

REMEMBERING BALAGOPAL - A FEMINIST PAYS HER TRIBUTE TO A COMRADE

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My first introduction to Balagopal was as a brilliant mathematician with a doctorate from the Indian Statistical Institute. He was a lecturer at the Kakatiya University in Warangal, Andhra Pradesh. Balagopal had to leave his job at the Kakatiya University because there was a danger that he would be killed by the police because he had been taking up the cause of the Naxalites.

I could not help smile when I remembered our first meeting as lawyer and client and he had looked at the petition I had drafted on behalf of the Andhra Pradesh Civil Liberties Committee (APCLC) and he had gone down line by line murmuring “good” “hmmm” and then finally looked up and said “good”. I was amazed. I asked him how many marks out of ten would he give me? He smiled, amused. He was always amused with me, like an indulgent teacher looking at a student who was bright but not very mature.

Balagopal did not like “wasting time” in idle talk, chattering or exchanging stories. If we were waiting at a train station he would be scribbling lines for his next article for the Economic and Political Weekly, or the EPW. He could not be silly and Sujato Bhadra, who always had time for a joke, once remarked: “Why do you walk as if you are going towards the gallows?” Balagopal’s reaction: an indulgent smile.

Perhaps it was his demeanour that commanded respect and even awe. There was not a minute of time when he was not grappling with some aspect of human rights politics. He always seemed to have all the answers. And for the first few years of my involvement with the human rights movement I never questioned his views or opinions.

I remember the first time when I heard him speak. He never raised his voice, was not dramatic or tried to arouse passion. It was with mathematical precision he would lay bare his argument. He dissected the meaning of state violence and

analysed the logic by which the state enforcement machinery was in fact responsible for violence on people in an institutionalised way. State violence took so many forms, including deaths in police custody, false encounter deaths and other varieties of extra-judicial murders. Under his guidance the APCLC did meticulous documentation of all these aspects of state violence and state repression.

At that stage I would sometimes question the ways the Naxalites behaved. For instance, I would be filing their cases in the Supreme Court but my clients would never tell me their names. He would patiently explain the problems of class struggle and the need for discretion. I continued to file cases on behalf of anonymous people, whom I looked upon as comrades.

But we did make a distinction between comrades who were in the underground and those who were within the human rights movement. This distinction was not always understood by our comrades in the party. Then there was the first serious political debate within the human rights movement. The question was whether we, human rights groups were mere fronts for the Naxalite parties or were we to function independently and have a certain degree of autonomy?

The Organisation for Democratic Rights (OPDR) looked upon itself as a front and allowed the party to mobilise thousands of people for meetings held under the banner of OPDR. However, Balagopal and the APCLC held that human rights organisations should act with autonomy and the members of the human rights groups should not be members of any party, Naxalite or not. Taking cue from the APCLC we in the PUDR also took the same stand but Rajni X. Desai supported the idea of human rights groups being mass organizations.

Although the PUDR did not allow any party members to join their organisation, it was understood that we were Communists committed to Marxism-Leninism. Later, some party members were allowed membership in the human rights groups.

People belonging to other parties or political persuasions were not welcome. When I became the secretary of the PUDR, I tried to involve the CPI and CPM sympathisers. On one occasion I was able to persuade Prof Sumit Sarkar, the eminent historian, to accompany us on a fact finding mission near Delhi where the municipality had bulldozed hundreds of homes in India's larger slum. I was told it was not correct to involve people with sympathies for the CPM.

In contrast to this kind of attitude, Balagopal did not think it was wrong to involve people from all walks of life. I learnt of this aspect of his personality when we worked closely in the mid-1980s when we were both involved in setting up the Indian People's Human Rights Tribunal. The tribunal consisted of former judges of the High Courts and the Supreme Court and the work was done by the Secretariat run by us, the secretaries of various democratic rights organisations: P.A. Sebastian (CPDR), Balagopal (APCLC), Sujato Bhadra (APDR), P.R. Shukla (from a democratic rights organisation based in Ahmedabad) and myself from the PUHR, Delhi.

We met in Ahmedabad to draft the Constitution for the Indian People's Human Rights Tribunal. Our major concern was to build in provisions so that the RSS would not be able to take over. Already the RSS had infiltrated into the Bihar unit of the PUCL. We posted the draft Constitution (these were the days before the e-mail) to various human rights organisations. We all went to Bihar where Prabhakar Sinha of the PUCL told us that after reading our draft he thought we were all fascists! Even though he was faced with the RSS he had dealt with them in a democratic way - but that is another story. We changed the entire Constitution in response to his criticism.

The first issue we took up was the firing at Arwal, where the police had killed and injured very poor people fighting for a tiny piece of land which a local landlord had appropriated. Balagopal had no objection to my contacting the traditional Left parties and taking their help. It was indeed wonderful that both the CPI and CPM sent us messages of solidarity for our hearing.

It was during the time we were working for the Indian People's Human Rights Tribunal that we learnt that Balagopal was in love. For some time at least Balagopal was busy writing these love letters instead of articles for the EPW - and how we teased him!

It was later that I met his partner, Vasantha, a lively and vivacious woman who had been active in the APCLC even before Balagopal (something he told me proudly). I wondered how she would cope with his views on domestic work. Those were the days that male revolutionaries thought it was below their dignity to enter the kitchen.

All through the days of working on the tribunal when all my comrades were staying in my house I found myself drafting petitions (I was the only trained lawyer in our group) and cooking and it made me mad. And when we stayed in homes of comrades I felt pitted against the wife. It was Balagopal who acknowledged that I was facing a real problem and supported me. But his solution was: to go out and eat at some dhaba!

There were always sharp exchanges between the Andhra feminists and Balagopal. Even though the feminists addressed the APCLC, their real target was the attitudes of the party towards the women's question. I saw some lively exchanges in the Kannabiran home when Mr Kannabiran was the President of the APCLC and Balagopal, the Secretary.

ONE day I got a phone from Mr Kannabiran: "Balagopal is missing, do something." I had never heard him sound so despondent. It was a Saturday and the Supreme Court was closed. I went to the home of the newly nominated Chief Justice, Justice R.S. Pathak, and got an order directing the Andhra Police to find Balagopal and flew to Hyderabad.

The newspapers had screaming headlines about Balagopal missing. In violation of the normal security arrangements he had got onto the train for Calcutta to attend a meeting organised by the APDR. On the way he was to meet a poet and the poet had phoned Kanna that Balagopal had failed to keep the appointment – something he had never done before.

The party was about to burn buses in support of Balagopal and show their anger. The APCLC persuaded them to let us handle the situation. At that time I had laughed at the attitude of the party, not been critical of their politics or realised the consequences of their threatened action.

As it turned out, Balagopal had not kept his appointment because he could not get out of the train compartment since it had been occupied by Army jawans who had piled up their tin suitcases at the entrance. He was enjoying Bengali hospitality totally unaware of the tension he had caused.

When he finally arrived at the Vijaywada station I did not know whether to be relieved or angry because I had got the Supreme Court order on a holiday and mobilised the office staff to put the seal and now I would have to face the Supreme

Court. Balagopal announced he was going for a fact finding but I insisted he come to Delhi and be present in the Court.

Balagopal had travelled to every nook and corner of his beloved Andhra and he would remind me that he was from Andhra not Telangana. He loved his language and cultural traditions. I believe he wrote poems with very difficult metres. On one occasion when he was staying in my home I heard him whistling. I pretended to sleep and I heard him for more than an hour—it was classical ragas. That was the time he had a premonition that he would be arrested.

Balagopal faced arrests, detention and threat to his life with the equanimity of a seasoned political prisoner.

While I admired his ability to focus on his work and give his all to human rights I often wondered whether he had any other interests. I asked him whether there was nothing else that interested him and he looked amused and said: “Cricket.” Before I had got over my shock he said: “I was in the college team.” But then I asked: “If you could not do human rights what would you do?” And then his face changed. The amused look gone and he said he had no life outside of human rights.

That was the day Balagopal ever asked me a question: “What would you do, if you did not do human rights?” I told him I could think of many better things to do such as dancing, writing and ... he thought I was not being serious. It took me many hours of persuasion before he agreed to see a film on my recommendation and when he did see it he admitted that it had been worth his while. But the film had been on Chile. I doubt whether he would have sat through *Jab We Met*.

BALAGOPAL and the APCLC were inseparable. But a day came when Balagopal was isolated from the organisation on the issue of violence. Slowly, Balagopal had begun to understand the importance of democratic rights and democratic struggle and was critical of the lack of democracy within the party and in their functioning, most of all in the acts of violence in which the prime targets were not the class enemy but the poor.

I was a guest at that stormy meeting of the APCLC. I was critical of the APCLC and its attitude to women’s question but I still thought that state violence was a far greater danger than violence by a political party. Human rights groups all over the

world were under great pressure to condemn violence by non-state actors as well as state violence. And I took a stand that the two cannot be equated and our concern was with exposing state violence. I stood against Balagopal.

Balagopal was voted out. But the voting was manoeuvred by the party who had got its members to join the APCLC for the crucial meeting.

Balagopal must have felt so sad and so isolated. However, he did not buckle under the pressure and stayed out of the APCLC. He did not give up human rights work and he decided to take up law and become a lawyer.

That was not the only split in the APCLC. The Dalit members felt that the human rights movement was dominated by Brahmans (which was an irrefutable objective fact). The Muslims also broke away and formed their own group. I do not know how Balagopal looked upon the issues of caste based oppression or minority rights.

I lost touch with him because I went away to fight a case in the North-East. The first time the Army raided my room and there was a threat to my life, I felt cold with fear. I remember wondering whether Balagopal too had felt scared and I wrote and asked him. He did not reply but when we met he looked serious and told me: "We all get scared." Then he said: "You have set new standards for human rights work." My teacher had given me full marks! After that I lost touch with him. I met him again around 2001 at a meeting organised by the Amnesty International.

By this time I had done some hard thinking and I too was critical of the way the People's War adopted an instrumentalist approach to human rights and their inability to understand the importance of open, mass organisations. But I was equally concerned with the appropriation of human rights discourse (and for that matter the feminist discourse) by the NGOs backed by funds from imperialist countries. To me both were equally wrong, and both closed the space for democratic struggle.

I wanted to discuss the question of building a socialist theory of human rights which took into account the collective rights of national minorities, women, Dalits.

I tried to have a discussion with Balagopal. But this time he did not have time for me and I felt he was working with NGOs rather uncritically.

Balagopal had seen the work of the People's War Group from close, so his criticism was sharp and based on experience. But he did not have an equally critical look at the NGOs with which he had started working. But I could not understand his lack of discomfort with their appropriation of the liberal-democratic discourse on human rights. In his famous article on violence all he states about the NGOs is that they have undermined the process by which activists used to "sacrifice their personal concerns". That is not the "greatest disservice" done by NGOs. In my understanding, NGOs have depoliticised the human rights movement and robbed it of its radical edge.

When I raised some of these issues in an article in the Lawyers Collective, he did tell me he thought I had raised some valid points but he did not bother to intervene even when I was attacked unfairly. My complaint is not a personal one, but a political criticism of the human rights movement in India which itself did very little to create a politics of debate and discussion.

Perhaps he was still grappling with all these issues or he was overwhelmed by the burden of being a human rights activist and a practising lawyer.

But the questions he had raised now take on even more urgency as the state unleashes its might against the Maoists and the Maoists finally give up any pretence of commitment to human rights norms.

The debate on the issue violence is incomplete because the real issue is not whether the use of violence in struggle is legitimate. Although Balagopal has raised the issue of violence we need to take it further and begin a debate on the relationship between class struggle and democratic rights.

There has always been an uneasy relationship between communism or socialism and democracy. The root of the debate goes far back into history. We can trace the origins to the communist opposition to the International Labour Organisation which was set up in 1919, two years after the Russian Revolution and the Constitution states that the ILO does not recognise "class". A few years later the Soviet Union was one of the three states which abstained from voting for the Universal Declaration for Human Rights.

There are very real reasons for communist distrust of human rights discourse but there are also very good reasons why many later day Marxists have raised questions about the relationship between communism and democracy.

Balagopal, the puritan, the patriarch, the courageous revolutionary, the deeply committed human rights activist, and above all a unique human being with a very real feeling for the poor and the oppressed is no more. My heart goes out to Vasantha, his partner, his son and to Mr Kannabiran who have lost a precious member of their family whom they had nurtured and nourished. I have been writing this with the emotion welling up and then as I come to the end I cannot help smile: how many marks would he have given me for this?

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