



KAKATIYA UNIVERSITY

Warangal - 506 009 (A.P.)

THE FIRST ENDOWMENT LECTURE

in memory of

Late. Dr. K. Balagopal

Human Rights Crusader for Just Society

By

Ms. ARUNA ROY

Social Activist, Ramon Magsaysay Awardee

on

**HUMAN RIGHTS AND
RIGHT TO INFORMATION**

Date and Time :

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Tuesday, 2.00 pm

Dr.K. BALAGOPAL

(1952-2009)

Human Rights Crusader for Just Society



Dr. K. Balagopal, a unique person of our times, was a multi dimensional personality. He was not only endowed with a very sharp intellect, but preparedness for uncompromising practice and deep concern and commitment to the cause of the marginalized. He was engaged in a relentless and dedicated pursuit for a humane and just society. It is this unusual combination that turned him into a 'conscience keeper' of the society and the movements engaged in transformative politics.

Dr. K. Balagopal, trained in mathematics moved to literary criticism, social analysis and finally to law with an unusual ease. In the area of mathematics and statistics he completed doctorate at Regional Engineering College, Warangal and went to prestigious Indian Statistical Institute, Delhi to pursue his post-doctoral work, after which he joined Kakatiya University, and taught Advanced Mathematics. The creative turbulence of Warangal shaped his consciousness. He left his job and took up Civil Rights Movement as a full time activist. He soon became Secretary of Andhra Pradesh Civil liberties committee in most trying times in the state and contributed to the enlargement of the social base and terms of discourse of human rights movement. Since he strongly believed in learning from experience, he opened fresh debates and raised certain searching questions about the scope of human rights including the need to relook at Marxist theory and practice from a human rights perspective. He along with like minded activists started Human Rights Forum to test the potential of some of these ideas and concepts. He

was supportive of several initiatives for social transformation and was intimately associated with *Perspectives*, which is engaged in publishing for change.

From the early 1980s to 2009, spanning a period of three decades, he has written so extensively on a wide range of issues that his contribution to knowledge, be it literary criticism, social analysis, jurisprudence, Marxism or human rights, will remain as a work of deep insight and will have a lasting imprint on human enquiry in the times to come. He set an example and a standard to the role of intellectuals in using their creative capabilities in the cause of struggling masses.

Balagopal believed that no knowledge or human principle is valid unless it is validated by a rigorous practice. He believed that human happiness lies not in pursuit of physical comforts but deeper meaning to life lies in confronting the harsh realities of life and society. He was honest to the core, simple to its limits and unbelievably humane. The courage of conviction was so high that in the course of his work he suffered physical attacks on his body, but his spirit remained undaunted. His practice was so complete that the external factors be it praise or condemnation, did not matter. For him testing of the principles and possibilities of humane experiment was the sole concern.

Balagopal traced his own source of inspiration to the notion of justice. He believed that the unjust world in which human society landed will have to be transformed through the peoples' movements and struggles. He also firmly believed that peoples' movements should be guided by higher norms and principles of justice and fairness. It is this conviction that is reflected in his writings, activities, everyday life practices and his constructive and creative critique of the movements. His whole life was a humane experiment epitomizing the very human essence in practice.

Prabhat and Vasantha Lakshmi, Professor Lingamurthy and Faculty of Kakatiya University

I am honoured that you have invited me to talk about Balagopal. In talking of the values he held dear, in recalling the issues of his concern, I hope I go back empowered to continue the relentless struggle against inequality, injustice and deliberate mischief thrust upon the people. The battle is both outside, in society and within us, to resolve dilemmas and contradictions. It is a dialectic that sometimes produces powerful public action.

I have come here, to keep my tryst with two minds and personalities who carried their commitment to the poor and truth in equal measure. Balagopal and S.R.Sankaran were two people mild in their manner, but whose thought, words, and action held to truth, had sagacity and great power. Both were equally endowed with the capacity to attract and influence hundreds of people, of all age groups looking for assurance, re-assurance, guidance and leadership; to deal with the most complex understanding of the polity and the human condition. They were placed in two different paradigms. In paradigms often seen as contradictory and irreconcilable - one a public servant and the other a radical human rights activist, yet they had many things in common. They proved by their friendship, and in the way they lived and acted that these could be bridged. They influenced people without ever compromising on rationality and ethics.

Some of us, like the proverbial moth, have been attracted to the powerful flame and light that was their lives.

The capacity to inspire others, is one of the signs of greatness. History has shown that for political mobilisation and religious revival, proselytising with words has been a potent persuader. Equally important is the fact that every major healthy mobilization needs a theoretician or a theologian to walk along, and to help with a continual critique and to give shape to the questions that arise. There is a need for some one who has worked out the logic, to show the connections

we miss, to help perceive the details or formulate assumptions. They are needed to convince the minds of women and men who are hesitant to deal with questions and confusions. Conviction often leads to action and support to those who do act. Those who want to understand the truth and want reason in political action, want intellectual reassurance.

Great poets have written, singers have sung, literature and folk culture flourishes to support public action. Powerful poetry is born from an understanding of want and oppression. Whether a Kabir or a modern revolutionary singer like Gaddar, they have taken the message of wisdom and revolution to the people. Pablo Neruda the poet of the oppressed and the poor says in his famous sonnet to bread which inspired so many:

*This is why, bread,
if you flee from mankind's houses,
if they hide you away or deny you,
if the greedy man pimps for you or the rich man takes you over,
does not yearn for the furrow and the soil:
then, bread, we will refuse to pray:
bread we will refuse to beg.
We will fight for you instead, side by side with the others,
with everyone who knows hunger.
We will go after you in every river and in the air.
We will divide the entire earth among ourselves
so that you may germinate,
and the earth will go forward with us:
water, fire, and mankind fighting at our side.
Crowned with sheaves of wheat,
we will win earth and bread for everyone.
Then life itself will have the shape of bread,
deep and simple,
immeasurable and pure.
Every living thing will have its share*

*of soil and life,
and the bread we eat each morning,
everyone's daily bread,
will be hallowed and sacred,
because it will have been won by the longest and costliest
of human struggles.*

Pablo Neruda, Chilean Poet

There are yet others who seek their own salvation through working out their problems through action. W.B. Yeats said:

*“ He that sings a lasting song
Thinks in a marrow bone. ”*

Balagopal had the power of logic with its immense depths and insights, he had compassion for the inhuman condition, but most importantly, he had the courage to act on his convictions. S.R. Sankaran had an equal measure of concern and intellectual clarity, with compassion and a determination to stretch the role of a public servant to its logical constitutional limits. He was, undoubtedly much more than a public servant. His life, life style, his modesty, and every gesture contributed to his political ideology. His working style was self deprecatory, and there was an underlying sense of irony that undermined the pomposity of power and status reminiscent of the humour of folk theatre, baring all pretensions.

II

My concerns about the poor and the oppressed go back to my childhood. The powerful impressions formed about poverty in India, and communal killings at the time of partition continue to haunt my mind. These images come unbidden to trouble me and steer my decisions. At times when choices seem difficult, they become the touchstone in my mind.

I went to Hyderabad in December 1996, to deliver the Gulam Rasool Memorial Lecture. Gulam Rasool was killed in an encounter.

The police bulletin merely said: "Naxalites killed in an encounter with police."¹ It was another piece of news of disaster and death, numbing the sensitivity of the reader. What shocks me as I read that piece over, is not only a feeling of political stagnation - if that speech (delivered with Mr. S.R.Sankaran's approval), were to be read today, its topicality would not be questioned. What is disturbing however, is that the problem is far more critical today, and we are in no way closer to a solution than we were before. There is a greater need to understand the crisis of the State's supercilious dismissal of the reality of oppression and poverty; and the lack of accountability of the political and administrative systems. Shockingly, notwithstanding the gloss of growth rates and fancy standards of consumption, conditions have indeed deteriorated further.

In 1996, it was still possible to be politically outraged and to confront the mainstream. The room for public political debate and dialogue existed to a greater degree in some ways, and the lamp of hope still survived in the minds of a few remarkable people. A Committee of Concerned Citizens* could be set up to negotiate between the State and those who took up arms for justice.

The rise of left extremism was seen by some - not as an aberration of the people, but largely as a reaction to the misdoings of an unaccountable and corrupt State incapable of delivering basic services to the people, struggling to survive. The romance of fighting oppression, with arms if need be, was a popular image, but revolutionary violence could not be allowed to go unquestioned - or given open license. Balagopal was one of the most important voices that established human rights work as an uncompromising touchstone for the accountability of power- wherever it might be located. Sankaran was an active participant in the debates, and those

¹ Gulam Rasool came from a poor family of Sharajipeta, Aleru, Nalgonda, in Andhra Pradesh, and reported from Hyderabad for Udayam. He pursued numerous controversial stories, including the involvement of the police in land-grabbing activities across Hyderabad and Secunderabad. On the night of 27th December 1991 he and a friend, Vijayaprasada Rao, were picked up by the police, taken to a deserted warehouse and shot. Their murderers claimed that they were Naxalites, and were killed in a gun-battle.

discussions and efforts must have given him the courage to take on the mantle of steering the efforts of the CCC.

Fourteen years later, with Balagopal and S.R. Sankaran both gone, we face yet another kind of crisis in our lives. As we trudged towards the Punjagutta cremation ground on the 8th of October 2010, our feet seemed heavy with the responsibility that suddenly seemed to descend on our shoulders, with Sankaran “Sir” gone on the first anniversary of Balagopal’s death.

The heaviness in the trudge, of many of us mourning S.R.Sankaran, was the deep sense of loss, of a friend, comrade, guru, companion, and intellect gone. But it was also the apprehension of a journey with some of its strength depleted. It had the additional sorrow of the *déjà vu*, of as deep a loss exactly a year ago, the day when Balagopal suddenly passed away.

But the journey continues.

III

When did it begin for many of us? Often there is no consciousness of historicity as we live our lives. It is only in recorded history that dates are recorded with clarity. When we live through life’s mundane contours, it is a blur of unremarkable happenings.

But if one looks carefully there are always some water sheds. One such year was 1975. Indian history is perhaps as fraught with crazy reality as any other. The years since 1975 have brought another quality to politics, and governance in Indian democracy. That year brought the first national encounter with an inimical State, etched in the declaration of the emergency. It brought a curious and illogical lot of people together in the jails of India. The extreme left, the left and the right, the fundamentalists and the atheist were thrown together. The Gandhians and Sarvodayis too. Violence and non violence were pitched on the same side of the fence. The Indian Constitution took a back seat and Indian democracy tolerated its perversion. Till then, we saw the independent Indian State with

critical acceptance. Perceptions of the benevolent State changed irrevocably. The ordinary person's understanding of politics also changed, and lines were smudged. Fear gripped Northern India and people did not speak in public. The quiet was deafening and the fear palpable. The complacent middle class began to perceive why the struggles of the poor and disenfranchised, the vulnerable, the people on the margins- different ways in which we describe them- have always seen the State as the enemy. The emergency declared in 1975, was just the first public statement of the governing class that they were above the law.

The ideal of "the *dictatorship* of the proletariat" remains to be achieved ! We may have inched along, but "manzil door hai". The State- Capitalist, or even Socialist- has kept machinations of governance aloof from the people. The mystery of the details of governance is jealously protected. Naxalbari had happened in 1968. There was a history that showed the direct relationship between the nature and scope of violence of the State and that of the opposition to it.

No matter which ideology, and which process, all peoples struggles seek to control the State through different means and make it accountable to them. The vital question is how? There are differences, sometimes irreconcilable ones. The major streams we understand are those which seek control over the state either through overthrow through armed struggle, through the electoral process or through the Gandhian and Sarvodaya non violent tradition of forcing the State under moral pressure to reform and to revoke injustice. In all these approaches, there was a need to see oneself as outside the State and in the role of a natural opponent.

The Right to Information in struggle, campaign and legislation however, was premised on the somewhat insidious and audacious claim on the state as their own. This was drawn in part from the sovereign rights conferred on the people by the Indian Constitution. In some ways, its action can be seen as a sub set of the

'third perception' that has emerged - from the belief that democratic institutions and processes have to be claimed through peaceful protest. That disaggregating different parts of the monolith of governance will make each one of them accountable to people in an immediate and tangible sense. This perception was believed would lead to "a million mutinies". However, the essential difference is that the RTI movement forces people into modes of participatory governance, even as the struggles continue.

But this involved to some extent changing the perception of our role in the entire relationship with the State. In claiming our sovereignty under the Constitution, we could notionally demand accountability. In claiming it through an intricate process of constitutional, legal, political and administrative action, people got educated about democratic rights and claims, and also got mobilized. They could see where they were located in the struggle and set their agenda of action within the paradigm they understood and could control. In this process the State is seen as an institution of the people. In calling many of the bluffs of its stated political promises and positions, and in demanding the protection of constitutional provisions, the people could work towards changing the fundamental nature of the relationship between the citizen and the State.

It is true that in the swing between non-violent and armed struggle there is the attraction of the polar opposites. As one tires with one, the other seems more attractive. It is equally true that both processes have enough power and weaknesses to call for continual debate and revision of positions and action. But both modes seemed to have arrived at checkmate when the MKSS began its struggles in the early '90s. Committed to non violent struggle, the efforts to argue with a deaf and indifferent system, posed a challenge to the group of poor peasants and workers who sat and dialogued amongst themselves. Two fasts unto death for minimum wages in 1990 and 1991, ended in partial success – but very little self confidence. The first in fact ended in a whimper of failure. The second succeeded, but the mode of fast unto death had to be seriously re-examined.

The success of the second was due also to the pro active role played by S.R.Sankaran. As Secretary MoRD, he stopped a 100 crore instalment under Jawahar Rozgar Yojana (JRY) to the Government of Rajasthan for refusing to pay minimum wages on JRY works in Bhim tehsil of Rajsamand District, Rajasthan. The dialectic between struggle and advocacy seemed to have paid off in this tiny instant. It nevertheless rattled the Chief Minister enough (and to some extent the Chief Secretary) to publically ask MKSS if it was part of the CPI (ML), and to suggest to me that they would sponsor us to AP for learning more about armed struggle!

The MKSS, a peasant and workers organisation in central Rajasthan , working for equality and justice through non violent resistance had periodically come up against the impasse - of the methods of resistance failing to deliver, and the increasing role of an indifferent and callous State. In 1992, the MKSS members , sat in the small courtyard outside their home in the village to discuss the alternatives in strategy and mode.. All the 'typical' forms of nonviolent protest had proved in fructuous. The State sees the attempt to fast unto death as attempt to suicide. The local MLA made an audible comment so that everyone could hear, "... 17 people die, and the population will be that much less. Good for the country". Not that this opinion was not public coin, but he said it without shame!

The poor are in a constant dilemma. They have to depend on the State, to fulfil the promises made both through democracy, democratic processes and the Constitution, to elevate them from the cycle of poverty and oppression that has been their lot from times immemorial. But every system set up to remove the conditions for poverty has been co-opted. What is the way out?

I remember a friend who said that, "no matter what kind of party or ideology in power, the system of governance remains the same." No wonder then that our experience has proved that the political character of different parties' apart, governance remains

the same. Laws like the "Officials Secret Act" remain in force, from Colonial times till now. The nature of the security agencies has not changed and restrictive laws have never been set aside. So on and on..

What then ?

"One option then is to throw up one's hands and say that it is futile to fight an evil beyond a point while it remains in power. And that the real task is to gain political power and replace the fount of evil. This makes sense from one angle but misses the point from another and begs the question from a third. It misses the point because at one level the question we are posing to ourselves is not about this society or this polity, but about democracy as such and the amenability of governance to correction by popular disapproval. To say that we need not spend too much time over this because we wish to come to power and then we will not face this problem is no answer. It begs the question from another angle because if you do not know how to mobilize people in effective numbers against evil governance, how are you sure you know how to mobilize them for capture of State power?"

**K. Balagopal: Reflections on violence and non-violence
in political movements in India**

The MKSS pondered over the diverse problems of peasants and workers; we spent days collectively exploring the many possible ways to deal with a non-performing and diabolical structure. We looked at the very specific issue of the non-payment of minimum wages on public works. It was and is important for action, to distil the theory into actionable points as we all know. The action that the MKSS chose was the current concern of the very poorest in rural, arid, drought prone Rajasthan – work and wages.

The point of interaction with the structure had to be narrowed down, but at the same time the character of governments and the ruling class, the mundane nature of an office and the unpacking of corruption occupied the centre of the discourse. It was important to

note that the ideas flowed from the minds of simple people, with focussed and clear perceptions. It was the logic of causality, seen without clutter and constraint, without the fear of having to satisfy some predefined assumptions. Yet there was a clear set of principles, placing ethical action at the centre to guide us. The demand for public ethics, political, social and economic justice and equality became the guiding vision. It was a scientific process at work.

The apparently simple act of denial of minimum wages was traced to the of fudging of labour records, the allegations of lying and cheating attributed to the labour and explained the need to claim the protection of secrecy. The conclusion people came to was that the disclosure of records was imperative for truth to prevail. The truth would then establish rights and claims. We said “transparency”, people said “khula hona chahiye”.

IV

“We are all aware of how much hatred the State can generate against agitations, especially violent ones, if it believes that its vital interests are affected. And that can be the justification for lawless enforcement of law, the more lawless the more righteous the anger it can whip up in society.

“Peaceful mobilization has one advantage over violent mobilisation. A larger number of people can participate in it, and it can choose its targets and devise its methods of agitation more subtly. It gives space for dialogue even the while agitation goes on, dialogue not so much with the establishment as with society, and so the vital dimension of critique is alive without suspending the agitation to clear space for it, and this is essential in any struggle against an opponent who operates in a universe of intelligent rationality. This is one reason why peaceful methods of struggle are not only morally but also politically healthier. But in terms of its effectiveness in reversing policy decisions or structural trends, peaceful methods are even more ineffective than violent methods.” Ibid.

Balagopal's exploration of methods of resistance and agitation, reflect some of the dilemmas of peaceful resistance by the poor. Dialogues with society are indeed as important as the negotiations with policy makers, but as one gets geographically closer to the centres of power (as one must), the space for these dialogues shrink. Finally there is the situation we have been witness to, of innumerable dharnas in Jantar Mantar largely talking to each other!

For the MKSS violent agitation was not a choice. But non violent modes were often seen as being too soft to have any real effect. Extreme steps did not seem to deliver either. The fast unto death experience showed us that as a mode it failed to impact a cynical and unethical system. It was unacceptable. As much for its failure to achieve results, as its pressure on the people who were on agitation, forcing them to seek mercy from the same system they opposed. The derision and the contempt was unacceptable, but the wasting bodies of saathies forced the agitators into a mode of desperation, pleading early resolution so that their friends may survive ! This desperation for immediate concessions from an unsympathetic and callous ruling power structure leads to an unequal negotiating paradigm, with narrowing options to expand the dialogue. On the other hand, every dialogue with the rest of society- particularly those who are affected, but uninvolved leads to a renewal of energy for the movement, and the popularization of its active core. "Truth" is also a powerful motivating force. Establishing, and re-establishing the truth in the public domain is often integral to public formulations of justice and injustice- so important for movements seeking change.

It was this that led the MKSS to look at Jan Sunwais or Public Hearings. The Public Hearings offered a choice to place the issue in the public domain. People testified in the centre of an open public meeting, with all those who had anything to say on the issue being invited to place their opinion on record. This strengthened the revelations of the activists, and severely weakened the assertions of the perpetrators of unjust systems as they were unable to face arguments in the public domain. Those who were affected by unjust laws and implementation played an important participatory role by

corroborating through personal testimonies, and demanding accountability from the system. It led to an incredible process of exposure, in which humour, irony and anger mixed in equal proportion made it impossible for the ruling elite to claim innocence. In the village based public hearings even powerful Sarpanches were forced to admit their acts of corruption and fraud, and to return embezzled amounts. This was done publically in Kukarkheda, and recoveries were made in Surajpura and Rawatmal Panchayats in Public hearings held in 1998. The ever present threat of organized violence against the people was partially neutralized by the democratization of the process.

Eventually modes of direct democracy have to become a part of democratic governance. The concept of a Public Hearing got converted to that of an institutionalized Social Audit, accepted and mandated by the Panchayati Raj Department in Rajasthan with a prescribed due process and an established chain of responsibility and accountability. Transparency of all public records, sharing documents, learning to collate them, salvaging courage to testify, the moral pressure on the system to perform resulted in a subtle but significant change in power equations.

But this is to skip chronology. The struggle for RTI made the mobilization in “effective numbers” possible across categories of class, interest and location, with the process clearly set down and the end clearly defined. It was simple and direct.

The universal appeal of the logic of the statement made in a Press Conference on RTI in 1996 was an indication. Sushila, friend, comrade, guru, said it all when she was asked by a reporter in Delhi in 1996, on what, she a semi illiterate rural woman, could possibly gain from the right to information. She said:

“When I send my son to the market place with 10 rupees, I ask for accounts when he returns. The government spends crores of rupees in my name. Won't I ask for accounts? Hamara Paisa, Hamara Hisab !”

This logic cannot be faulted.

But the fact that corruption cuts across the fabric of rural society brought an unusual and often unlinked group together - the poor for their wages and benefits, the middle class for the assets they wanted to use. The stranger phenomenon was the rural middle class sheltering the poor worker's right to testify and nail corruption. The *Ghotala Rath Yatra* became a political metaphor and a communicator of information. The combination of political lampoon, a sharp critique of corruption with biting satire brought laughs and cutting comments from spectators and monetary donations for the struggle. The popular lilt of the lyrics added to the popularity of these forays into neighbourhoods in Jaipur. These varied skeins came together to make a very strong political statement. It neutralised the standard use of force to quell the protest and modes of critical expression. The *Rath* sailed into adversary territory-into temples and RSS dominated areas- and got reluctant and sometimes enthusiastic acceptance. What was not quite foreseen was the popularity of the idea. It made sense to everyone.

V

With the arrival of RTI Act in 2005, and even before with the emergence of state specific RTI laws, the State has had to answer questions about a very wide range of issues from policy to implementation. It has included the delivery of essential services to missing persons, the genocide in Gujarat, the moratorium on brinjal.... It has essentially armed the citizen, the activist and the injured and oppressed to fight a battle with facts on their side, placed squarely in the public domain. The impact on corruption and arbitrariness within a year of giving the law to its people, made those affected in the system react sharply with a series of machinations to withdraw, amend and curtail the rights it has given to the people. Every category is busy establishing its prerogative to be exempt under the Act - the judiciary, the army, and so on. But despite the most serious and

unwarranted attempts to amend the law, the unified resistance and disapproval from an unorthodox group of people across class, caste and other interests and has made the political class respond in part by putting off amendments. The RTI discourse has shown that some rights do continue to get established through their use, despite entrenched opposition from the most powerful; groups of the ruling elite. Governance is perhaps being forced, in small or large part, to get used to the idea that it can be questioned and is obliged to answer.

An interesting and important related campaign to the right to be informed has been the renewal of the demand for accountability. Beginning with the CM in Rajasthan in 1996, when he was questioned by the mere worker when he had not keep his promise made in the Assembly and in election meetings , to the demands from the NAC to fulfil promises made in the NCMP, there has been a consistent demand to be accountable to promises made to the people by the political establishment.

The Act has fixed personal accountability for the first time on the individual. There is no need for a department to prosecute and people themselves can call the defaulter to book. “Hamara paisa hamara hisab” is a refrain that now hums its way through the architecture of peoples demands. All sorts of issues which were seen as secret, confidential or those which people need not be consulted, have now become more accessible as areas for mandated sharing under the right to know. The strength is not merely in the kind of question that is asked but the numbers, the diversity and the small, the medium and the big. The power of attrition and persistence are slowly becoming visible.

But of course not all battles for the right to change the structure and the process, hinge on the use of RTI by the common citizen. Nor is it a wizard’s magic wand to settle all scores and to bring in the paradise of a new India - with equality, justice and equity. But what it has done is to legitimize government’s obligation to tell

the sovereign(that is the people) what it plans to do, does and has not done in their name. Public consciousness has been given space to grow, if it can find the sustained energy to. It provides a very potent tool to engage with governance to bridge the gap between the hiatus that exists in what is stated and what is done. Perhaps it can build a bridge of communication between Bharat and India, empowering the people on the fringes and forcing the replete to share. The hope that lies in this campaign is enshrined in this slogan:

*Yeh desh hamare aap ka
Nahin kisi ke baap ka*

VI

The best example of infiltrating the concept of day to day governance, with the right to know, is illustrated by the MGNREGA. This process while focussing on a guarantee to work, empowers workers and all citizens to access records and demand accountability. The resistance to the constitutional right to transparency and accountability has been exposed. The administrative machinery already collapsing under the invisible inroads of corrupt practices and arbitrary governance, has disclosed the details of its intrigues. In other words the business of governance and administration is beginning to get de-mystified to empower people to access their rights. The resistance to the MGNREGA's mandatory provisions for Social Audit and Transparency in various states including Rajasthan, is a testimony to the success of the impact of these provisions on containing corruption and other malpractices. Corruption where the poor are concerned is an important part of the process through which right to life and livelihood is denied.

VII

The process of formulating the legislations for the RTI and MGNREGA, has also established a procedure which marks the evolution of legislative business in which the Government, (the UPA

I at that time) the people came together to make the two laws. They all played their roles, to a large measure forced by public opinion, to respect the boundaries of the others' paradigm, without losing the integrity of their own positions and preserves. This was possible because the overseeing standard was the Constitution, especially the "directive principles of state policy" and in specific, the National Common Minimum Programme.

The two legislations, the RTI and MGNREGA in promoting this culture have contributed seminally to defining how the process of a policy or legislation under deliberation leading to the final cabinet approval - can be a dialectic with the people in the public domain and yet retain its Constitutional respectability. This has, both, set some standards and raised the expectations of people.

Despite the appreciation and approvals given to these two legislations and the beneficial under-writing for improving governance in India, scores of Bills are under way that have not been placed formally in the public domain and processes of consultation if any, have been very skeletal . This is in spite of the fact that these legislations threaten to change the lives of people. It is even more alarming to when we see that the intelligentsia's basic information levels are so low in regard to the business of governance, that it is often confused and therefore silent.

Consequently a 'progressive' middle class so necessary for monitoring governance is unaware and unable to address the real problem (UID ,BRAI to mention two of them). Legislations passed in Parliament affect a large majority of the citizens of the country, especially the poor. Any legislation that looks at economic policy like the SEZ for instance- affects right to land, livelihood, and results in displacement .

While there are many organizations that look at the delivery mechanism at the "grass roots", there are very few that look at the over arching flaws that make the law making process itself unequal.

The policy makers either wish away the existence of contradictions between aspirations of the poor and the non-poor, or in fact evolve patterns of development which are exclusive and sometimes even destructive. They misunderstand the position and problems of the poor, or address at best a partial reality.

Given that there is an RTI regime in place, there is a need to look at the law making process and to place the process in its entirety till it reaches the cabinet, in the domain of transparency and accountability. This would entail placing the policy in the public domain inviting comments and critiquing and public consultations. This would make Indian democracy deliver more equally in framing policy. The Government and the citizen so involved will have to take greater responsibility to work out their arguments for or against. This will only happen if people have a stake in the decision making process, assured and guaranteed by the Indian Constitution.

Our personal histories have strange ways of coming back to us. Our first major struggle in the MKSS was for minimum wages. Mr Sankaran as Secretary Rural Development , GOI played an important role in the process of paying wages to poor workers . Mr SR Sankaran passed away as we were just beginning an indefinite dharna in Jaipur fighting against the delinking of minimum wages from the MGNREGA. One of our most powerful weapons in the current struggle has been an order obtained from the AP high Court by the workers of Andhra Pradesh. The order categorically states that minimum wages must be paid, and paying anything less is a violation of the fundamental rights of the people. The advocate who obtained this order was Balagopal. This order he obtained is a strong basis for the struggle to get its demands. It is referred to and read out many times everyday. His work and his words will continue to strengthen our thoughts in indefinable ways.

It is always easier to write about an idea, even repeatedly, than to live it through. I can think of few people who lived their

principles effortlessly and without self righteousness as Balagopal did. I salute his thoughts, his action. Let us in his memory pool our energies to act and support the many struggles against injustice . I would like to end with celebrating the life of Balagopal with a few lines written by Jerome Cronin, a leader of the Communist Party of South Africa, poet and writer. Defining democracy, he says it is:

***“Speaking truth to power,
Making Truth powerful,
And making Power, Truthful.”***

This is a poetic and correct summary of his remarkable life.



ARUNA ROY

Ms Aruna Roy is a recipient of Magsaysay award- valued as the Asian Nobel prize- for Community leadership and international understanding. She joined Indian Administrative Service and left the service in 1974 to actively participate in democratization of the society. With in a short time she realized the limitations of government service and its limited role in social change. She took to activism and joined the Social Work and Research Centre in Tilonia, Rajasthan. She worked in the centre, and then moved to Devdoondri in 1990 to set up the Majdoor Kisan Shakti Sanghatan, a group which is a standing example of a democratic experiment in the cause of the rural poor. In the course of working with MKSS Aruna built such a vibrant movement for Right to Information in the state of Rajasthan which passed Right to Information bill initially, finally leading to the enactment of the Right to Information at the national level in the year 2005. This is the accomplishment for which Aruna Roy got all deserving public acknowledgement.

Aruna Roy has ceaselessly worked in building a grassroots movement through MKSS. This was the movement which triggered a nation wide debate giving rise to a sustained demand for people's right to scrutinize official records- a crucial check against arbitrary governance. During the last half a decade after passing the RTI Act the nation witnessed the potentialities and possibilities of this democratic legislation. It not only has been a check on public governance but equally a check on the land Mafia, mining Mafia and all the other vested interests that are plundering the public resources. The sad fact that the RTI activists are attacked and killed speaks of brutalization of the economy in the name of development and rise of democratic voices that are able to resist these socio-economic perversions. This democratic development owes its origin and vision to Aruna Roy. She continues her work for fullest enforcement of the Act.

Aruna Roy as a selfless activist urged the Magsaysay award committee to give the award money to MKSS. When the committee expressed its inability because of the condition of the award, she gave the entire amount to the organization. As a person she is simple and mingles with the masses and carries her work as one of them. In recognition of her contribution and reputation, she is made a member of the National Advisory Committee - a policy guiding body- at the national level. She is a worker of the masses, works through them and lobbies for them. Aruna is undoubtedly one of the democratic voices of the country and her contribution deepened the Indian democracy.