhima-Koregaon violence — has raised a fundamental question. Namely, whether the arrests were the culmination of a legitimate probe into a Maoist plot, as the police claim, or whether this is yet another clumsy failure to distinguish between those who indulge in or actively support violent activity, and those who attempt to understand or empathise with the social conditions that breed extremism and insurgency. It is nobody's case that activists or intellectuals are above the law, but the Maharashtra police carry the enormous burden of proof, having accused the activists of doing much more than inciting the violence that broke out in Bhima-Koregaon, near Pune, this year. What began as a controversy over allegedly provocative speeches made at a Dalit conference relating to the 200th anniversary of an iconic battle site has inexplicably morphed into a larger conspiracy involving the CPI (Maoist).

Raids on activists: Maharashtra police had no answers in courtroom

Human rights activists, particularly those working in conflict-prone areas, have been harassed and even arrested on the suspicion of being in league with extremists. While action against them routinely makes the headlines, the bald truth is that successful prosecutions are rare. Charges such as sedition, waging war against the government and promoting disaffection against the state rarely end in conviction. One reason for the failure is that prosecuting agencies typically believe in guilt by association; they confuse empathy with incitement and compassion with collaboration. Also, cases are often filed with utter disregard for the principle that charges such as 'unlawful activities' and 'terrorist acts' should not be invoked in the absence of actual acts of violence or incitement to violence; mere verbal expression of support cannot and should not be the basis for arrest. The Pune police claim that the five who have now been arrested were raising funds for the Maoists, and indulging in unlawful activities; that they had a nexus with other unlawful groups and, ominously, were plotting to "target high political functionaries". Given the sweeping allegations of unlawful activity and the enormity of implicating them in unverified assassination plots, the burden of proof on the police is extremely high. Unless proven, it will only confirm suspicions that the law has been bent with the sole purpose of targeting dissent.

Sign up to receive our newsletter in your inbox every day!

Please enter a valid email address.

The U.S. policy of separating children from undocumented migrant parents is cruel

Our existing notification subscribers need to choose this option to keep getting the alerts.

END

CrackIAS.com