
Democracy and Maoism

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THIS ESSAY IS NOT so much about Maoism as a distinct political phenomenon as it is about rethinking the concept of democracy from perspective of Indian Maoism. One usually thinks of democracy in terms of a hierarchy of three political forms—Parliament, Party and Movement. These three political forms are in turn seen to embody three distinct political principles, i.e. representation, vanguardism and participation. We label different political entities differently depending on whether they are defined predominantly by mass mobilization or electoral strategy or vanguardist action. One understands mass movement to be as close to direct democracy as possible, the supreme form of people's power as it were; representational activities to be a somewhat diluted but practicable democratic form for large populations; and vanguardist action to be necessarily ideology-driven, and for that reason almost always anti-democratic and didactic, sometimes even violent and coercive in its relationship with the masses. Maoism, once placed in this framework, appears to be on the side of ideology and vanguardism, tilting towards the anti-democratic end of the political spectrum.

Most discussions around Maoism and democracy, therefore, tend to become discussions around violence. Detractors see Maoists as violent by ideological choice. Sympathizers see Maoists as being compelled to espouse violence because they are pushed to the corner by the pernicious alliance of the State and capitalist corporations. In either case, Maoism's relationship with democracy comes to be

thematized in the following terms: should Maoism be seen as part of democratic India or as outside of it as a permanent war-zone where the everyday civic and democratic life of the nation remains suspended. Discussions around Maoism espouse different approaches. Some of these discussions are normative and ethical in nature. Questions are raised about whether violence can ever be justified, if there can be something called defensive, moral, or righteous violence after all. Or the discussion maybe historical, i.e. in terms of the history of the modern nation-state, with its assumed monopoly over violence, and its performance of sovereignty through recurrent declarations of moments of emergency and states of exception, particularly in the distant frontiers and deep interiors of its territory. Maoism from this perspective would be seen as the emblematic moment/space of exception within an otherwise liberal democratic state system. Or the discussion may be purely pragmatic, i.e. in terms of whether violent action by insurgents is sustainable or effective in face of the superior machinery of violence at the disposal of the State or is non-violence a more intelligent strategy vis-à-vis the army and the police.¹ Whether normative, historical or pragmatic, the discussion seems to be always a discussion around violence and democracy.

The question of violence is no doubt important with regard to how one understands democracy. This essay, however, wishes to take the discussion elsewhere. Hopefully, it will be clear by the end why it might be fruitful to set aside, even if momentarily, the violence question with respect to Maoism.

Maoists and Others

In order to take the discussion elsewhere, one needs to stay with the violence question a bit longer. If one studies the political map of contemporary India, it will become amply clear that Maoists are not the only political group that mobilizes violent, extra-parliamentary methods; there are widely varying political forces that do the same. Even an attempt to make a bare-bone list of such groups is eye-opening. There is a great variety of what are officially called 'insurgent' groups in India, operating in the so-called 'frontier' areas of the country—the two groupings of Nationalist Socialist Council of Nagaland (Isak-Muivah and Khole-Kitovi), the now inactive Naga National Council (Adino), the Federal Government of Nagaland

(Accordists and non-Accordists), the United Liberation Front of Assam (ULFA), the different groups of Kuki National Army and Kuki National Front, the Gorkha National Liberation Front and the Gorkha Janamukti Morcha, the All Tripura Tiger Force, the Kamtapur Liberation Organization, the Jammu and Kashmir Liberation Front (JKLF) and so on—this list is not even including transnational ‘terrorist’ organizations operative in the Kashmir region, which need to be studied somewhat differently.²

Alongside these officially labeled ‘insurgent’ groups, India also has a great many quasi-legal offshoots of the State which operate like the army and the police but are not officially so. An example is the Salwa Judum (Peace March or Purification Hunt), an informal militia deployed for anti-insurgency operations by the state of Chattisgarh against Maoist activities in the area. The militia consisted of trained and armed local tribal youth, supported by the Chattisgarh government and were meant to operate, autonomous of state control and institutional accountability, by infiltrating their own landscape and community and flushing out Maoists. While outlawed and banned by the Supreme Court, remnants of this group may still be operative in parts of the region. Not exactly the same but similar was the— by now well-known—Harmad Bahini of West Bengal. Mobilized against Maoists and their front organization, the People’s Committee Against Police Atrocities (PCAPA), in West Midnapur, a district bordering Jharkhand in the western part of West Bengal, the Harmad Bahini was a private army trained and armed by the Communist Party of India (Marxist)[CPI (M)] which was in government then. The Harmad Bahini was armed with sophisticated weapons, mostly procured from the illegal arms *bazaar* at Bihar’s Munger, and operated from out of ‘camps’, supervised by the local committees of the CPI(M)—even though its existence was unequivocally denied by the party.³

It is noticeable that many of these groups effectively operate as shadow-states in India, reproducing in their own make-up and functioning the structure of state-organs like the police, the army and the judiciary. Alongside these ‘statist’ organizations operate a variety of non-state militant organizations which call themselves *senā ordal*. These terms, which are currently translated to mean army and party respectively, are also terms with a longer pre-colonial

lineage and hence both inflect and exceed the parameters of modern-day imagination of the State. Thus, the Shiv Sena, while being a mainstream modern political party, also projects itself as the *sema* of the pre-colonial *shudra* king Shivaji, symbol of both Maratha caste and national pride. While the Shiv Sena participates in elections and government formation, it also defines itself centrally in terms of street-violence and extra-parliamentary militancy, which it once deployed against the Dalit Panthers and unionized textile mill workers—the former being a militant group of ex-untouchables who defined themselves through a language of political violence and active occupation of the streets in the cities of Maharashtra.⁴ Caste *senas* are another important example of such non-state militant groups. It is well-known that between the 1970s and the 1990s the state of Bihar was ravaged by the violent operations of the Kuer Sena (Rajput), the Kisan Suraksha Samiti (Kurmi), the Bhumi Sena (Kurmi), the Lorik Sena (Yadav), the Bramharshi Sena (Bhumihar), the Sunlight Sena (Bhumihar, Rajput), the Savarna Liberation Front (Bhumihar), the Ganga Sena (Rajput), and the Ranvir Sena (Bhumihar). These caste armies fought low-caste peasant groups, often led by Naxalites or erstwhile Maoists, over issues of occupation and redistribution of land and of minimum wages.⁵ The *senas*, mostly comprising of upper castes and upwardly mobile backward castes of central Bihar, operated as armed voluntary organizations of landlord turned capitalist farmers and kulak-type erstwhile tenants. The most powerful of these caste *senas* has been the Ranvir Sena, allegedly named after the nineteenth-century Bhumihar warrior, Ranvir Choudhary, who fought against local Rajput landlords for caste supremacy and honour, and has a temple dedicated to him in Belaur, Ara. As Ashwini Kumar shows, unlike the earlier *senas*, the Ranvir Sena had a well-articulated ideological, organizational, political and leadership structure. It was led by Brahmeshwar Singh, assassinated later, who turned the *sema* into a paramilitary machine and a de facto political organization with links to mainstream electoral parties such as the Bharatiya Janata Party (BJP) and the Samata Party. He is also said to have established a monthly salary-based recruitment strategy for cadres and mobilized financial resources from a countrywide network of friends and sympathizers by invoking a caste based Hindu ideology.⁶

The point to note here is that these violent non-state groups are never entirely removed from parliamentary parties and electoral politics. They overlap, in both tactic and personnel, creating a grey zone between the imperatives of representation at one end and vanguardism at the other. This is clear as daylight in case of the incredibly large number of Hindutva groups that operate in India as shown in great detail by Amrita Basu. I am not merely talking here of the Rashtriya Swayamsevak Sangh (RSS), the Visva Hindu Parishad (VHP) and the Hindu Mahasabha, organizations with a relatively longer history and lineage which work through a combination of social service, martial training of its cadres, ideological and cultural indoctrination and indeed, electoral campaigns for allied political parties—the Indian National Congress in its pre-1947 avatar, then the Jan Sangh and now the BJP—I am also talking of the Hindu Munnani and Hindu Makkal Katchi in Tamil Nadu, the Hindu Aikya Vedi in Kerala, Sanatan Sanstha, Bajrang Dal, Sri Ram Sena, Abhinav Bharat, Bhonsala Military School, the Shiv Dal, the Hindu Yuva Vahini, the Banar Sena, etc., in northern, western and central India. The Bajrang Dal, for instance, born in 1984 and banned briefly after the demolition of the Babri Masjid in 1992, remains active in explicit association with the VHP, runs physical training centres or *akharas*, carries tridents, and is allegedly known to have participated in the anti-Muslim Gujarat riots of 2002, deadly attacks on Christian missionaries and churches across south and north India, ‘punishment’ of miscegenist mixing of the sexes in towns and cities and even bomb making for use in and around mosques.⁷ These Hindutva groups work simultaneously through social mobilization, pitched battles, cultural and educational efforts, and indeed, parliamentary representation—as the Hindu Yuva Vahini of eastern UP did, ensuring an electoral sweep by the BJP in 2017 in the state and the subsequent chief ministership of the religious leader Yogi Adityanath. The unique aspect of these groups is that they can appear as both inside and outside mainstream democratic politics, depending on the circumstances.

In other words, Maoist groups are only one amongst a great variety of political groups operating in India who use violence as a strategic political tool. But this section argues an additional point, i.e. once one makes comparisons across a larger political spectrum consisting of Maoists, Hindutva groups, caste armies, insurgent

nationalities, ideology-based mainstream political parties, elected state governments, and the central government—which uses exceptional laws such as Armed Forces Special Powers Act on a routine basis—it becomes clear that Maoism is not a uniquely violent subject within an otherwise civil framework of democracy. Hence, instead of thinking about democracy by counterpoising Maoism against all other political forces in India, it is more productive to begin by acknowledging that our democracy is shot through by political violence in general. If the phenomenon of Maoism offers a different perspective on democracy as a concept, then this difference may not lie only in the fact of Maoist violence. To put it differently, the specificity of the Maoist question can be understood not by isolating Maoism as an archetypal limit case and then pitting it against all other political forces in India but by complicating the general map of democracy in India and locating Maoism in it.

Representation, Participation, Vanguardism

In actually-existing democracies, such as in India, the three political imperatives—representation, participation and vanguardism—almost always coexist, albeit in different mixes and in different hierarchies, in all political formations. Democracy is thus a much more complex entity than it might appear to if one works with the textbook typologies of direct v. representative, formal v. substantial, and representative v. participatory democracies. A fruitful way of thinking through the concept and the complexity of democracy is to explore the many ways in which representation, participation and vanguardism combine in different historical contexts and in different political formations.

After all, one must remember that right from the early-twentieth century, armed action, mass movements and representational claims have simultaneously operated, sometimes bolstering and sometimes undercutting each other, within Indian nationalism. The pre-1947 Indian National Congress consisted of seasoned parliamentarians, violent revolutionaries, communists, socialists and ardent passive resisters working in and competing over the same forum. Gandhi himself was deeply sceptical of parliamentary politics and saw the true satyagrahi as distinct from and morally advanced in relationship

with the masses, and thus somewhat a vanguard.⁸ Organizations like Anushilan Samiti and Yugantar, who espoused ‘the philosophy of the bomb’, and socialist and communist parties, who espoused militant agitational politics, perpetually oscillated between ‘now separating from’ and ‘now entering ~~into~~’ the Congress.⁹ So, one could say that the dynamic of modern politics in India, right from its inception, comes from the constitutive tension between the three imperatives, representation, vanguardism and participation—often within the same political structure. One should also add that it is by no means obvious that elections always already have a democratic fall out, or that armed action is necessarily undemocratic. After all, elections can be intensely violent events in India. In the lead up to panchayat elections in Bhangar, south 24 Parganas, West Bengal, the Trinamool Congress attacked those who were protesting against the construction of a power plant in the area.¹⁰ The protestors, organized as Jomi, Jibika, Poribesh O Bastutantra Raksha Committee (JJPOBRC) or the ‘Committee for the Defence of Land, Livelihood, Environment and Materialism’, were led by a Maoist group, the Communist Party of India (Marxist-Leninist) Red Star [CPI (ML) Redstar]. And just as elections can be in effect coercive or media-manipulated events, armed action can also be deployed to ensure Dalit, landless labourers’ right to vote, as happened in central Bihar in the 1980s under Naxalite leadership.¹¹ If one looks at Maoism in this light, it will be clear that Maoism too is constituted by a certain combination of participation, representation and vanguardism. In its interface with the State and the security forces, Maoists espouse armed action and refuse participation in elections which they see as an aspect of ‘bourgeois’ rather than ‘peoples’ democracy. And yet in their interface with people of their locality, such as in the interiors of Dandakaranya, Maoists mobilize election as a legitimate procedure in the formation of the Jantana Sarkar (People’s Government) in the liberated zone which they see as an already existent ‘people’s democratic state’. This immediately makes the Maoist armed squad similar to a legitimate army of the State as it were. Even more interestingly, Maoists run schools, health centres, and ~~constructed~~ road and irrigation works within the liberated zones in ways that reminds one of the governance and development discourse of mainstream politics, once again belying the seeming alterity of Maoism as such.¹²

The case of the Liberation group of the Communist Party of India (Marxist-Leninist) is telling in this regard. Known to have originated in 1974, the Marxist-Leninist-Maoist group in central Bihar operated through underground armed action on behalf of largely ex-untouchable landless agrarian labourers. In 1982, the Liberation launched an open mass organization, the Indian People's Front (IPF), and in the Third Party Congress in Girdih, Bihar decided to participate via the IPF in national and state-level elections. Liberation recorded its first electoral victory in 1989 and sent the first Naxalite parliamentarian—till then a contradiction in terms—from Ara. In its Fifth National Conference in 1992, the Liberation decided to come out of its underground existence and participate in 'legal' political activities as a mainstream political party. It no longer saw a need to keep a distinction between itself and the IPF. The IPF was disbanded in 1994, and in 1995 the Election Commission of India recognized the CPI (ML)-Liberation as an electoral organization. Yet, as the experience of Liberation shows, participation in mainstream electioneering—with the attendant need for funds, media presence and elite networks—has not really been a successful enterprise for the militant Left. In its documents, therefore, Liberation continues to remain sceptical about elections as a democratic form, and espouses, till date, 'mass militancy' and 'people's army' as important aspects of people's democratic movement.¹³

By mentioning all this, this essay is neither trying to 'normalize' Maoism nor denying Maoist difference so to speak. It is merely saying that Maoist difference could conceivably lay elsewhere, in an unlikely question that it might be posing to Indian democracy. This, I suggest, is not the question of violence versus elections anymore because that is a common question across the political spectrum with Maoists on one end and the BJP on the other, all of whom mobilize forces that are unelected, extra-parliamentary, and at times even illegal in nature.

Economic Democracy and Political Autonomy

The most important Maoist difference lies in the fact that Maoism in India raises the question of economic democracy and political autonomy. Conventionally one thinks of democracy as a political form

and equality as an economic principle. Issues of economic inequality do get raised in democratic spaces such as the street and the assembly as demonstrated by the popular uprising against corruption in India and the protests against the corporate '1 percent' in the US in 2011. But the democratic space is usually not understood as structured as an economic formation. This is obviously because in capitalist times, the State and market, politics and economy are held apart by strict administrative fiat as well as by epistemological and disciplinary mechanisms.¹⁴ This politics-economics separation can be called the first principle of capitalism as a global formation, by which capitalism claims to function as a purely economic entity without espousing any particular political form or identity. Academics, brought up on the disciplinary division between politics and economics, often buy into this claim and believe that whatever the political form—nation or empire, democracy or dictatorship—it is capitalism every time and everywhere! Maoism in India belies this politics-economics separation, not because as Marxists they are economic determinists but because they help expose the modern economy as counter-democratic, even anti-democratic in its operations.

In its earlier Naxalite version, approximately between 1967 and the 1980s, Maoism fought against what it called 'feudal' landlordism and labour servitude, for the redistribution of land amongst the landless, and a fair share of agrarian production for labour. The principle was that exercising democratic rights, such as the right to vote, required some amount of economic autonomy for the poor; else, as Ambedkar said in another context, the servile classes remained mere instruments in the hands of their masters and failed to acquire a free political subjectivity.¹⁵ Indeed, Ambedkar had once argued, in an apparent paradox, that independent India should have political democracy and economic socialism, based on nationalization of not only industry and finance but also land, implying thereby that even liberal democracy, i.e. one having universal franchise and equality before law, needed to be backed up by an egalitarian and just economic formation for it to function as democracy in the first place.¹⁶ Maoism continues to be labour this point; though one should add that Ambedkar and communists never saw eye to eye in their understanding of how economic hierarchies worked in different societies.

However, unlike earlier when Naxalism mainly operated amongst poor peasants and agrarian labour of the plains—such as of central Bihar—and raised the slogan of ‘land to the tiller’, and addressed thereby a sedentary cultivator population, in contemporary times Maoism operates primarily amongst forest and hill peoples of India. Hence, since the early 2000s, Maoism has come to be identified with India’s so-called ‘tribal question’ in the interiors of Jharkhand, Chattisgarh, Orissa and Andhra Pradesh. This has fundamentally transformed the question of economic democracy by bringing livelihood and poverty issues together with the issues of political autonomy and self-rule rather than with issues only of democratic representation and mass participation as was the case earlier.

It is known that tribes and Adivasis in India have, since as early as the 1930s, engaged in powerful autonomy movements which involved, apart from claims of cultural autonomy, claims of political autonomy and the right to control the use of land, forest and mineral resources in tribal regions. Significantly, the ‘tribal question’ in India was never fully addressed by the representational aspect of democracy for the simple reason that the relatively small number of tribes and Adivasis in India made them ineffectual as a formal minority participating in a demography-based electoral processes. Ambedkar himself admitted to the same when he said that tribes, because of their small numbers and internal diversity, could not quite add up to a substantial political minority and only ended up disrupting the electoral calculations and alignments of other social identities.¹⁷ Contemporary Adivasi struggles against land acquisition, forest appropriation and deep earth mineral extraction by corporations, as also against forced displacement by developmental projects such as dams and nuclear plants further establish the political autonomy question as constitutive of the problematic of economic democracy. It is not accidental that Maoism finds roots in this context.

Evidently, it is not just the imagination of land as productive and common resource—which grounded the earlier militant communist slogan of ‘land to the tiller’—that is at stake here, but also the imagination of land as an autonomous space, with its unique ecology, cultural valence, and above all political territoriality. The demand for self-determination of such geographies—including its economic administration by local communities themselves, not

necessarily or not always in terms of national growth or productivity parameters—clearly takes us away from the traditional federalism and/or financial devolution questions towards a rather more difficult autonomy question. Additionally, it takes us towards a notion of sovereign territoriality within the very heart of the nation, tending towards—as is the case in Maoism-influenced areas—the case of a State within the State.¹⁸ As James Scott has argued in context of the Zomia highlands of South-East Asia,¹⁹ the Maoism-influenced tribal belts of India demonstrate the ‘art of not being governed’. They stand for political autonomy rather than mere inclusion, representation and integration; and thereby pose a challenge to a sovereign national state which faces the problem of what can be called split sovereignty within the nation itself.

Autonomy *v.* Representation?

One must think, via the complex articulation of the tribal and Maoist questions in India, of the economic aspect of democracy, not just in terms of economic equality, as thought so far from within Marxism, but also in terms of autonomy. The question of autonomy has been an unthought aspect of democracy. It was a perplexed issue in India right from the time of the constituent assembly debates. In debating the tribal question, the constitution-makers faced not only the question of representation and participation of tribes in the national polity but also the powerful indigenist claim of being an antecedent, autonomous and self-governing community. While the democratic aspects of representation and participation were taken care of by the constitutional provision of reservation in jobs and education for scheduled tribes as for scheduled castes, the autonomy aspect was much more difficult to negotiate. At the time, tribes in India were not only claiming cultural autonomy, but also autonomy of their lands, forests, and indeed territory. Thus, P.R. Thakur, the ex-untouchable Namashudra leader from Bengal, admitted that tribes constituted a unique ‘political minority’, as opposed to social minorities such as Dalits or cultural/religious minorities such as Muslims, precisely because they possessed distinctive practices of self-governance. This was a claim of democracy, argued Jaipal Singh, saying that tribal modes of self-government were already democratic in nature unlike

mainstream caste society. What India needs for true democracy, according to him, was a 'daring redistribution of provinces' that took into account existing self-governing units rather than simply religion, as was the debate just prior to Partition, or a map of elite vernacular languages in the manner in which linguistic states in India were imagined. Opponents of autonomy, such as Lakshmi Narayan Sahu from Orissa, strongly argued that permitting tribal forms of self-government to flourish in place of a uniform administrative structure across India would allow tribes to politically evolve along independent lines, and by that logic tribal regions would evolve into subversive states within the nation-state. It is important to note that Yudhisthir Mishra from Orissa reported with distress that he had received memoranda from adivasi groups of his area stating that they did not consider the Constituent Assembly to be representative of them and were therefore not obliged to follow the Indian constitution as their own constitution.²⁰ The Constitution eventually allowed different shades and degrees of autonomy in what came to be called the Fifth Schedule, covering the tribal areas in central India, and the Sixth Schedule, covering the tribal areas in the north-east regions. Here, we cannot go into the long and contentious process of 'scheduling' in independent India, for lack of space, by which regions came to be officially acknowledged as inhabited by indigenous communities with a tradition of cultural and political autonomy. Saagar Tiwari's doctoral thesis on scheduling bolsters the argument that this was a history constitutive of the autonomy aspect of Indian democracy, even though with complex entanglements with a colonial ethnographic vision.²¹

Decades after the constituent assembly debates, the autonomy question continues to be contentious in tribal areas, which are also often Maoism-influenced. Drawing on the work of Ajay Dandekar and Chitragada Choudhury, one could take the example of the 1996 Panchayats (Extension to Scheduled Areas) Act (PESA).²² PESA became law after prolonged debate in the parliament and the public sphere, and now formally acknowledges the right of communities of Schedule V areas to self-govern. As a law PESA acknowledges the Gram Sabha as having prior right over decisions regarding a range of governance issues at the grassroots level, such as land acquisition and prospecting/mining for minor minerals, land alienation, ownership

of minor forest produce, regulation of the sale of liquor, control of moneylending to tribal peoples, control of local health, education and other social schemes and so on. Clearly, an attempted democratization of economic operations in tribal areas, which have historically been intensely exploited by non-tribals for their lands, forests and minerals, is at a stake here.

The Gram Sabha is meant to be a collective of all adults that make up a habitation or settlement, which may or may not be coterminous to a formal administrative unit of the State. Clearly, the point of defining the Gram Sabha in this way is to enable a face-to-face assembly of people who routinely interact in their everyday life for the purpose of debating issues of resource use on the one hand and overseeing the functioning of state institutions on the other hand. Whether one calls this an instance of direct democracy or not, it is obvious that here is an imagination of an unmediated deliberative agency which is meant to function without being hampered by state's administrative and documentary procedures in its collective decision-making. However, in the actual working of PESA in many states, officials function with definitions of the 'village' that are purely administrative—such as the village as a revenue unit or as coterminous with the Panchayat Committee—that nullify the very idea of an unmediated, face-to-face, local assembly. Clearly, there is a deep contention here between an imagination of democracy as having to do with political autonomy and habitational territoriality of people and a model of democracy as a lateral and vertical elaboration of a single and uniform administrative structure via processes of extension and decentralization. The question of the legal status of decisions taken by Gram Sabhas is also contentious—especially with regard to debates around land acquisition and mining. In many states, decisions taken by local assemblies appear to go against state laws 'currently in force', like in Odisha, in which case state laws are given precedence over community decisions. Even in areas such as Madhya Pradesh and Chattisgarh, where Gram Sabha decisions are taken more seriously, 'due regard' to existing relevant laws are demanded from village assemblies. And above all, there is the matter of Gram Sabha decisions being 'in harmony' with the constitution. Pooja Parmar's ethnography of the Plachimada movement of tribals in Kerala against a Coke factory demonstrates precisely this point,

i.e. the difficulty of translating a tribe's community history, memory and justice-claim into the universal language of law, constitutional right and justiciability in court.²³

It bears mentioning in this context that at the very time of writing this essay, in April 2018, the Patthalgadi movement was in full swing at the heart of the Maoist-influenced areas of Jharkhand. Through 2017, nearly 200 villages spread across 4 districts—Khunti, Gumla, Simdega and West Singhbhum—huge stone plaques, known locally as Patthalgadi, came up at the entry points of tribal hamlets. The plaques, measuring 15 ft. by 4 ft., painted green had messages carved on them including excerpts from the PESA and prohibitory warnings to outsiders trying to enter the villages. According to reports by Amarnath Tewary, in Munda tribal custom, placement of a huge stone marks the death of a person. The Pathalgadi movement draws on this tradition of honouring the community's ancestors. The leaders of the movement decided to carve the key provisions of PESA as messages on huge stones. A sample of the plaque carvings read:

A village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs; every village shall have a gram sabha consisting of persons whose names are included in the electoral rolls for the panchayat at the village level and every gram sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources, and the customary mode of dispute resolution.

Tellingly, the Pathalgadi agitators refuse to participate in elections or to adhere to the Constitution of India. Ranjit Soy, a leader of the movement, is quoted as stating, 'We follow Kunwar Keshri Sinh of the Sati-Pati cult from Gujarat's Tapi district, who says that natural resources such as forest land and rivers were gifted to us by Queen Victoria before India got independence.' Another leader, Shantimoy Hembrom is quoted as saying, 'We have all descended from nature and we worship it. We don't believe in the Indian Constitution, nor do we recognise government officials.' Unsurprisingly, the immediate trigger for the movement was a series of amendments made by the BJP-led Jharkhand government to the Chotanagpur Tenancy Act (CNT), enacted by the British in 1908 in response to the rebellion led

by legendary Birsa Munda. The act prohibits the transfer of tribal land to non-tribals and protects community ownership; as does the Santhal Parganas Tenancy Act (SPT), also a colonial law enacted in 1876 in response to the 1855 Santhal rebellion. The Jharkhand government passed amendments to both these acts in November 2016 to enable the acquisition of tribal land for 'development' purposes. Though the Legislative Assembly passed the amendments, democratically as it were, there was unrelenting protest by tribal communities who saw it as an attempt to take over tribal land for the benefit of land sharks and big corporations. Needless to say, the government sees the Pathalgadi movement as a Maoist insurgency disguised as a tribal movement.²⁴

Not just around PESA, the debates around the Land Acquisition, Rehabilitation and Resettlement Act (LARR Act) of 2013 and its various amendments also involve similar issues of economic democracy and political autonomy. Apart from social impact assessment, rehabilitation and resettlement issues, which come into play around acquisition of land for 'public purpose' by the state, in this context the matter of 'consent' of the Gram Sabhas to any land acquisition or changes in use of land is also at stake. Even as private corporations vie to acquire land, mining licenses and infrastructural business in the heart of tribal India, what is at stake in the current debates around LARR Act is actually the right of the State itself—à la the principle of 'eminent domain'—in its face-off with the right of the community to rule itself. While everybody knows the role of private interests in the matter of land acquisition and mining, it is indeed via the State, such as through private-public partnerships and favourable changes in state law and government policy, that private capital comes into play in autonomous regions of the Fifth and Sixth Schedules. In other words, there is a tremendous churning around the question of possible forms of economic democracy. Now that both liberal democracy and so-called state socialism has been shown up as enabling the displacement and usurpation of people's habitats, both working in the name of the sovereignty of the national state, it remains for us to reconceive economic democracy as an institutional instance of political autonomy; autonomy that enables participatory economic decision-making at the grass roots level.

The essay dwells at length on PESA and LARR Acts, in what might appear to be a digression, in order to foreground the unresolved and

conflicted nature of the autonomy question in our contemporary times. It also tries to flag the significant fact that this question is particularly intractable in the tribal lands of our nation even though it is not confined to that—a similar problem besets the coastal regions and coastal peoples of the country. This is because it is in the tribal lands that two histories come together. One, a history of peoples claiming autonomy in the name of sovereign traditions of self-government. Two, a history of resistance invoking both cultural and ecological choices against the modern economic imperatives of productivity and growth. These two histories articulate to produce the most difficult aspect of our political present, i.e. the aspect which calls for a thinking of economic democracy in terms of political autonomy of diverse peoples of India.

Maoism and Autonomy

The contemporary debate on Maoism in India is split in the middle between those who see Maoists as the only honest champions of marginalized tribal peoples of the nation and those who see Maoists as holding innocent tribes—caught in crossfire between the Indian state and armed insurgents—hostage. However, the relationship between the tribal question and the Maoist question is far more complicated than that. It is true that the contemporary Maoist movement thrives in the tribal areas of India. This is because hill and forest lands are strategically more amenable to guerilla incursions against the superior military and paramilitary forces of the state than open, riverine plains inhabited by settled peasant populations. It is also true that tribes and Adivasis are the most impoverished and oppressed groups in India and therefore more hospitable to politics of radical change, which is what Maoists promise. But there is more to the equation than that. In terms of its official ideology, Maoism, like many other shades of communism, has the ultimate goal of capturing state power. In actuality, however, Maoism promises quite something else, i.e. the possibility of creating zones of functional autonomy within the existing state structure by keeping at bay, under threat of violence, the operation of state laws and state institutions. In other words, one could say, without fully identifying Maoist activists with their tribal constituency, that Maoism thrives in tribal areas because

of a critical overlap between the Maoist idea of 'free' or 'liberated zones' within the state and tribal ideas of territoriality and political autonomy at the very heart of the nation. This may take the form of a perpetual civil war because as a nation we are yet to conceptually and institutionally work out a form of political autonomy which is other than the creation of a state within a state. By virtue of the same reason, we are also yet to imagine a crucial aspect of democracy, viz., economic democracy, which it seems, can only emerge in contexts of workable political autonomies.

Within the existing imagination of liberal democracy, based on equality before law and universal franchise, the concept of autonomy is inextricably tied to the idea of the rational, rights-bearing individual which is also the fundamental premise of neo-classical economic wisdom. On the one hand, autonomy indexes an individual's ability to act reasonably, overcoming her/his own irrational passions and prejudices; on the other hand, autonomy indexes an individual's right to judge and decide on her/his own terms, without coercion by either, the State or the community. As many political scientists have argued, this liberal framework has no place for ideas of group or community autonomy because autonomy here is about the legal right of an individual to act precisely in defiance of group or community veto and in unqualified self-interest. Autonomy in liberal democracy, therefore, boils down to the fact of the emancipated individual as a subject constitutive of law and protected by law. This is the reason why the question of community or group autonomy, an undeniable fact in today's world, is usually rendered into cultural autonomy rather than political autonomy—whether in the discourse of multiculturalism or in the discourse around community rights to language, worship and, as in our immediate context, religion-based 'personal law'. In contrast, political autonomy of the individual legal subject, who casts her/his vote and thus participates in the State and whose interface with both state and community is that of claim of rights, is understood as being her/his own person, 'irrespective' of religion, culture and community. In other words, India's democracy continue to see cultural autonomy as the only form in which collective being is thinkable, and political autonomy as the universal ontology of the individual citizen-subject.²⁵

Law and territoriality—two crucial aspects of existing democracies—are what make the imagination of collective political autonomy

difficult within the liberal framework. Needless to say that one thinks of democracy almost always as a national democracy, i.e. as it operates within the bounded space of the nation and as regulated by the national constitution and national laws. In contrast, inter-state, international or even inter-people relations are thought of not in terms of democracy but in terms of war and peace, sovereignty and diplomacy, and at best commerce and pragmatism. In the Indian context, demands for political autonomy within the nation historically faltered precisely on this question of territoriality. When the Muslim League and some others demanded that India be thought of as a federation of self-governing provinces coming together voluntarily with the national state retaining only the residual portfolios of defence, communication and external affairs, the issue was resolved by the Partition of India into two nations and two sovereign territories. Thus, the question of political autonomy came to be translated into a question of international relations. Kashmir and the north-east India continue to fester precisely for this reason; because they remain strung between the two alternatives of 'integration' and 'secession' as the only two ways in which territoriality appears imaginable within the nation-state framework is either inside or outside the nation-space. The same holds true for Maoist-influenced tribal interiors.

In other words, any claim of autonomous or alternative political territoriality within the boundaries of the nation is outlawed, rendered illegal, criminal, anti-national from perspective of nationalism and liberalism. Hence the illegality of Maoist zones, a fact further complicated by their location in tribal areas which are marked by a longer history of legal exceptionalism of the tribal subject. Tribal regions were administered since colonial times as 'non-regulation areas', i.e. areas where the general laws of the land did not apply directly. Intended originally as a measure to protect indigenous peoples against territorial usurpation by outsiders who mobilized formal contract law and open market mechanisms to take over tribal resources, and re-mediated by the postcolonial 'scheduling' of tribal regions, this legal exceptionalism is an important source of sustenance and legitimation of Maoism in India. It also bears mentioning here that in early-twentieth century movements, tribes in India made a political claim to their own customary laws and many colonial ethnographer-administrators, most famously

William G. Archer, sought to codify the same. In postcolonial India, however, even as variety of customary laws continue to be invoked by different indigenous communities, tribes were not formally assigned traditional laws in the way that religious communities were in the name of family/personal/civil laws. This led to a further alienation of tribes from the national legal system and a further heightening of their so-called legal exceptionalism.²⁶ The putative illegality of Maoism often shades off into this tribal legal exceptionalism in India.

Ironically, the relationship of the nation-state to autonomous political territorialities such as Maoist-influenced tribal lands assumes the form of extra-national engagements involving all out military or paramilitary deployment, espionage, infiltration, negotiation of 'treaties' and 'peace accords', promise of 'aid' packages, and at the same time, enforcement of exceptional and emergency powers such as the AFSPA. All of this indicates a suspension of democracy, and as a corollary the suspension of law in the classical manner of war between nations 'foreign' to each other. As is known, in many tribal areas the issue of indigene versus 'foreigner', i.e. mainland and mainstream people of the country, remains a live issue, feeding into the extra-national nature of the encounter between the State and the tribals, involving war-making and peacemaking—two sides of the same coin as it were. In a sense, this returns to the violence question but via a different route and in a different sense. Violence marks the relationship between the nation-state and the Maoist-controlled zones within India's tribal regions because both tribes and Maoists claim political autonomy from the nation-state; both assert the right to territorial autonomy at the very heart of the nation; and for that reason, these zones become zones of extra-national encounter where law and legality instead of regulating the encounter themselves come under severe contestation.

Merely demanding more tribal-friendly laws does not quite do justice to the cause of political autonomy because law and its territorial jurisdiction is precisely what is at stake here. The State sometimes does oblige, at least in theory, by passing new and better laws. Hence the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA) of 2006, which formally recognized 'first people' rights—to use a contemporary UN term—of tribes over forest areas of India. While this law offers 'historical justice' by allowing

tribal peoples private property on and community rights over forest land, the facts that the impossible onus of proving occupation of the same land over three generations, supported by appropriate documentary evidence, rests entirely on the often mobile Adivasi families; the recognition or non-recognition of each individual tribal claim is subject to inscrutable bureaucratic processes of the State; and other laws such as Forest Conservation Act, 1980 (amended in 1988) and international Reducing Emissions from Deforestation and Forest Degradation norms (REDD+) compete with FRA over claims on forests²⁷ means that the law has been a general disappointment. More importantly, the law has generated willy-nilly newer criteria of illegality around tribal claims.²⁸ Even more telling is the fact that most tribals claimed much larger share of the land than they were actually granted by the state—the average being 1.5 ha.²⁹ This implies that what were often obviously territorial claims stood reduced in legal discourse to simply a livelihood or resource issue. At the same time, while the act proposes that tribes have complete right of access to minor forest produce, this has not been uniformly applied in all the states, chiefly with regard to bamboo and tendu leaves, putting paid to the hope of even livelihood assurance. What the fate of the FRA shows, in other words, is the inadequacy of the language of law in capturing the issue of political autonomy as such.

Political autonomy, according to Ranabir Samaddar, is not a matter of governance—even self-governance—but a power that raises its head by breaching the established apparatus of governmentality.³⁰ Political autonomy, therefore, cannot be ensured by a further tweaking, an extension, decentralization and devolution of existing administrative networks. One should also add that it is a mistake to see political autonomy as just another ‘right’. Liberal democracy is indeed about rights, but a deeper democracy calls for both rights and autonomies—the two being very different forms of power and calling for very different orientation towards collective being and collective decision-making.

One of the main aspects of the FRA, which makes it particularly relevant to our discussion of Maoism, is that it was meant to transform the political economy of tribal regions of India—political economy being the main ideological plank of the Maoists since the late 1960s—and not so much engage with the question of tribal cultural identity,

though the latter was certainly an implicit assumption in the law.³¹ In fact, when the union government launched the Integrated Action Plan in 2010 in eighty-two districts of central India to deal with Maoist insurgency, the plan consisted of, alongside plans for infrastructure creation and employment training for the tribes, the implementation of the FRA as a necessary step towards weaning tribals away from the Maoists.³² And yet, in its actual working, as Sudheesh Ramapurath shows, the FRA came to be reduced to only 'recognition' of tribes rather than any actual 'redistribution' in tribal lands,³³ confirming the fact that political autonomy and economic democracy still remain an unaddressed issue even in 'progressive' laws.

The real catch in an autonomy-based democracy lies in the thinking of political economy and its relationship with institutional forms of democratic life. Ironically, political autonomy is often denied to resource-rich regions—exactly what the Maoism-influenced tribal lands of our country are—on the ground that autonomy would result in a withdrawal of the said resources from the national and global economy. The obverse of this argument is that economic exchanges and developmental deals would act as an effective placatory and integrationist mechanism, successfully breaching internal political frontiers and pre-empting insurgent action such as by Maoists. The parallel is obvious with international relations common sense wherein trade agreements are seen as an effective instrument to neutralize political hostilities and economic sanctions are believed to act as the ultimate punitive measure, just short of war, against irrational and violent enemies. The point, however, is exactly the opposite, and this is the point that Maoism in India—despite its limits and pathologies—be labours. This means that democracy in India shall never be able to do justice to the cause of political autonomy, an indispensable aspect of democracy as an idea and norm, unless it is also able to imagine a democratically-structured, participatory, ecologically-situated, and above all, multi-scalar economy with new kinds of institutions. As Siddharth Sareen and Iben Nathan show in their ethnography,³⁴ customary democratic practices of Ho tribals of Jharkhand deal with development projects and woodcutting in forests in terms of what approximates a kind of a 'moral economy' based on modes of assembly and collective decision-making. Some of these alternative political economic forms that might include

local currencies for local exchange and ecologically-oriented rather than growth-oriented resource allocation must supplement existing political and economic institutions such as the national market, national currency, national banks, national stock exchanges, etc., which are necessarily unitary, centralized and homogenizing by virtue of being national, and so are inhospitable to bottom-up economic participation.³⁵ In other words, economic democracy calls for a creative reinvention of the institutional forms of our polity, including a reinvention of institutional politico-economic autonomies beyond the standard statist imagination of national economy and national market. Unfortunately, Maoists, while implicitly raising the question of economic democracy and political autonomy, are yet to move away from ideological statism and offer for debate any new institutional imagination and/or representation of a participatory, post-capitalist economic formation. Instead, most Maoist formations still appear to duplicate—at least in its theoretical pronouncements—the conventional format of and faith in the State, except that they believe that in their hands the State would somehow become a messianic, final, people's state!³⁶

Notes

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14. Ellen Meiksins Wood, 'The Separation of the Economic and the Political in Capitalism', in *Democracy Against Capitalism: Renewing Historical Materialism*, Cambridge: Cambridge University Press, 1995, pp. 19–30.
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17. B.R. Ambedkar, 'Communal Deadlock and a Way to Solve It', in *BAWS*, vol. 1, pp. 355–79.
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33. *Ibid.*

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36. For how questions of imagination-representation, territorial belonging-citizenship and political economy, must be thought together in order to even think of a post-capitalist world, see the essays in Kennan Ferguson and Patrice Petro, eds., *After Capitalism: Horizons of Finance, Culture and Capitalism*, New Brunswick: Rutgers University Press, 2016.