

The Human Rights Mathematician – Bobby Kunhu

Dr. Ramanamurthy, who was then with National Academy for Legal Studies and Research dragged me to multiple Human Rights Forum fact findings on a weekend in 2001. It was in an APSRTC bus headed for Warangal, that I was first introduced to Balagopal. Already a legend in the Human Rights circles, many of us held him and his work in awe. The bespectacled man immediately plunged into a lecture on a speculative History of Irani tea. After this, for the one and a half years, that I was in Hyderabad, I was a regular face in many of the programs and fact findings initiated by the Human Rights Forum. At a moment of shock, I am just jotting down some disjointed memories, which I hope might give a clue to his personality.

Balagopal rarely spoke about his personal life. Most of what I know of it is hearsay, from co-travellers in the Human Rights Forum and of course snippets that slipped from him. But his life itself is a telling testimony about his commitment, propensity for hard work and his intellectual range. A little known fact about him is that his doctorate is in Mathematics. It was his journey through the civil liberties movement and associated personal experiences that made him change his career from a Mathematics teacher to a full time practicing lawyer.

On one of the many trips, he told us in a lighter vein that his activism started in the same campus at around the same time as (the then Chief Minister of Andhra Pradesh) Chandrababu Naidu. But it was with the Andhra Pradesh Civil Liberties Committee that he made a mark. APCLC and his activism against state violence also gave him endless trouble with the State - which incessantly tried to punish him. In one of the most well documented cases of State harassment, he was charged for the murder of a sub-inspector of Police – first under the Indian Penal Code and later in the year under the then Terrorist and Disruptive Activities Act in 1985 – and was literally hounded. In 1989, he was kidnapped and held hostage by an outfit allegedly promoted by the Police. There have been many other incidents of intimidation including physical violence. But, the strategy of harassment backfired – it only served to strengthen Balagopal's commitment. Perhaps, it was also a catalyst in Balagopal resigning his academic career with the Kakatiya University and embracing fulltime legal practice.

Having served for a long time as the General Secretary of the Andhra Pradesh Civil Liberties Committee, he, along with M T Khan, G Haragopal and Kancha Ilaiah parted ways to found the Human Rights Forum. The internal difference that led to this rift and marked Balagopal's political positions thereafter is captured in the HRF website; "The Human Rights Forum (HRF) was formed in October 1998. Most of the members of HRF were members of Andhra Pradesh Civil Liberties Committee, who fell out on the question of what should be the perspective of a rights organization. The HRF strongly believes that the state alone is not the center of rights violations". It was his abhorrence of violence, regardless of the perpetrator, that led to the split, with APCLC. This ideological position coupled with his forthrightness made him an undesirable element for the Naxalites as well. Despite this, he has played a pivotal role in attempting mediations between the State and the Naxalites within the Constitutional framework.

His unparalleled clarity, scholarship combined with his experience forms one of the most important contributions to the Human Rights discourse in India. What distinguishes his activism is the brilliance with which he theorized and articulated its justifications. In a marked departure from the position held by traditional civil liberties activists, while condemning Naxal violence and its inherent hegemony; he located the Naxal movement in a larger context of socio-economic justice. The HRF and Balagopal ventured into and linked denial of socio-economic rights to civil liberties violation. The evidence of this departure can be seen regularly in his writings and the diverse array of issues that HRF has worked on.

Fact finding missions with Balagopal in Andhra Pradesh were always intense academic experiences as well - apart from the emotional upheaval one had to grapple with in many of these situations. For one, apart from knowing the geography, socio-politics of the region like the back of his hand, he was always the most prepared amongst the entire team. The experience could only be complete with his anecdotes marked with characteristic humour. He dealt with victims of violence with uncanny sensitivity, the police and agents of violence with firmness and the media with tact. The police were wary of the man – so wary that at one police station we were turned away because of his presence on the pretext that the Station House Officer was not available. While at public meetings and discussions, he was erudition personified. I vividly remember his intervention, when late

Abdul Ghani Lone was visiting Hyderabad (amongst other cities) on a lecture tour. As a lawyer, he was thorough, but more importantly, he epitomized the ethics of legal practice to the point of being irksome. I remember being irritated with him, the one of the few times that I visited him at his residence for not demanding the fees due to him from a fairly well to do client.

Balagopal demonstrated that all of this and much more could be done, while leading an austere life style. For instance, he insisted on traveling either sleeper class train or ordinary buses. It must be his strong will, austerity and inherent abhorrence of violence that led one of the obituaries to claim that; “In an ironic way Balagopal could be seen as a true inheritor of the Gandhian legacy, of leading a particular kind of life, and through such a life aspiring to change the world around you.” Nothing could be more unfair to Balagopal. While Gandhi’s notion of ahimsa is constructed and practiced in a spiritual context, Balagopal’s position on violence is evolved on the basis of material reality, very often critical of the Gandhian position.

After leaving Hyderabad, one often bumped into him at conferences and meetings, richer with fresh perspectives on each occasion. Our last meeting was a couple of years ago at the India International Centre in New Delhi at a conference on the changing trends in Criminal Law hosted by the Human Rights Law Network. At lunch he was lamenting about the regressive role being played by Dr. Madhava Menon in meddling with Criminal Law reforms.

His demise comes at a juncture when his clarity and erudition are needed the most. When the government of India is making noises about waging war against naxalism – disregarding constitutional norms, when the Central and State governments are busy figuring out excuses and facades to quell dissent, when shining India looks away, a very important voice of sanity has gone silent forever.

Personally I have lost that person, whose informal tutelage honed my understanding of the Human Rights discourse and criminal justice jurisprudence.

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