

HRF LETTER TO ALL CIVIL AND DEMOCRATIC RIGHTS ORGANISATIONS

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To

All Civil and Democratic Rights organisations

Friends,

This letter is to acquaint you with the aims and the view point of our organisation, Human Rights Forum(HRF), which was formed in Oct 1998. This letter was any way due, but we have realised recently that a lot of misconceptions about HRF are in circulation, which makes it imperative that a communication clarifying our view point is circulated.

There seems to be an impression that we are not interested in agitating against encounters and other forms of State atrocities on militant movements such as the naxalite movement. That is not true. There also seems to be an impression that we are condemning violence as such, and that we hold the very choice of armed struggle to be a violation of human rights. That too is not true.

We will explain our view of these matters below, for we do not wish to begin our description of ourselves with that explanation. That would be giving the issues a needless centrality in the debate we wish to generate within the Rights movement.

We hold that violation or denial of rights arises in all situations of structured oppression, and the democratic aspirations arising from all such situations, and from the resistance to such oppression, whether organised or not, whether collective or isolated, are equally important for the Rights movement : theoretically, practically and organisationally. The political structure of the State and the social-economic structures of class, caste and gender have received some

recognition as oppressive structures, but are yet to assume equal importance in the eyes of the Rights movement. The State-class framework continues to dominate, for no cogent reason. But both caste and gender are major sources of not only violent suppression but also routine and insidious denial of rights. There is no scale on which their effect can be adjudged less severe than that of State and/or class.

Moreover, new structures of oppression can and do come up in the course of social and historical change. The situation of minorities in our country is a case in point. Though oppressive majoritarian behaviour of the Hindus has been a fact of life for a long time, it is in recent times that a serious threat to the secure and self-respecting existence of muslims and christians as an equal people has come about and come to stay. This is, today, as important a Human rights issue as any.

We also believe that there is no reason why that aspect of the State where it is seen as the suppresser of militant political movements should be its defining aspect for the Rights movement. The State as the carrier of democratic or welfare responsibilities can be an equally important aspect. And its failures in this role can be no less a target of the Rights movement than its violent assault on militant struggles.

For instance, in the years 1998-99, in Andhra Pradesh, the most significant human rights violation was the large scale deaths of tribals in epidemics. More than 2000 (official estimate: 399) people, mostly tribals, died of gastro-enteritis and cholera in Adilabad district in the summer and monsoon months of 1998, and about the same number, this time all of them tribals, died of cerebral malaria in Visakhapatnam district in the summer of 1999. The deaths were the direct result of lack of potable water (protected water supply schemes), inefficient and insufficient medicare, malnutrition leading to enfeebled resistance to disease, poor protection from mosquito bite, and atrocious public hygiene. The negligence of the State in its minimal administrative and welfare responsibilities is the proximate cause of these unconscionable deaths. That the deaths were nevertheless not projected as a major human rights issue is less a reflection of

the reality of human rights situation than a consequence of ways of looking at the human rights agenda that have become ingrained in our movement.

These welfare responsibilities of the State are the legacy of people`s struggles and democratic reform. The struggle for liberal democracy in the West and the struggle for social justice in the socialist and other egalitarian traditions have had the effect of putting, on the one hand, limitations upon the power of the State over the citizens (individuals or groups), which may be briefly taken as the liberal notion of rights, and on the other hand, placed the responsibility upon the State to limit or remedy the structured social injustice. Neither of them is perfect since the State exists in a particular context and serves some purposes more than others, nor need we be blind to the problems stemming from relying upon the State to remedy social injustice. But these problems and limitations do not defeat the achievements realised by people`s movements and democratic reforms on both these scores. If they did, and if violent suppression were the only truth about the State, there would be no scope for a Rights movement at all, but only a Rights rhetoric used for the purpose of overthrowing this State.

We therefore believe that important as the struggle to criticise and expose State repression on militant political movements is, the struggle to preserve and extend the rights and responsibilities that have historically served to democratise the State to some extent and open up some democratic space for political action is an equally important task.

This may be approached from a different angle. The Rights movement in our country has always taken pride that it has acquired its perspective of Rights from the experiences of people`s movements. In fact, the State-class framework that unconsciously guides our thinking of Rights has come from militant leftist movements and the problems of suppression they have faced from the State and the exploiting classes. The experience of the nationality movements in the border States has given an even more stark picture of the State as pure violence. These two types of political exposure have given the Rights movement a perspective of the State as a violent oppressor, especially of dissident politics. But if we are

ready to learn equally from the dalit movement and the women`s movement, and the politics of various minorities, religious, ethnic or linguistic, we would learn to look at opportunities for enlarging or opening up democratic political space as an important dimension of the Rights agenda. These movements have mostly sought to empower themselves by making use of and enlarging the democratic political space and the political and civil rights available in the present State and the political system, in order to fight oppression located in social relations - in civil society. The rhetoric of State as violence would not attract them. We do not wish to suggest that we replace the earlier one-sided view of the human rights agenda vis-a-vis the State with another equally one-sided view. But we believe that it is not necessary to overemphasise this view or that view of the Rights agenda for an effective human rights movement.

For a long time, many unspoken assumptions emanating from (to some extent) the liberal and (preponderantly) the leftist political traditions have guided the perspective of the Rights movement. Movements which have come up from other theoretical traditions have had an uncomfortable relation with us. There is no reason why it should be so. The Rights view point can be a summation of the democratic aspirations coming up from diverse democratic sources. Whatever the theoretical problems involved in structuring such a view point, it alone can create a truly broad based Rights movement: broad in its understanding, broad in its concerns, and (perhaps the most difficult of all) broad in its organisational membership. Such a Rights movement can alone be a truly many-sided movement, exhibiting an equally friendly face and providing equally friendly aid to all democratic movements, whatever their theoretical premises and political colour, provided only that they are democratic, i.e., oriented to political, social and economic equality and justice .

But we also believe that too much of attention to the problems of rights violation faced by organised movements has led to neglect of the rights of people who are not even in a position to organise themselves. Custodial deaths is one issue where we have worked systematically for unorganised and unorganisable victims of rights violations. But there are many others. If we had to choose, we

should perhaps choose the problems of those who cannot even help themselves, rather than those who are already organised and fighting, as we have been doing. However, we do not believe that any dogmatic choice needs to be made, provided only we are alert about the biases introduced into our way of thinking by unstated assumptions. The right to struggle is extremely important, but the rights of those who cannot even struggle are liable to become invisible even to Rights activists.

Coming to the question of violence, we believe that while the human rights movement can never defend the use of violence for even the noblest purpose, it need not condemn all violence. Ours is an unequal and oppressive society in which violence is endemic in the social and economic structure. All use of violence, including the choice of armed struggle as a political means, cannot and need not be ruled out. For the Rights movement, it is more important to understand the roots or the context of the violence, and to help society to understand it, than to either support it or condemn it.

But the Rights movement can convince people to look at the context or roots of violence instead of condemning it outright only if it canvasses this view as a genuinely independent movement. The appeal can evoke response only if it proceeds from a broad democratic perspective, and not from a surrogate of the politics of armed violence.

As for condemning violence, we believe that unjust and unfair use of violence even by a popular movement must be openly condemned, not because it is violence but because it is unjust. In fact, all unjust acts perpetrated in the name of the people by such movements, whether it is an act of violence or not, must be condemned. The idiom of the Rights movement is that of justice, and it cannot keep silent in the face of injustice, from whatever source. More generally, the Rights movement is answerable to the people more than to people`s movements (i.e., organised movements arising from the problems of some oppressed group in society); indeed it holds itself answerable to whatever extent to people`s movements only because it is answerable to the people, and so it must be willing to criticise the movements in the interests of the people. Such criticism need not

be damned as equating the aggressor and the victim, equating people`s movements with the State, or indirectly legitimising the repression unleashed by the State. It is possible and necessary to criticise even without doing so. It must criticise whenever the occasion arises, even as it takes, and must take, an uncompromising stand against State repression on people`s movements, whatever their errors or faults..

5/2/2000, Hyderabad

Human Rights Forum

Note: Having made our view point clear, albeit briefly, we must place on record a complaint that we have. Two joint fact finding committees on encounters have visited Andhra Pradesh after the formation of HRF, but we have not been invited to either. The first was in the winter of 1998 - 1999. We were not even informed of the activity and so we could not ask to be included. The second was in Jan 2000, concerning the Koyyur encounter in which three Peoples War leaders were brought from Bangalore and killed along with a poor local youth. This time we had knowledge of the activity, but when we asked to be included, we were told that only those organisations that were part of the earlier team would join this team. We do not know who is taking such decisions and why. But we are not interested in a post-mortem examination. We just want to make it clear that we are interested in joining such joint activity.
