

BALAGOPAL INTERVIEW—by DEEPA DHANRAJ

I had vaguely leftist sympathies almost from my initial college days. Though I think in the beginning I was more of an admirer of Bertrand Russell and through him I had an idea that communists are good in the heart but wrong in the head. That's roughly Bertrand Russell's attitude towards the communist movement. Up to the emergency, I also thought that... I had a lot of friends among the Naxalite movement in Warangal where I was studying, but I thought that philosophy was all wrong, though they were, they were good in the heart. Their heart was in the right place. The Emergency that way.. I mean I couldn't find anything in Russell's philosophy which would explain the Emergency. Or in anything else that I believed at that time which would explain the Emergency. I thought the Marxist understanding would help me to explain more. If I remember rightly it was during the Emergency that I declared to myself that I am a Marxist hereafter. Later I became a sympathizer. But as far as activity is concerned I was never... I was only in the civil rights movement from the very beginning. 1978, 79 I was in civil rights movement. Being in Warangal made a lot of difference; if I had been somewhere else perhaps I won't have been involved in these.... Warangal was a major center for the ML movement in its earlier phase. Where one could see its social content, one did not have to infer it dialectically. One could see it physically. That they were there among the poorest sections of the people and for whom the law had done nothing for the last, by that time 30 years, today it is 50 years. That one could see.

And I think also that , it is partly to the credit of the civil rights movement in Andhra Pradesh that we have been able to educate the ordinary people that encounter means murder. Today one does not have to tell them. It's taken for granted that encounter means murder and today the position is that the police have to explain and prove that it's a real encounter. That's I think, its some achievement that has been... the achievement of the civil rights movement here. That also has happened. Well, that's how it began. And, well_subsequently it had to grow. It had to grow by the very logic of its.. the cause it exposed.

My own view which may not be fully accepted by everybody is that once you formulate a protest in terms of principle, you have to; firstly.. you can never formulate a protest only in terms of interests. You can never say I am being oppressed; you have to say oppression is wrong.

That's the only way you can formulate a protest. The moment you do that, the principle becomes universal. Not universal in the sense of 100% universal, but it finds for itself a class which goes beyond you. Then what happens is that, you will have to speak for many more people, which again has its own further consequences. So a perpetual expansion of the principled concerns is unavoidable in the very fact that a protest has to be expressed in terms of universal values. So once we say that torture is wrong, it is impossible for civil rights

movement to say torture of Naxalites is wrong. You have to say torture is wrong. Once you say torture is wrong you have to look at who else is being tortured. So we had to look.

In the beginning police used to make fun of us. That look when you come to a police station asking for the release or somebody to be produced in court who happens to be a radical, he is in the lockup, there are ten more people in the lock up along with him, why don't you talk about them? Police, of course were not interested that we should talk about them. They were interested in exposing our one sidedness. But we learnt a lesson from that. So we started saying say that torture is wrong. And if torture is wrong, then you have to answer many more questions. Because you are saying torture not only of a political revolutionary, but also of a criminal is wrong. Then you have to answer for yourself what is crime? What is civil rights movement's understanding of crime? Is it the same thing as that of the system or do you have a different understanding? Can you be satisfied with a totally subversive understanding that -- can you say that all crime is protest? Obviously it is not. There is some crime which even ordinary people don't like. So one has to formulate a notion of crime. So the movement started expanding.

1985 brought about a major break. I remember very well that prior to 1985.. I had a few Dalit students, I was then teaching in a university, who were of course friendly with us and appreciative of what we were doing, but pointedly they used to ask, sir, is it a human rights violation only if somebody is killed in a police lock up? But not if he is banished from the village saying you are untouchable. Is it not a human rights violation? I still remember answering that, in that case you are being banished by another citizen, it is between two citizens and you can approach the law. Whereas when the State itself oppresses someone, there is no recourse, practically no recourse in the law and therefore we are not concerned about untouchability as a human rights issue. That was the answer we gave, I myself gave, until 1985.

1985 July 17th there was a major incident in what is today Prakasam district, a village called Karamchedu, where a major assault on Dalits took place and 6 men were killed and 3 women were raped by upper caste people who happened to be very closely related to the then chief minister N.T.Rama Rao. His daughter's husband's village. It was in that village. I am saying all this because the civil rights movement, at least that wing of which I was a part and our friends have been a part, has always learnt from reality. I don't remember a single issue that we decided purely by theoretical discussion. We never did. We always learnt from reality. And if you can say one thing about ourselves in a complimentary sense it is only that we were open to learning from reality. That is all that we can say. Not that we could guess things before hand and take theoretical positions before things came up. That never happened.

I don't know whether any other stream of the civil rights movement can claim such an achievement, but for us being open to reality is the only thing that we can claim for

ourselves. And we learnt from this, and I remember very well, the other stream of the civil rights movement in our State spent a long time theoretically discussing whether the assault is a civil rights incident, violation, and should they go for fact finding? We on the other hand didn't even bother to theoretical discuss. We went away the next day. We went to the village the next day, talked to people. When we held a press conference we were forced to theorize. The moment you express values, you have to theorize.

Another issue which came up in the civil rights movement which still is unresolved in the country as a whole. In fact in this matter we remain in a minority. This has come up everywhere. That is, do you have something to say to the revolutionaries? Or do you merely talk about their rights, in defense of their rights? You do defend their rights. You not only defend their rights in terms of law, you also take a quasi-political stand. That, they are not to be treated merely as persons committing crimes or using violence. They are to be treated as a political movement. It is a fundamental point that we keep emphasizing again and again, for society and for the State. An armed movement -- let it be ULFA, let it be Hizb-ul-Mujahideen, let it be People's War, let it be anything, LTTE -- irrespective of the fact that there are so many differences among them, that we do distinguish, if the need arises. Still, every one of them is a political movement. And the response of society and State has to be principally, primarily political. Which is not to say that they are not committing offences. Which is not to say that the law shall not take note of their offences and take legal action, it shall happen. This is a point on which, of course, our friends have differed. They have said that we should never say that the law should take action against revolutionaries because a crime committed by them is an act of revolution. We said it is impossible for a human rights group to say that. It's a crime. It's an offence. What we do say is that; look at the political aspect as the fundamental aspect and the aspect of crime as something which is attached to it, which is a consequence of the political nature of the act. Deal with the crime in terms of law, but let the law be something which respects rights. Let it not be any law. Let it not be an arbitrary law like the Disturbed Areas Act or the Armed Forces Special Powers Act which gives the power to kill... without... kill on suspicion. It has to be a law which is democratic, which is respectful of rights. But law...handling them through the law should be only a minor aspect of it, handling them politically shall be the major aspect it. This I think is a complex of understanding that we have and we want to communicate constantly to society and to the State.

I was a teacher. I was a lecturer from 1981 to 85. A situation was created where -- my job was in Warangal, in the university at Warangal -- to live and work at Warangal, I had to give up my civil rights work because the police were openly saying they would kill me. To do civil rights work I had to leave Warangal or leave my job. I chose the latter. For about thirteen years I was a full time activist. Then, when I have a growing up son and I also have earn some thing. I can't put all the burden on my wife. So one reason why I chose to.... and I thought of all possible professions..., as a lawyer I can continue my human rights activity

both outside and inside the court, to some extent at least. One had very few, what one may call illusions about the court. Not that one had no belief in the court but illusions, additionally illusions can be there. I do not have any illusions because though not a lawyer, I was a petitioner in many cases. I know the courts. But I chose this profession because it is closest to the human rights activity of all the possible professions, that's why I became a lawyer.

After a while we find that, they may not say to, but it appears that we are the only persons whom they at least respect in the sense that they feel, they should at least explain themselves to us. I don't think they explain themselves even to their home minister or chief minister. So that also gives you a feeling that in the long run... my own understanding of the human rights movement is that it is essentially a moral concern. This is where many of my friends disagree; they believe it is a political concern. It all depends on how you define politics, but my only point is that essentially it is a question of... you are establishing, asserting certain values other than the values of domination, power and oppression. And I do believe that.... here perhaps there is an element of truth in what Gandhi said. That ultimately the real victory is when you make the other person feel that what he or she has been doing is morally wrong. Not when you behead that person and remove that person physically. So I think we have been able to communicate a strong message to the establishment, at least to the police. That their exercise, their taking advantage of their power to behave in a lawless manner is wrong. Morally wrong. We may not have stopped them physically from doing those things. But this is a message I think we have sufficiently been able to communicate. That's why they probably respect us more than they respect anybody else within the system. And we also find that a lot of people who are... whom we constantly criticise, constantly expose, have recognized the legitimacy of our critique. To the extent that some times at least we are able to have some influence upon them, if it not always. If not in a systematic manner.

Whatever concern that people used to feel for poor people or oppressed people, it has been delegitimized totally. People feel something. Feelings don't come only from your heart. What is socially legitimate is also an important input for one's responses and feelings. Delegitimation of welfare, concern, sympathy.. that I think is the strongest negative factor with globalization. Other things are a question of policy. Policy wise one can very easily see how policies are withdrawing from welfare and increasing the poverty, alienation and so on. But my own view is that so long as you have a strong outlook in society which believes in sympathy, in cooperation, in helping people, these things won't really work much evil. But that has been destroyed. And that delegitimation... globalization itself has taken advantage of the demise of the socialist experiment, the failure of the socialist experiment, which in turn has contributed to delegitimizing the socialist concerns. It ought not to have. Because one way of trying to build socialism has been proved to be false, it doesn't mean socialism has been proved to be false. But that's how the message is taken by society. That is very bad. So

today for instance we find it very difficult to get more activists. Much more difficult than in the past.

Wherever you have structured inequality, you have problems of rights. Wherever inequality is not merely accidental, but structured. It could be economic, it could be social, it could be cultural, it could be a hundred things, but if there is structured inequality anywhere in society, it is a context for violation of rights. The very existence of inequality is a violation of rights and it leads to further violation of rights because of the working out of the inequality. Mandal commission came in 1991. We took a categorical stand in defence of the Mandal commission. So caste was one. Gender was.. in the sense of dowry killing, I mean like all parts of the country, Andhra Pradesh also has a major.... so we started taking up those issues also. Once again the man woman relationship is a unequal relationship. Caste is unequal relationship. A factory is a place where there is unequal relationship. And with minorities being sidelined, today you also have in religious terms also unequal, communal terms unequal relationships. So these things became issues. There was serious objection to taking up these issues but gradually a certain campaign was started that you are taking up all these issues either to intentionally to sideline the importance of the repression on the ML movement, or your unintended consequence is that anyway. We overcame that by sheer hard work. We did so much work that we satisfied their requirement that we do a lot of work on that front and also took up a lot of work on other fronts. Obviously it couldn't last forever. That was one thing. And gradually this discussion boiled down to one point that is agreeing.. I mean they also accepted, that wherever there is structured inequality there is a violation of rights, yes, but nevertheless State repression should be central. We said no, nothing will be absolutely central. What is central is a sporadic thing. Today one thing may be central, tomorrow another thing may be central. That depends on the context. There is no absolute centrality. That is one thing we insisted. The other thing which became quite a serious discussion was...See, when these movements.. we support the right to agitate, we support the right to struggle, we support the right even to struggle beyond the limits of the Constitution because there is nothing absolute about the Constitution. But when these movements starts misbehaving. When they start behaving undemocratically, arbitrarily, do we or don't we speak out? This is a very major.... And this touched them much more because after 1985, when the Maoists, then People's War, became more violent. Incidents of amputation of legs and hands of informers, arbitrary actions... you go, and you want to kill somebody, you go there, you don't find him, you kill his brother and come away... such things started happening. And especially given the importance of armed struggle, eliminating informers becomes very important. And what is the touch stone of your decision that somebody is an informer. They don't have any. It's a subjective decision of the local cadre. Sometime the public also says, yes he was a bad fellow, sometimes they say it's a mistake, he wasn't an informer. There is no way of proving these things. So when these things came up, we took a stand that even as we defend the right to struggle, if movements behave undemocratically, it need not be only killing, like in Kashmir for instance where they said women have to wear

burqas, they can't come out without burqas. We said nonsense. We are fully defending Kashmir's right of accede from India, but you can't restrict the right of women to have equal treatment along with men. So such things, undemocratic behavior of any movement in its conduct, which includes also arbitrary violence has to be condemned. That's the stand we took. Which they disagreed, they still continue to disagree. Ultimately they came round to saying this that we should tell the party or tell the organization, not to give a public statement. We said there is no secret expression of human rights concern, it has to be public. That was the major... so the importance of centrality of State repression and the need to criticise undemocratic acts of the movements, these were two very major... and understanding also. You see they went on emphasizing rights is an issue linked to movements. We said there are lots of people who can't agitate, who can never become part of a movement. There are small communities which can never be a movement at all. They have to go to the law, they have to go to the court. They have to go and do something, get hold of some good people, good samaritans to get something. That's also a concern for us. We can't keep quiet; we can't say we'll concentrate only on agitations, movements and repression on movements. So this was the very broad... and finally we had one, two years full, thorough discussion within the organization, identified seven or eight points of difference, had a debate, got thoroughly defeated and left the organization. That's how it was. About 35 of us came out, out of a total strength of 200 or so at that time.

Concept of talks did not start with the Maoists or with the government. It started with a certain section of the intelligentsia. The Committee of Concerned Citizens. It began as essentially in a concern that lives were being lost. Civil rights movements was concerned in a sense with one kind of lives, not with the lives as such, but repression on people's movement leading to fake encounters and so on. The Committee of Concerned Citizens began at a different point. That look whatever.. rights and wrongs apart, lives are being lost. And we would like to have a mode of development, mode of growth, mode of improvement, progress, where lives are not lost. May be if it is unavoidable that lives are lost... we will come to that at the end. Let us not begin there. So that effort... and therefore it automatically led to a situation where they would address both sides. Why are you killing? Why are you killing? What is your answer? Then at some point it boiled down to this. Announce a cease fire and sit and talk. It was never very clear what they would talk? After all, I mean it's a ... if you have a movement like say Naga movement, there can be a discussion; we will give you autonomy, not independence. You can't have a half a revolution, either you have a revolution; you don't have a revolution. So what could be the talks? This is the part of the joke behind it. We said there can be talks not about the aims and goals, but about a code of conduct. That both will agree that even as they fight each other, they won't harass innocent people. They won't harass unarmed civilians in between. And the Maoists will allow the ordinary day to day administration to go on so that schools can run, elections can takes place whatever, and police also will allow ordinary movements to go on. The whole problem in lots of areas where Maoists are active is if farmers agitate for better price the police will call

the leader and say who is behind you? They are behind you. So that should stop. On both sides ordinary peoples, ordinary life, including ordinary agitations and movements, including also ordinary politics other than Maoist politics and also Maoist politics should be allowed to go on. This could have been a code of conduct agreed upon by both parties, which would have made things lighter for the people. That is even today a possible framework of talks.

But as far as we are concerned we define human rights very widely and today with the development of the neoliberal variety, displacement is a very major issue and we are taking it up centrally. Polavaram is a dam which is coming up, likely to be the biggest disaster in not only Andhra Pradesh, but one of the biggest India has seen. The difference with Narmada is Narmada is part of a huge complex of dams. But you take as a single dam this is as bad as Sardar Sarovar. It's no better, and two lakh thirty thousand tribals are going to be, I mean, two lakh thirty thousand people, half of them tribals, are going to be displaced. That's a very major human rights issue. And all over the State we have special economic zones which are coming up. Almost every weekend we are going to various areas and trying to do something about it. These.. development induced displacement is a very major human rights issue in the state. Other issues keep coming up, like you had this proposal to give OBC reservation opposed by the upper castes in Delhi. Fortunately in South India it didn't pick up. But we had been campaigning against this upper caste movement that OBC reservation..., so that kind of activity we are having. But Andhra Pradesh, the context is, I think, one very important part of the context is displacement, as far as human rights is concerned. The other is the mafia type of gangs, the Cobras and Green Tigers who are being created, police repression. The rest of the problems are routine, they continue, they are always there. Caste and gender are issues which continue to be continuously human rights issues and as and when one has... a major issue comes up, one takes up and it goes on. That's how things are.

See the day Dr Ramanatham was killed on September 3rd, 1985, I could have been killed. It was touch and They wanted to kill one. I don't know why they chose Ramanatham and not me. I still don't know. When such things happen, how do you say that other than matter of factly. There is no other way. And it was difficult. I think almost up to 1992, 93, we used to be regularly arrested just to prevent us to go somewhere, just to prevent a meeting. That kind of arrest, I can't even give the number. Cases were there only in 1985, 1986. Serious cases, TADA. I was one of the first TADA detenués in Andhra Pradesh. At a time when death penalty was the only penalty, not even life imprisonment. Then kidnapping. Once they engaged a goonda to beat me up all over the face. Such things have happened to all people who work for human rights, only the last.... One of the things we achieved is, to achieve a stature for ourselves, where they don't like us any more than they did in the past, they don't do anything to us. So that much of a difference is still there. So we are able to go around more freely now, than in the past. Hardly ten years fifteen years ago it would be, if one goes out when one will come back or in what shape was...it is no longer so now. We are able to move. We are saying the same things, doing the same things. But over a period they

also get accustomed to you, that's what happens. They get accustomed to your existence. These fellows are there, they will say these things, they will talk, we can't stop them. So any new person who feels threatened by police, the only advice we give is, persevere. After a while they'll think, there is no point in harassing this fellow, they will give up. That's what happened to us, you also achieve that status. There is no other way one can help. That is the only advice we can give. And it works.

One can say it is commitment, this, that. It is never so. Ultimately it's part of, when you... your responses are not part of your mind, they are part of your personality. Somebody could, in terms of ordinary kind of analysis say, I can give up this and be an ordinary lawyer. I can't. Because if I don't have this, I don't live in this world. I won't have any sense of a reality at all. I'll lose all my touch with reality. That is my personal explanation. I can rationalize and say that I have a deep sense of commitment. At a certain level I do have, not that I don't have. But nobody does anything only because he or she has abstract commitment. I am not saying there is no such thing as a commitment. Commitment is there, but there are usually factors linked to the personality rather than merely intellectual convictions. And that includes pride. It includes also various dimensions which taken separately may not be very complimentary aspects of your personality. But they are there. Some are extremely, you know... what do we say when, somebody is unflinching. It is not necessarily a good quality, but it's one of the qualities which helps you to continue in the movement. Some are stubborn. Stubbornness is again not a great quality otherwise. It can be a quality which will.. and the more you are pushed to the wall, the more you feel you must not give up, because you lose your identity if you give up, and that's where stubbornness comes in. So most of the people who have continued and not given up have all these qualities which taken separately are not very admirable qualities, but they have... but taken with certain commitment of positive values in life, commitment to human values it has been useful for them to continue.
