

Indian writer Arundhati Roy threatened with prosecution under anti-terrorism law

Kranti Kumara**26 April 2010**

Police in the east Indian state of Chhattisgarh are “exploring” laying charges under the state’s draconian anti-terrorism law against Arundhati Roy, a Booker Prize-winning novelist, essayist and human rights campaigner.

The police initiated their investigation of Roy in response to a complaint filed by one Viswajit Mitra that accused Roy of “glorifying Maoists” in an article published in the March 29 issue of *Outlook India*. Titled “Walking with the Comrades,” Roy’s 33-page magazine article reports on a clandestine visit she made to Dandakaranya, a forest highland area largely inhabited by tribal people or *adivasi*, so that she could speak with, and bear witness to, the activities of Maoist guerrillas.

Mitra claims to be “an ordinary citizen.” But he is reportedly a local leader of the Bahujan Samaj Party or BSP, the ruling party in Uttar Pradesh, India’s most populous state.

Chhattisgarh’s director general of police (DGP), Viswa Ranjan, told the press, “The matter shall be investigated before taking any further steps.... I have asked the legal experts to give their opinion and come up with a decision.”

That the DGP believes Mitra’s outrageous anti-democratic “complaint” has merit was exemplified by his further remarks. “I do not know,” said Ranjan, “whether Arundhati Roy has been wrongly influenced by others or she is actually a mole in the civil society. How do I know?”

Roy is threatened with prosecution under Chhattisgarh’s notorious Special Public Security Act (2005) or CPSA. The law, which was authored by the Hindu supremacist Bharatiya Janata Party (BJP), provides a sweeping definition of “unlawful activities.”

Under its provisions, an act or even a written or verbal communication that “poses a danger or fear thereof” to “public order,” or that “has a tendency to pose an obstacle” to “the administration of law,” or that “encourages” disobedience to any law or institutions “set up by law” is unlawful and could result in a seven-year prison term.

The CPSA has been widely condemned by civil liberties groups in India and internationally. They charge that the true target of the legislation is not Maoist insurgents—whose organizations were already proscribed in 2004—but civil libertarians, NGOs and others who have criticized the government and security forces for running roughshod over democratic rights and using indiscriminate violence in suppressing the Maoists. Half a year before the passage of the CPSA, the Chhattisgarh government set up an anti-Maoist militia, the Salwa Judum (“Purification Hunt”) that has been implicated in numerous atrocities, including the burning down of villages suspected of supporting the anti-government insurgency.

The action against Roy comes in the midst of a mounting political-press furore over the Maoist insurgency in the “tribal belt” of east India. Earlier this month, Operation Green Hunt, the nationally coordinated counterinsurgency campaign launched by India’s Congress Party-led coalition government, suffered a major reversal when Maoist guerrillas killed 76 security personnel in Chhattisgarh’s Dantewada District. (See “Indian government suffers reversal in its war on Maoists and tribals”)

In the wake of the Dantewada ambush all manner of calls came from Indian television and press commentators for action to be taken against Roy and others, like the editors of the *Economic and Political Weekly*, who have denounced Operation Green Hunt, warning that its real purpose is to suppress tribal opposition to the seizure of their traditional lands for mines, dams and other big business “development” projects.

Home Minister P. Chidambaram has himself helped fuel the campaign. In championing Operation Green Hunt, he has repeatedly accused those who have insisted that the exploitative and repressive policies of the Indian elite are the primary cause of the violence now convulsing India’s largest tribal region of turning a blind eye to, if not sanctioning, terrorism.

In an address to India’s upper house of parliament, the Rajya

Sabha, on April 15, Chidambaram said, “I think the Human Rights Organisations and the NGOs are living in a fool’s paradise. If the [Communist Party of India (Maoist)] overthrows the established authority and seizes power, will they allow any Human Rights Organisation to function in this country? Will they allow any NGO to function in this country? Will there be a Parliament?”

The Home Minister went on take a dig at Arundhati Roy. Puffing himself up in outrage, Chidambaram asked, “Will all those, who write 33-page articles, be allowed to write 33-page articles? Will there be a magazine to publish a 33-page article?”

Significantly, Chidambaram has not called upon Chhattisgarh’s BJP government to immediately drop its investigation of Roy, let alone denounced it for attempting to intimidate and persecute her.

If Roy has earned the enmity of the India’s bourgeois establishment, it is because she has forthrightly rejected and punctured their hypocritical claims to be waging war to bring development and democracy to the tribal peoples. A talented writer, she speaks movingly of the plight of the *adivasis*, who have been both abandoned and abused by the Indian state, and spells out the base profit interests that lie behind the Indian government’s drive to reassert its fiat over Chhattisgarh and the entire eastern tribal belt.

Writes Roy, “Over the past five years or so, the Governments of Chhattisgarh, Jharkhand, Orissa and West Bengal have signed MOUs (Memorandums of Understanding) with corporate houses, worth several billion dollars, all of them secret, for steel plants, sponge-iron factories, power plants, aluminium refineries, dams and mines. In order for the MOUs to translate into real money, tribal people must be moved. Therefore, this is war.”

Roy notes that the tribal people’s opposition, including oft-times violent opposition, to the state long predates the Maoists and rightly observes that it is the decades of brutality, neglect and displacement to which the tribals have been subjected that have caused a significant section of them to rally behind the Maoists’ armed struggle.

She is less perceptive when it comes to dealing with the politics of the Communist Party of India (Maoist). But she is far from uncritical.

Even if Roy were entirely laudatory of the Maoist insurgents, her reportage and commentary should fall under constitutionally protected speech. But the Indian elite, no less than that of the US, has invoked a purported “war on terror”

over the past decade to justify a wholesale assault on democratic rights and increasingly criminalize dissent.

Roy is far from the first person to run afoul of Chhattisgarh’s draconian CPSA. Scores of people critical of the Chhattisgarh government have been thrown in jail, some of them for years. Leaders and other members of NGOs active in tribal areas bringing basic services the government has failed to provide appear to have been singled out for arrest and prosecution under the CPSA.

The most infamous of these victims is Dr. Binyak Sen, a popular doctor who provides medical care to the most downtrodden and politically marginalized. He is the vice-president of an NGO named People’s Union for Civil Liberties (PUCL).

Dr. Sen was arrested in May 2007 on trumped-up charges after he treated a jailed Maoist leader and was detained for more than two years in Chhattisgarh’s central jail. He was only released after a sustained domestic and international protest campaign caused India’s Supreme Court to intervene and order him freed on bail. However none of the charges against Binyak Sen have been dropped and India’s Congress Party-led government has signalled its support for his prosecution.

During a rally in August 2008 to celebrate the release of a documentary filmmaker and journalist Ajay who had spent 90 days in jail in Chhattisgarh on bogus charges of having “links with the Maoists,” University of Delhi Sociology Professor Nandini noted the climate of fear pervading the state. Out of fear of prosecution under the CPSA, news organisations routinely black out reports of Salwa Judum brutality. Another independent law researcher, Usha Ramanathan, noted the medieval character of the law, which includes a provision making it “illegal” to criticize its provisions.



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