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After Maoism, The Next Battle is for Adivasi Trust

Context

- The declaration of India as **Maoist-free** on March 31, 2026, marked a major achievement in the country's internal security efforts.
- The subsequent vision of integrating every resident of **Bastar** into the **mainstream** by 2031 reflects a shift from a security-centred approach to one focused on **development** and social inclusion.
- However, sustainable peace cannot be secured through welfare measures alone. It requires addressing structural issues related to **Adivasi rights**, governance, and access to natural resources.
- Lasting stability will depend on strengthening **constitutional guarantees** and ensuring meaningful participation of local communities in decision-making.

Transition from Security to Development

- **Government's Development Agenda**
 - The government's post-insurgency strategy emphasises **welfare schemes**, improved **infrastructure**, enhanced **mobile connectivity**, and greater administrative outreach.

- These initiatives can significantly improve the **quality of life** in remote tribal regions and create opportunities for economic and social progress.

- **Limits of Development-Centric Approaches**

- While development projects are essential, they cannot substitute for justice and democratic participation.
- Roads, schools, and communication networks may enhance living conditions, but they do not automatically address concerns regarding representation, resource control, and historical marginalisation.
- Sustainable peace requires both development and institutional reform.

Constitutional Framework of Tribal Governance

- **Dual Structure of Governance**

- The constitutional vision for tribal governance rests on two parallel systems. The first consists of Panchayati Raj Institutions, with the Gram Sabha serving as the foundation of local democracy.
- The second includes government-appointed officials such as tehsildars and district collectors responsible for administration.

- **Need for Grassroots Empowerment**

- Although both structures are intended to function together, bureaucratic institutions often dominate local governance.
- Effective empowerment requires strengthening elected institutions and ensuring that local communities have a decisive voice in matters affecting their lives and livelihoods.
- Genuine participatory governance is essential for democratic legitimacy.

Centrality of Jal, Jungle and Zameen

- **Resource Rights and Tribal Identity**

- The issues of jal, jungle and zameen, water, forests, and land, remain central to Adivasi identity and survival.
- These resources are not merely economic assets but also form the basis of cultural traditions, social organisation, and livelihoods.

- **Building Trust Through Resource Justice**

- The management of land rights, forest rights, and community resources will ultimately determine the level of trust that tribal communities place in the government.
- Respect for these rights is crucial for addressing historical grievances and preventing future alienation.

PESA: A Framework for Justice and Self-Governance

- **Significance of the PESA Act**

- The **Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA)** was enacted to strengthen decentralised governance in tribal regions.
- It places the Gram Sabha at the centre of local decision-making and empowers communities to manage **community resources**, protect cultural practices, and participate in development planning.

- **Challenges in Implementation**

- Despite its transformative potential, PESA has been poorly implemented across many Fifth Schedule areas.
- State-level interpretations have often diluted its provisions, limiting its effectiveness.
- Strengthening PESA is essential for promoting **self-governance** and ensuring that development reflects local priorities.

Consent versus Consultation

- **Protecting Democratic Authority**

- A critical issue concerns the distinction between **consent** and **consultation**.
- Consent provides communities with meaningful decision-making authority, whereas consultation merely requires their views to be heard without guaranteeing influence over outcomes.

- **Threats to Local Autonomy**

- Efforts to replace consent with consultation weaken the authority of the Gram Sabha and undermine democratic participation.
- Allegations of manipulated resolutions further highlight the need for transparency, accountability, and institutional integrity in tribal governance.

The Path Forward: From Negative Peace to Positive Peace

- **Beyond the Absence of Violence**

- The end of Maoist violence represents **negative peace**, characterised by the absence of armed conflict.
- However, long-term stability requires **positive peace**, which is rooted in justice, inclusion, dignity, and equitable governance.

- **Addressing Structural Causes**

- Military success alone cannot eliminate the conditions that foster discontent.
- Sustainable peace depends on addressing inequalities, strengthening democratic institutions, and ensuring that local communities actively participate in shaping their future.

Conclusion

- The future of Bastar depends not only on the defeat of Maoism but also on the creation of a just and inclusive governance framework.
- **Trust-building, tribal autonomy**, and meaningful democratic participation are essential for long-term stability.
- Through effective implementation of PESA, protection of resource rights, and genuine **inclusive development**, the government can transform Bastar from a region once affected by conflict into a model of democratic empowerment and sustainable peace.
- Most importantly, Adivasis must be enabled to define their own aspirations and determine the nature of the **mainstream** into which they are being integrated.

After Maoism, The Next Battle is for Adivasi Trust FAQs

Q1. Why is the implementation of PESA important in Bastar?

Ans. The implementation of PESA is important because it empowers the Gram Sabha and strengthens tribal self-governance.

Q2. What does the phrase “jal, jungle and zameen” represent?

Ans. The phrase represents the water, forests, and land that are central to Adivasi identity and livelihoods.

Q3. What is the difference between consent and consultation?

Ans. Consent gives communities decision-making power, whereas consultation only requires their opinions to be heard.

Q4. What is meant by positive peace?

Ans. Positive peace refers to a condition of justice, inclusion, and democratic participation beyond the mere absence of violence.

Q5. How can the government build trust among Adivasi communities?

Ans. The government can build trust by protecting constitutional rights, strengthening local governance, and ensuring meaningful participation in decision-making.

Source: **The Hindu**

Why Judicial Holidays Are Necessary

Context

- The debate surrounding **judicial holidays** often arises in the context of rising **case backlogs** and delays in the justice system.
- Many assume that judges enjoy long periods of rest when courts are closed. However, judicial work extends far beyond courtroom proceedings.
- Judicial vacations serve as essential periods for completing responsibilities that cannot be adequately addressed during regular court sessions.
- Understanding the realities of **judicial service** is crucial for a fair assessment of these holidays.

The Invisible Nature of Judicial Work

- The most visible aspect of a judge’s role is presiding over hearings, listening to arguments, and delivering orders.
- Yet a significant portion of judicial work occurs outside the courtroom.

- Judges spend long hours studying **case records**, examining **precedents**, conducting **legal research**, and drafting **judgments**. This process often continues late into the night.
- Every judgment requires **analytical precision**, careful interpretation of facts, and accurate application of legal principles.
- Since judicial decisions affect **personal liberty**, businesses, reputations, and public institutions, judges must ensure that every word is legally sound and reasoned.

Dedication Beyond Courtroom Hours

- The demands of judging are reflected in the careers of distinguished jurists.
- Justice **Ruth Bader Ginsburg** was renowned for her exceptional work ethic, frequently working late into the night and maintaining remarkable productivity despite serious health challenges.
- Similarly, Justice **Y. Chandrachud** authored hundreds of judgments and participated in more than a thousand benches during his tenure in the Supreme Court of India.
- Such examples demonstrate the sustained **intellectual labour**, discipline, and commitment required of judges.
- Courtroom appearances represent only a fraction of the responsibilities they carry.

Judicial Holidays as Working Periods

- Judicial vacations are often periods of uninterrupted professional work rather than leisure.
- During these breaks, judges complete pending judgments, review extensive files, and prepare for complex **constitutional matters**.
- Regular court schedules leave little time for such tasks because daily hearings consume most working hours.
- These periods enable judges to focus on responsibilities requiring deep concentration and reflection.
- In a system burdened by increasing litigation, judicial holidays function as necessary working windows that contribute to the efficient administration of justice.

The Personal and Family Sacrifice

- The burden of judicial work frequently extends into personal life.
- Even during weekends and holidays, judges remain occupied with files, research, and consultations.
- As a result, family time is often interrupted by professional obligations.
- Spouses and children share this burden indirectly, making judicial service a collective sacrifice.
- The profession demands continuous engagement with the law, leaving limited opportunities for personal relaxation or family interaction.

Financial and Professional Trade-Offs

- Although judges receive respectable salaries, their earnings are generally lower than those of leading lawyers in private practice.
- Many accept judicial appointments after giving up highly **lucrative practices**, choosing **public service** over greater financial rewards.

- At the same time, judges bear immense **accountability**. Their decisions are scrutinized by the public, legal experts, and higher courts.
- The responsibility of maintaining **neutrality**, fairness, and independence adds to the pressures of the profession.

Ethical Courage and Lifelong Commitment

- Justice **R. Khanna's** famous dissent in the **ADM Jabalpur case** during the Emergency remains a landmark example of commitment to constitutional values despite personal consequences.
- His stance ultimately became a symbol of **judicial independence** and integrity.
- Dedication to the law frequently continues after retirement.
- Jurists such as **Lord Denning** and Justice **R. Krishna Iyer** remained active in legal scholarship, writing books, delivering lectures, and contributing to **jurisprudence** well into old age.
- Their careers illustrate that judging is not merely an occupation but a lifelong vocation.

Conclusion

- A meaningful discussion of judicial holidays requires recognition of the extensive work performed outside the courtroom.
- Judges devote countless hours to **legal reasoning**, judgment writing, and preparation, often at significant personal and professional cost.
- Far from being periods of rest, judicial vacations provide essential time for fulfilling responsibilities that sustain the **rule of law**.
- Appreciating the hidden demands of judicial service leads to a more informed understanding of the judiciary and its role in delivering justice.

Why Judicial Holidays Are Necessary FAQs

Q1. Why are judicial holidays often misunderstood?

Ans. Judicial holidays are often misunderstood because many people assume that judges do not work when courts are closed.

Q2. What do judges do outside courtroom hours?

Ans. Judges spend their time researching laws, studying case records, and writing judgments.

Q3. Why are judicial vacations important?

Ans. Judicial vacations provide judges with uninterrupted time to complete pending work and prepare for important cases.

Q4. What sacrifice do many judges make before joining the bench?

Ans. Many judges give up lucrative legal practices in order to serve in the judiciary.

Q5. What does Justice H.R. Khanna's dissent demonstrate?

Ans. Justice H.R. Khanna's dissent demonstrates the moral courage and independence required of judges.

Source: **The Hindu**

