

POLITICAL ECONOMY OF HUMAN RIGHTS IN ANDHRA PRADESH

*Dissertation submitted to the Jawaharlal Nehru University
in partial fulfilment of the requirements for
the award of the Degree of*

MASTER OF PHILOSOPHY

P. RAGHU RAM

CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110 067

1996



जवाहरलाल नेहरू विश्वविद्यालय
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI - 110067

Centre for Political Studies
School of Social Sciences

July 1996

CERTIFICATE

Certified that the dissertation entitled "POLITICAL ECONOMY OF HUMAN RIGHTS IN ANDHRA PRADESH" submitted by Mr. PANYAM RAGHURAM in partial fulfillment of the requirements for the award of the degree of MASTER OF PHILOSOPHY, has not been previously submitted for any other degree of this university or any other university and is his own work.

We recommend that this dissertation may be placed before the examiners for evaluation.

PROF. BALVEER ARORA
CHAIRPERSON.
CENTRE FOR POLITICAL STUDIES,
SCHOOL OF SOCIAL SCIENCES-II,
JAWAHARLAL NEHRU UNIVERSITY,
NEW DELHI-110067.

PROF. ASWINI K. RAY
Supervisor

*TO
THE MARTYRS OF
CIVIL LIBERTIES MOVEMENT
IN ANDHRA PRADESH*

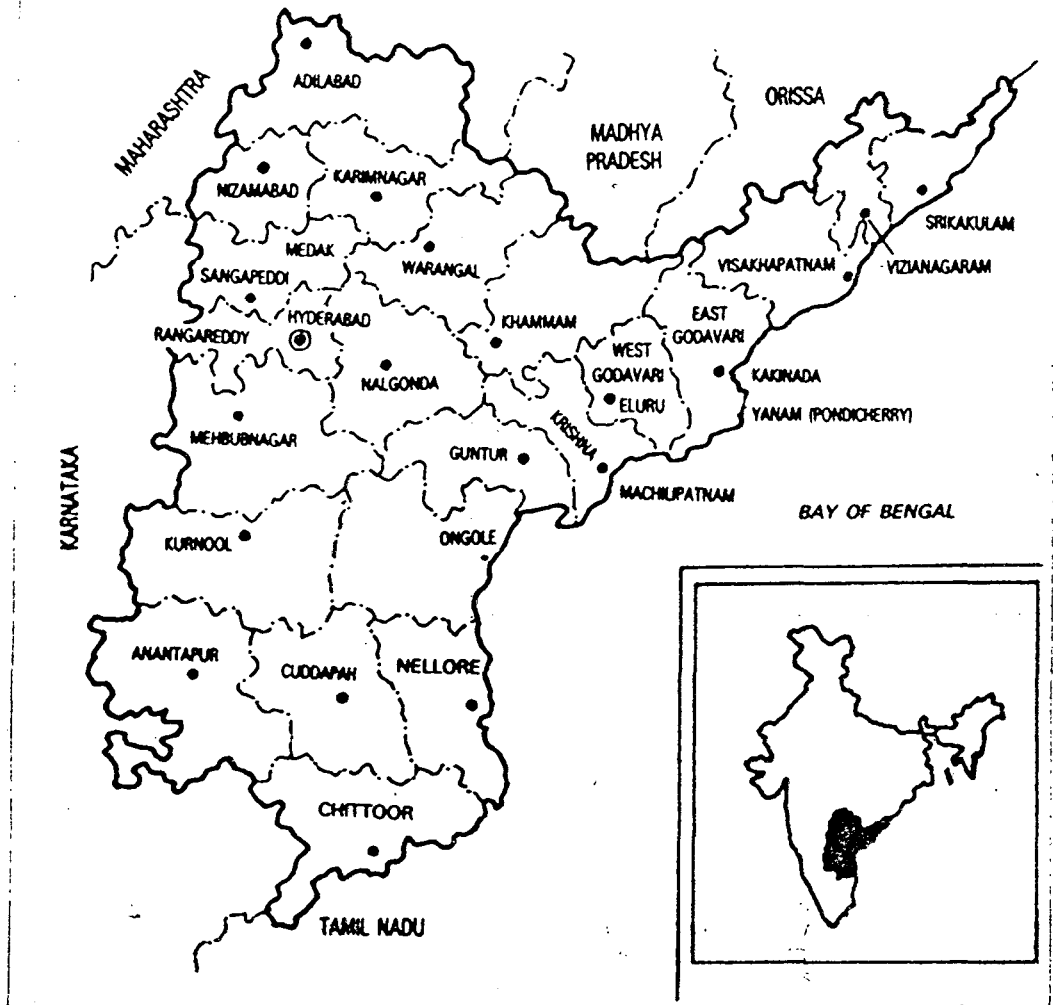
"Not merely from moral and humanitarian grounds but also from the point of view of political commonsense has it become essential to raise the standard of the common man and to give him full and equal opportunity of progress. A social structure which denies this opportunity stands self-condemned and must be changed"

-Jawaharlal Nehru

CONTENTS

	Page
Preface	
1. INTRODUCTION	1
1.1 Rights Discourse	
1.2 State, Economy and Human Rights	
1.3 Purpose of Study and Research Questions	
1.4 Methodology and Scope of Study	
2. POLITICAL ECONOMY OF ANDHRA PRADESH	29
2.1 Agrarian change and Agrarian Classes	
2.2 Industrial Development and the Class Contradictions	
2.3 Poverty, Unemployment and Regional Imbalances	
2.4 Contradictions in Andhra Political Economy: An overview	
3. STATE OF HUMAN RIGHTS DURING THE TELUGU DESAM PARTY(TDP) REGIME	52
3.1 Police Lawlessness	
3.1.1. Extra-Judicial executions	
3.1.2. Custodial violence	
3.1.3. Other police excesses	
3.2 Violence against Women	
3.3 Violence against Dalits	
3.4 Drought/Starvation Deaths/Environmental pollution	
3.5 Other Issues	
4. STATE OF HUMANRIGHTS DURING THE CONGRESS(I) REGIME	83
4.1 Police Lawlessness	
4.2 Violence against Women	
4.3 Violence against Dalits	
4.4 Drought/Starvation Deaths/Environmental Pollution	
4.5 Other Issues	
5. CONCLUSION	113
5.1 Overview of the Study	
5.2 Concluding Observations	
BIBLIOGRAPHY	127

Andhra Pradesh



PREFACE

The concept of 'Human Rights' has to be understood and analysed in a historical context. Human Rights evolved historically from the various struggles initially of aristocracy and subsequently of the oppressed groups like working class and women. The understanding of democratic rights and values thrown up by the people's struggles against dominance and exploitation in the Third world societies like India, combined with the rights we inherited from the west, should form the basis of our 'rights consciousness'. The protection of rights becomes very important as it is the pre-requisite for the comprehensive growth of human beings, which is hindered by state as well as the socio-economic structure.

The study attempts to examine how far a change in the political regime could improve the state of human rights in Andhra Pradesh. The human rights violations in the state are analysed during the two political regimes from 1983-89 (The Telugu Desam party Government) and 1989-94 (The Congress (I) government) respectively. The study attempts to address the main issues of human rights violations in Andhra Pradesh viz. police lawlessness (which include extra-judicial executions, custodial deaths and other police excesses), violence against women and Dalits,

drought and starvation deaths, state of tribals and freedom of expression and democratic activity during the two political regimes.

The study is primarily analytical and explorative. The study attempts to examine how the contradictions in Andhra Pradesh political economy give rise to rights violations at multiple levels. We witness human rights violations on large-scale in Andhra Pradesh in the domain of both the state and civil society. The problems of poverty, unemployment and regional imbalances persist in the state. Multiple structures of dominance and oppression deny and violate the rights of the dispossessed groups like agrarian poor, Dalits, Tribals. Civil Liberties Movement in Andhra Pradesh is the most active in the country. All these trends make the study of humanrights in Andhra Pradesh significant.

Many individuals helped me during the preparation of the dissertation. I thank all of them without making them responsible for any lacunae, which are entirely mine, in the study.

I specially thank my supervisor, Prof. Aswini K. Ray for his constant encouragement and guidance. His invaluable comments and suggestions helped me enhance my understanding of many issues to a great extent.

I am very much grateful to Prof. Haragopal and Shri. Krishna deva Rao, without whose help and suggestions the study could not have been completed. I am thankful to Dr. Balagopal for clarifying my doubts, with his superb knowledge of Andhra Pradesh political economy. Discussions with Dr. Tyagi are very helpful. Vasanta Lakshmi, Suneeta and Leela Kumar helped me collecting the material. I thank all of them. I am thankful to Prof. Balveer Arora and Mrs. Sarala for their kind help and co-operation.

I cannot express in words my gratitude to my parents, brothers, and friends whose affection and encouragement always keep me in good stead.

19-7-96


P. RAGHURAM

NEW DELHI

CHAPTER I

INTRODUCTION

'HUMAN RIGHTS' are generally understood to be certain basic freedoms which are essential for the existence, survival and personality of the human being. Human rights belong to every human being in a society which can be upheld by appeal to the law and are not subject to arbitrary denial either by individuals or the state.

To capture the meaning of 'rights' in the contemporary discourse, liberal notion of 'rights' needs to be understood, as the liberal notion is the dominant one governing the normative standards of the rights discourse. Liberal notion of 'rights' begins with the premise that the atomised individual is the bearer of all rights. The autonomous and choosing individual, pursuing his or her comfort and happiness in a competitive society, without harming others is central to the understanding of liberal notion of rights. This formulation is rooted philosophically in the Hobbesian and Lockean conception of human nature.¹

The inner human essence is defined based on the egoistic pursuits of the atomised individual. The

acquisitive being pursues self-interest in a competitive society. Individual self-aggrandizement, defined as power through ownership of material things constitutes the essence of man. As a result, private property became the cornerstone of a free enterprise, competitive economy system and a fundamental inalienable human right.

The individual rights combined with right to property or accumulation give rise to endemic problems in Third World Societies. The context in these societies is qualitatively different.² In the western societies, where there was tremendous development in the wake of industrialization, every individual crossed the subsistence level of existence whereas in Third World Societies, majority of the population do not even have access to the basic livelihood. In a situation where there is a large-scale suffering and deprivation, individual preserving his own comfort and happiness is counter-productive. The individual pursuit without any social sensitivity to the deprivation around not only results in alienation from the poor and the suffering but in the process of dehumanisation.³

The structural and historical specificities of the Third World Societies like India necessitate the rethinking of the concept of human rights and enlarging the terms of

the discourse to make it contextually relevant in the Third World⁴ This chapter attempts to analyse 'rights' in a historical context and ~~pleads for~~ ^{pleads for} for redefining the human rights.

1.1.1 RIGHTS DISCOURSE

The question of human rights has to be understood and analysed in a historical context. The origin of rights of human beings against oppressive state systems and dominant social groups can be traced back to early slave revolts.⁵ The concept as used in the present discourse is rooted in the Industrial Revolution. The rising market forces gave rise to the whole philosophy of liberalism. The concept of natural rights evolved during this period. The debate on natural rights centers around the atomistic individual as the bearer of rights. Every human being, by virtue of being human, enjoys certain inalienable and imprescriptible rights.

These rights include, according to **Thomas Paine**, 'rights of his existence of this kind are all the intellectual rights or rights of the mind and also all these rights of acting as an individual for his own comfort and happiness which are not injurious to the natural rights of others.'⁶ **Thomas Paine** holds that every civil right has for its foundation some natural right pre-existing in the

individual. He observes". Civil rights are those which apertain to man in right of his being member of the society, to the enjoyment of which his individual power is not, in all cases sufficiently competent of this kind are all those which relate to security and protection".⁷

This notion of egoistic and autonomous individual figures prominently in the writings of John Locke. **Locke** argues that all individuals were endowed by nature with the inherent right to life, liberty and property which could not be removed or abrogated by the state. Lockean theory depicts the individual as an autonomous being capable of exercising choice. The legitimacy of a government depends not only upon the will of the people, but also upon the government's willingness and ability to protect those individual natural rights.⁸

Lockean conception of state embodies the rights to property in a statutory form Lockean theory is criticised as "possessive individualism" by **Macpherson**. **Macpherson** argues that Locke's views on property make him a bourgeoisie apologist, a defender of the privileges of the possessing classes. He observes" with the removal of the two initial limitations, which Locke has explicitly recognised, whole theory of property is a justification of the natural right not only to unequal property but to unlimited individual

appropriation".⁹ J.S. Mill further supports the individualistic notion of rights. He observes "The only purpose for which power can rightfully be exercised over any member of a civilized community is to prevent harm to others".¹⁰ However, J.S. Mill excludes the backward nations, women and children from the rights to liberty.

The theories of natural rights had a profound impact on the struggles and the constitutions of the western nations. The Great Charter (1215) called the Magna Carta guaranteed the liberties of the Englishmen. It declared that "No man shall be taken or imprisoned or dispossessed or outlawed or banished or in any way destroyed, nor will we go upon him, except by the legal judgement of his peers or by the law of the land".¹¹ The Industrial Revolution combined with the Renaissance, Reformation and Enlightenment advanced the concept and practice of rights.

The Renaissance of 15th century Italy, Glorious Revolution of 1688 in Britain, United States declaration of Independence in 1776, the declaration of rights of man adopted by French National Assembly in 1789 contributed in no small measure to the fuller development and advancement of Human Rights "we hold these truths to be self-evident, that all men are created equal and are endowed by their creator with certain inalienable rights among these are

life, liberty and pursuit of happiness".¹²

The crystallisation of human rights in 20th century is clear in the universal declaration of Human Rights (UDHR 1948). The declaration is a historic document, setting the standards for achievement of human rights and was a source of inspiration for the national constitutions. The declaration did not have a force of law. As a result, two covenants came into being viz. The international covenant on Economic, Social and culture rights, and the international covenants on civil and political rights. The preamble of the declaration emphasized "the recognition of the inherent dignity and of the equal and inalienable rights of all members of human family".¹³ It also cautioned that these rights are essential "if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human right should be protected by law".¹⁴

We find in **Bentham** and **Marx** scathing critics of Natural Rights theory. Bentham observes "Natural Rights are simple non-sense, natural and imprescriptable rights, rhetorical, non-sense upon stilts".¹⁵ According to **Bentham**, rights are conferred by law, they can be made intelligible by reducing them to positive law and utilitarian underpinnings. **Marx's** critique of 'rights' is

very significant Marx observes" None of the supposed rights of man go beyond the egoistic man, that is, an individual separated from the community; withdrawn into himself, wholly preoccupied with his private caprice".¹⁶ **Marx** considered rights as bourgeois notion and a product of bourgeois-capitalist society, designed to maintain and reinforce the pre-eminent position of the ruling class. The true potential of human beings can only be realised if they are enabled to return to their true nature as social beings. For **Marx**, rights are simply instruments to achieve the communist society. Once that end has been achieved, the rights are no longer needed.

John Rawls attempts to address the Marxist criticism against the liberal notion of rights. In his formulation of the theory of just society, **Rawls** concludes that, individual would agree to the distribution of primary goods equally, unless an unequal distribution would work to the advantage of the society in general, and to the worst-off group in society in particular.¹⁷ **Rawls'** first principle that each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all, is directly associated with his conception of rights.¹⁸ **Rawls'** system of basic liberties is characteristically associated with liberal democracy i.e. civil and political rights.

Moreover, **Rawls** assumes that the lexical priority of liberty may not apply to societies where basic wants of the individual are not fulfilled. His theory, by his own caveat, becomes inapplicable to countries like India.

It can be inferred that the conceptions of rights differ due to differences in the perception about the society and the place of individuals in it. However, the logic of natural rights theorists advanced in the last part of eighteenth continues to dominate the debate on human rights. This propensity, in its enlarged form, got manifest in the UDHR and the covenants, notwithstanding the incorporation of social, economic and cultural rights with the influences of socialist experience.

The qualitatively different context of the Third World makes the understanding of 'rights' problematic. The individual rights combined with right to property or accumulation give rise to endemic problems in Third World. This atomisation of individual from the society not only can lead to isolation but to alienation. Nevertheless, in those societies, where there was tremendous development in the wake of industrialization, every individual crossed the subsistence level of existence. Given basic subsistence, it is possible to talk of the rights of the individual the whole idea of exercising his or her rights makes little

sense to a person whose material needs are not fulfilled.¹⁹ This is because, the conception of Human Rights', presupposes a level at which biological entities are endowed with the dignity of being called human'.

In the Third world societies like India, majority of population do not have access to the basic livelihood. In such a system, pursuit of individual comfort and happiness coupled with property and accumulation is counter-productive. Such individual pursuits without any social sensitivity to the suffering and the deprivation around results in the process of dehumanisation. In the situation of suffering and deprivation, the purpose of human rights should be not to pursue the individual comfort and happiness but to realise the inner human essence based on nobler human values which are essential in a suffering society. Then rights will have to be redefined not in terms of isolation of the individual but identification of the individual with the existential reality of the human suffering, resulting in greater integration between the individual and the collective.²⁰

In Third World Societies like India, the unequal and oppressive social structures of authority like caste, property and patriarchy, along with the state continue to deny and violate the rights of the dispossessed groups like

agrarian labour, dalits and women.²¹ **Balagopal** rightly observes "These forms of authority have a built in system of norms that are against the general principles of civil rights and democratic rights and have potential to manipulate and influence the state machinery to their advantage."²² Rights then become opportunities for the 'oppressed' to struggle for altering the existing exploitative socio-economic conditions reinforced by the dominant structures of authority in third world societies.²³

The rights discourse within the third world emphasizes the need to redefine the rights according to the structural and historical specificities of Third World. The "traditional oppressive social structures in the post-colonial democracies" hinder the comprehensive growth of the human beings.²⁴ Moreover, the process of 'modernisation' and 'development' has meant an increasing accretion of political power within the traditional social hierarchy reinforced by new source of power through access to modern technology and the increasing oppression of the traditionally deprived.²⁵

Rights can not be understood in the framework of state vs individual or citizen, for, rights are asserted either in terms of caste, class or religious community (dalits, Adivasis) in Third World. Similarly the sources of

injustice and exploitation basically lie in the socio-economic structure. This is partly because, civil society is yet to take a concrete shape in third world societies like India.²⁶ The state-centric view of rights ignores the problems arising in the domain of civil society.²⁷

Understanding 'rights' in a society - specific context becomes necessary, because of peculiar problems we face in our society. A framework of individual group vs forms of authority rather than the framework of state vs citizen will be more helpful to understand and analyse rights in Indian context.²⁸ **Rajni Kothari** argues that the individualistic notion of rights as understood in the west, which presumes social cohesion, cannot be applied to the 'plural' and 'communitarian' Indian Society.²⁹

The segmental view of rights in the liberal discourse understands the violations of rights of women, minorities, children and ethnic groups as specific to them. This understanding ignores that the source of these violations is located at a far more deeper level in the socio-economic structure of the society. The implicit premise of the liberal discourse is the assumption of systemic equilibrium, structural stability and incremental changes. This may not always help us to understand the problems of

Third World Societies like India, which emanate from the path of development and the unjust and undemocratic social order-one reinforcing the other. This complex nexus can be broken only when the path of development is altered and the social-economic order is transformed.³⁰

1.1.2 EVOLUTION OF RIGHTS IN INDIA

The emergence of 'rights' in India can be traced from the vedic times. Brahminical values of oppressive traditional hierarchy permeate the Hindu conception of rights. However, the Hindu jurisprudence of rights reveals some interesting positive features. Reumundo Panikkar posits an 'Indian' vision of human rights that emphasizes not the individual but the total person: a person whose interdependent rights and duties are determined by his or relationships that constitutes an all-embracing cosmology.³¹ The elements of 'Rule of Law' can be traced in the two norms-Dharma and Danda. Taithiriya and Brihadaranyaka Upanishads and 'Santiparva' in 'Maha Bharat' talk of 'Raja Dharma' which is a sort of constitutional law to act as a check against political power upanishads also furnished philosophical foundations for social development, by invoking phrases like 'Sarvejana Sukhino Bhavantu' 'Sarva Dharma Sama Bhava'.³²

The precepts of Buddhism contain the elements of rights of human beings.³³ Under the influence of Buddhism, Asoka upheld the humanitarian state activities and social amenities towards the realization of certain rights, during his post-Kalinga regime. Apart from fair Judicial system and religious tolerance, he attempted to provide freedom from hunger, ill-health and illiteracy³⁴ The two concepts of huquq Allah (Rights of God) and huquq ibad (rights of people) in the Islamic jurisprudence explains the relationship between the ruler and the ruled. Islamic jurisprudence embodies the affirmation of human dignity, unity of mankind, collective obligation for public welfare, protection of minority and sanctity of life. Thus, the contribution of non-western civilizations to the philosophy of rights is no less significant.

It was the anti-colonial struggle and social awakening that gave a fillip to the whole philosophy and practice of civil liberties in India. People grew restless and mounted the pressure on the colonial system for political freedom. The introduction of legal system and English education led to accentuation of the movements for freedoms and liberties. There were protests by the upper and middle classes, whenever the British attempted to introduce repressive laws. Motilal Nehru Committee of 1928 insisted that Indians be granted all those fundamental rights which

had been denied. These classes were more eager to get 'concessions' from the colonial state than to oppose its arbitrary powers.³⁵ Nehru's ICLU (Indian Civil Liberties Union (1936) took the lead in espousing the civil liberties. Gandhiji is the first leader to introduce the notion of excessive 'coercive powers of the state' and emphasize the need to struggle against it.

Therefore, the 'rights discourse' should be understood and historicized in the context of people's struggles against dominance and exploitation. Human Rights evolved historically from the various struggles initially of aristocracy and subsequently of the oppressed groups like working class and women. The understanding of democratic rights and values thrown up by the people's struggles against dominance and exploitation in the Third World Societies like India, combined with the rights we inherited from the west should form the basis of our 'rights consciousness'. The protection of rights become very important as it is the pre-requisite for the comprehensive growth of human beings, which is hindered by state as well as the socio-economic structure.

1.1.2 CIVIL LIBERTIES, DEMOCRATIC RIGHTS AND HUMAN RIGHTS

Various terms are used interchangeably in the 'rights' discourse. 'Civil rights' or 'civil liberties'

are normally referred to those rights which are constitutionally guaranteed. The Civil libertarians argue that the feeble democracy needs to be strengthened for a civilized governance. Protecting this democratic space itself sometimes becomes difficult in a situation where the dominant sections try to manipulate and influence the state institutions.³⁶ Democratic rights perspective asserts that the deprived has a right to organize and struggle for the total change of the system, as it is unjust and exploitative. This suggests that one needs to go beyond constitutional rights. As per this view, one should struggle for right to work, right to shelter and basic livelihood etc. These rights, commonly known as socio-economic rights are, in a sense, prerequisite to make civil rights meaningful. These rights have a positive connotation and woven around the concept of socio-economic equality to make legal equality meaningful.³⁷

Both these perspectives significantly contributed to a better understanding of the concept of Human Rights and Democracy. These two together provide a comprehensive Human Rights perspective.

1.2 STATE, ECONOMY AND HUMAN RIGHTS

While performing the tasks of social transformation, politics enters in a network of relationships with economy,

culture and history of society. The essence of politics lies in its dual character, that is, it reflects social forces and it intervenes to transform social structure. Thus politics is a passive and an active force in society and this dual character of politics is reflected in all its activities.³⁸ The central goal of the political economy of development was to transform the material foundations of society with the help of new productive forces in the country. Industrialisation of India was the kingpin of the political economy of development. Many tasks have been performed with the active leadership of the Indian state which has acted as an engine of development.

Politics has been a central factor in the social and economic development of India and the basis of Indian politics is universal adult franchise and regular elections. Economic development with people's participation has been a peculiar feature of the Indian political economy. During the last four decades India has reconciled democracy, economic development and social transformation, and in evolving the yardstick for evaluation of the last four decades all these interconnections have to be kept in mind. Political economy has to take cognisance of the power relations in a society because the socially powerful groups play a leading role in the management of polity and economy.

There is an organic inter-connection between the state, economy and human rights. The 'interventionist' state in India began with a mandate of bringing socio-economic change, so as to better the living standards and to achieve objectives like distributive justice, popular participation and poverty alleviation. This state is vested with the responsibility of protecting and promoting the rights of the people. The 'state' is here referred to the aggregate power structure of society. It entails social basis of state power or the social groups and classes, who exercise power in society and the way power is exercised and defended.

Democratic polity is superimposed on ^{the} ~~an~~ undemocratic socio-economic order in India. The state and society in India, by and large, remained undemocratic and the social and political institutions continue to be characterised by dominance.³⁹ There are enormous problems in India emanating from the path of development and the unjust and undemocratic socio-economic order-which are mutually reinforcing. The semi-feudal features of our society, in which the state operates, got strengthened with the entry of capital and modernisation. The semi-feudal relations, which is witnessed through various terms of the non-economic and extra-market coercion, along with

bureaucratic capital broadly characterise our economy.⁴⁰ This is causing violent distortions both in the polity and economy. R.S. Rao observes "the exploitation which permeates the semi-feudal and semi-colonial society at various levels, gets articulated in the form of contradictions among various classes".⁴¹ This provides us a comprehensive approach to understand violation of rights, of the dispossessed in particular at various levels in our society.

Despite the growth of the Indian economy with remarkable success both in agriculture and industry, the magnitude of poverty, unemployment, inflation and regional disparities remain high. The socio-political character of the overall development process is of uneven character and has produced growth with inequities. With the mobilization of popular consciousness through political parties, the growth of education and the expansion of the domain of the market, people's demands have steadily risen. The growing mass discontent got manifested in different movements. Having failed to meet these demands, the Indian state has increasingly resorted to centralisation of power. This trend started in the mid 70s' and gradually resulted in the 'structural freeze' in the system i.e. the suspension of the programme of structural reforms on various fronts.⁴²

The centralisation of power resulted in erosion of state institutions. The increasing weaknesses in the professional efficiency of the state apparatus and many of the democratic institutions, their social bias and political partisanship, led to their weakening credibility in popular perceptions.⁴³ The state institutions are eroding and turning ineffective, as means of conflict resolution and states developmental policies are not able to ameliorate the pressing problems of poverty and unemployment, precisely when the mass consciousness and demands are on increase. A combination of populism charisma and 'plebiscitary politics' were the policy responses from the managers of the state to the growing mass discontent and protests. When these measures were proved ineffective, repression has become the answer to meet the demands and mass discontent. The institutions have become networks for promotion of personal patronage for the managers of the state. This whole process is explained through dramatic expression 'State against democracy'.⁴⁴

Atul Kohli interprets this process as 'crisis of governability, which is manifest in political violence and the states developmental incapacity. **Kohli** observes the disjunction between the weakening institutions and multiplying demands and identifies the problem of

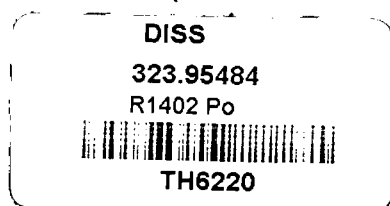
distribution, ineffective party system and the deinstitutionalising political elite as responsible for this crisis.⁴⁵ **Paul Brass** analyses how the failures of programmes of poverty alleviation reveal some of the basic limitations of our political system and the constraints imposed by the dominant classes on the Indian state.⁴⁶ **Bardan** shows how the state policies increasingly have come to reflect the interests of the dominant classes - the industrial class, agrarian rich, and the professional Bureaucracy.⁴⁷ He conceptualises this as the dominant coalition of the propertied classes.

The rural India has come under the politco-economic dominance of the landed castes. The commercialization of agriculture and modern education have let loose forces which undermine the traditional social relations leading to many caste conflicts, political instability and violence.⁴⁸ As a result of these persisting trends, the strategy of "accommodative politics" is proved ineffective, in the face of growing class antagonisms and the increasing dominance of the propertied classes.

Balagopal identifies this crisis in a different way. Indian state, according to him, started its regime with two-fold objectives: one is concentration of vast amount of investible resources: other is to employ these resources

for the welfare of the people. As a result, two processes are at work. The ruling classes fight among themselves for a share in state's resources. At the same time, the toiling masses are obviously restless due to failure of welfare commitment of the state. These processes increasingly contributed to the state lawlessness, which begins with ruling classes and extends to the common people, whose demands are met with repression. On the other hand, the unrest of the masses is used by the various sections of the ruling classes to discredit and defeat each other and climb a little higher along the power ladder.⁴⁹

An attempt is made in this chapter to capture the processes at work in the political economy, which are responsible for the crisis of Human Rights, by referring to leading analysts on Indian politics. We tried to construct a theme linking the class rule, exploitation and skewed development with growing unrest, state repression and the crisis of governance. On one hand, the Indian state is endowed with many responsibilities like protection and promotion of rights, and improving people's standard of living and protecting democratic process on the other hand, we see declining credibility and increasing ineffectiveness of the Indian state. The dominance, inequity and exploitation which permeate the semi-feudal society dominated by 'Bureaucrat Capital' are articulated in the



form of contradictions among various classes. These social contradictions and the state's failure to resolve them are responsible for rights violations at multiple levels in our society.

1.3 PURPOSE OF STUDY AND RESEARCH QUESTIONS

The primary objective of this study is to analyse the state of Human Rights in Andhra Pradesh, in a comparative perspective, during the regimes of The Telugu Desam Party (1983-89) and of the Congress I Party (1989-94) respectively. The study attempts to understand how far a change in the political regime can improve the state of human rights. whether one finds persistence of some trends like state authoritarianism, despite the change of regimes? If so, does it necessitate deeper probe into underlying structures and processes which are responsible for the violation of rights? Other related questions include,

1. What are the main issues, when we address the question of Rights today in Andhra Pradesh?
2. How the parties in power responded to situations which cause violation of rights of the dispossessed (Dalits, Tribals, Agrarian poor etc). through their policies and actions in Andhra Pradesh?
3. Is there difference in approach to the question of human rights in the two regimes?

4. Does political change in Andhra improve the situation of human rights?
5. How the contradictions among various classes are responsible for the violation of rights in Andhra Pradesh?
6. How the relationship between the state and the dominant classes affects the rights of the dispossessed in Andhra?

1.4 METHODOLOGY AND SIGNIFICANCE OF STUDY

The study attempts to analyse the state of human rights in Andhra Pradesh in a comparative perspective, during the two political regimes.

The study is primarily analytical and explorative. The study attempts to examine how the contradictions in Andhra Pradesh political economy give rise to rights violations at multiple levels. We witness human rights violations on large-scale in Andhra Pradesh in the domain of both the state and civil society. The problems of poverty, unemployment and regional imbalances persist in the state. Multiple structures of dominance and oppression deny and violate the rights of the dispossessed groups like agrarian poor, Dalits, Tribals. Civil Liberties Movement in Andhra Pradesh is the most active in the country. All

these trends make the study of humanrights in Andhra Pradesh significant.

1.4.1 SOURCES OF DATA

The study largely draws its material from pamphlets, journals, reports and books of the Civil Rights organisations in Andhra like APCLC and OPDR. The issues of 'Swechha' (journal of APCLC) and 'Janapadham' (journal of OPDR) are scanned to understand the nature, pattern and frequency of violations of rights in Andhra.

Interviews with leaders and activists of civil rights movement in Andhra are conducted in an intensive and open-ended manner. Efforts were made to get practical insights of the problem by participant observation method.

1.4.2. SCOPE OF STUDY

Given the vast and complex nature of the study of human rights, the study can not claim to have addressed many issues concerning human rights. The study confines itself to some issues which it finds important.

1.4.3. CHAPTERISATION

Chapter I introduces the problem, attempts to explicate the concept of Human Rights in a historical perspective. It pleads for enlarging the terms of rights

discourse, to make the discourse contextually relevant in the Thirdworld societies like India. The qualitatively different situation in these societies necessitate redefinition of humanrights. This Chapter explains the purpose of study, after raising the main issues of humanrights violations in Andhra Pradesh.

Chapter II analyses and identifies the conflicting and contradictory trends in all spheres of Andhra Pradesh society unfolding its political economy. This chapter is a background to probe deeper into the state of humanrights in Andhra Pradesh which is the concern for the subsequent chapters.

Chapter III and IV attempts to address the main issues of human rights violations in Andhra Pradesh during the two political regimes. These chapters analyse police lawlessness, violence against Dalits and women, drought and starvation deaths, state of tribals, and attacks on civil liberties activists, intellectuals and journalists during the two political regimes. Chapter III examines the rights violations during the TDP regime. It also looks at the policies and events affecting the state of humanrights during this period. Chapter IV analyses the state of human rights during the congress I regime (1989-94) in Andhra Pradesh drawing comparisons from the previous TDP regime.

In Conclusion, attempt is made to give an overview of the study and sum up the research findings.

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CHAPTER-2

POLITICAL ECONOMY OF ANDHRA PRADESH

INTRODUCTION

The contradictions in the political economy become actual and potential sources of violation of human rights of the dispossessed. This chapter analyses and identifies the conflicting and contradictory trends in all spheres of Andhra Pradesh Society unfolding its political economy. It is a background to probe deeper into the state of human rights in Andhra which is the concern for subsequent chapters.

This chapter analyses the agrarian change, which is responsible for changing the class composition in Andhra economy. It surveys the land holdings situation and caste composition in A.P. It attempts to explain how the conflict among elite classes to gain more share in the structures of dominance and their demands affect the Andhra political economy. After an analysis of industrial change in the state, this chapter tries to identify the main problems encountered in Andhra political economy. This chapter tests the hypothesis by the analysis of the state of the dispossessed groups like agrarian labour, Dalits and Tribals and their contradictions with the dominant classes.

The A.P districts were internally differentiated bet-

Rayalaseema were administered during the colonial period as part of the Madras presidency. By contrast, the backward Telangana region remained under the direct rule of the Nizam of Hyderabad until 1948. The combination of all the Telugu-speaking districts into Andhra Pradesh in 1956 left the state divided into three regions viz. Coastal Andhra, Rayalaseema and Telangana. These regions continue to be characterised by cultural discontinuities, economic imbalances and political rivalries.¹

2.1.1. CASTE COMPOSITION AND LAND HOLDINGS

According to the 1921 census, Brahmans accounted for three percent of the total population in the districts of Andhra. Kapus and Reddys constituted the largest cultivating caste group at over 15 percent. The Kammas, the second largest cultivating caste among the forward castes, totalled 5 percent. The Backward Castes constituted a very large proportion of the population in the districts of Andhra, at 47 percent. The Scheduled Castes constitute 17 percent of the population. They were, however, divided by caste and sub-caste distinctions, and spread unevenly across districts, Muslims made up another 7 percent of the population.²

The agrarian structure did not undergo any noticeable quantitative changes (see Table1). The tenancy protection and abolition of Zamindari in the fifties were the only

attempts at some structural changes.³ The land ceiling legislations have not led to the lessening of the socio economic power of land-owning classes, who managed to retain their land through dubious ways. A study of the distribution of operational holdings in various size groups concludes that the attempt to change the land structure and ownership did not make any significant dent into the overall agrarian relations.⁴

Table 1
Percentage Distribution of Number of Holdings and Area Operated in A.P According to Different Size-Class of Holdings (1990-91)

Size of Holdings (in hectares)	<u>Coastal Andhra</u>		<u>Rayalaseema</u>		<u>Telengana</u>		<u>Andhra Pradesh</u>	
	No. of Holdings	Area Operated	No. of Holdings	Area Operated	No. of Holdings	Area Operated	No. of Holdings	Area Operated
Below								
1-0	66.5	25	42.3	9.7	50.6	13.7	56.16	16.4
1-2	18.3	22.4	24.9	17.1	22.8	18.7	21.2	19.5
2-4	10.4	24.6	19.8	24.7	16.7	25.8	14.5	25.2
4-10	4.3	21.2	10.4	29	8.4	28.1	6.9	26.1
10 & Above	0.5	6.7	2.6	19.5	1.5	13.6	1.3	12.8

Source : Statistical Abstract, A.P. Directorate of Economics and Statistics, Govt. of A.P. Hyderabad and figures added to a broad approximate level.

Table 1 shows that in the size group below one hectare, 56.1% of total holdings operate 16.4% of the total area operated; where as, in the category of ten and above hectares, 1.3% of total holdings operate 13% of the total

area operated. This table shows two distinct patterns: one for coastal Andhra and other for Rayalaseema and Telangana. The concentration of land is high in Rayalaseema and Telangana; whereas in coastal Andhra the percentage of agrarian poor, (i.e. small peasants with land below one hectare) is high poor peasants category dominate in coastal Andhra.

2.1.2 AGRARIAN CHANGE AND AGRARIAN CLASSES

Two developments - the Krishna - Godavari anicut and Green Revolution - brought significant changes in Andhra economy and politics. By the mid-nineteenth century, the anicut construction created a new agrarian middle class among the economically dominant and numerically large cultivating castes in coastal Andhra, who challenged the traditional dominance of the Brahminical castes.⁵ This agrarian prosperity did not result in improved wages and living conditions of the agrarian labourers whose numbers expanded with the advent of major irrigation. Niranjan Rao's study conclusively proves that the anicut development in coastal Andhra created a large agricultural labour class, whose conditions remained stagnant in the midst of affluence for the landowning classes.⁶

Next important development in Andhra economy is invariably the Green Revolution. The Green Revolution caused considerable changes in the socio-economic order of

Andhra Pradesh. It is mainly considered as a substitute to structural and institutional changes in the rural sector.⁷

The Green Revolution made Andhra self-sufficient in the food grain sector. It also accelerated the process of economic growth in Andhra. It led to the rise of income to the state exchequer and also led to the expansion of sectors like cinema, mass media, bureaucracy and higher education. It added considerably to the overall productive forces of the society resulting in expansion the economy in general and service sector in particular.

The study of F.Frankel on West Godvari district maintains that the green revolution did pave the way for capitalist development. It can be discerned from her study that the agrarian structure and various classes suffered from the technological, capital, entrepreneurial and demand constraints in Andhra. This indicates that the process of expansion and reproduction of capital is found missing. The flight of capital from the agrarian structure to the other sectors is also witnessed due to decline in the total factor productivity.⁸ These sectors include cinema, liquor deals, real estate, hotels etc. These forms of capital movement, apart from affecting balanced economic development, caused many changes in Andhra political economy.⁹

The green revolution also created the neo-rich class not only among the existing dominant peasant castes like Reddys, Kammas but certain other castes like Kapus and Rajus who have become equally assertive and articulate. It also created an elite from the backward castes, who occupy places of importance. Infact, these backward castes form the major support-base of the (Telugu Desam Party). However, the forward castes do not seem to be inclined for opening fresh space of accommodation. As a result, conflicts were witnessed between the traditionally dominant elite and the emerging elite. These conflicts are more manifested in the formal and organised sector like public sector, education system and bureaucracy. It is clearly reflected in sharp conflict in the area of reservations.¹⁰

The "accommodative politics", practised by the congress party in Andhra for a long period, to patronise competing groups and to ensure the continuity of the dominant groups is no longer possible in this scenario.¹¹ The policies of accommodation, while initially effective, cannot be sustained, because of proliferating claimants for patronage. This whole process resulted in the alienation of important social groups, giving birth to the regional party in the early 80s.

In the rural sector internalisation of these new elite is sought to be achieved through the development of panchayat raj institutions like mandal system, which is introduced by the TDP regime.¹² The rural development policies largely reflect this reconciliation process. As one author succinctly describes these changes in Andhra political economy : "If Krishna Godavari anicut development led to the ascendance of the peasant castes which challenged the power and dominance of the Brahmanical castes, the new social classes coming from the green revolution are challenging the dominance of peasant castes".¹³ This is however to gain greater share in the structures of dominance.

2.2. INDUSTRIAL CHANGE AND THE CLASS CONTRADICTIONS:

The agrarian surplus created conditions necessary for certain level of industrialisation. From the seventies, there has been steady growth in industrial sector.¹⁴ The ownership of industry which was dominated by trading communities from outside Andhra like Marwaris and Gujaratis underwent a change. The dominant landed castes like Kammas, Reddys, Rajus, Kapus-started the new industries, with their surplus incomes from agriculture.¹⁵ The number

of chemical, electronic and automobile industries went up, as a result, the proportion of agro-processing industry declined. This industrial growth indicates the rise of 'regional capitalist class' which forms the main support-base for the Telugu Desam Party which assumed power in 1983.

The paucity of power and irrigation impeded the overall rate of growth and led to almost a crisis in the industrial sector. Despite the change of regimes in Andhra Pradesh, power and irrigation needed to step up growth and pace of development both of agriculture and industry continue to be one of the major and chronic problems of Andhra political economy.¹⁶ The inability of the party in power to provide these two avenues of infrastructure resulted in the withdrawal of support for that party by both the agrarian and industrial elite. Inherent limitations of capitalist development coupled with the over-all inefficiency of the system, natural calamities and droughts aggravated the problem.

The 'neo-rich' classes like liquor contractors, cinema producers, real estate money dealers arose due to massive leakage of public funds and perverted capitalist development. The conflict and competition among them

partly explains the authoritarian styles and misappropriation of power and public funds by the chief ministers. Industrial growth became capital-intensive. It was not able to give any relief to the increasing educated unemployed. The Youth unrest continued to grow. The industrial growth led to public protests against degrading environmental pollution and also an agitation against the proposed atomic plant at Nagarjunasagar.¹⁷

The agrarian rich and the industrial class continue to make claims and counter-claims on the limited water in the multi-purpose electric projects, as the inadequate irrigation potential and the power shortage in the state are making them dissatisfied.

2.3.1 POVERTY LEVELS AND THE STATE OF AGRARIAN POOR

The study on the 'Distances in levels of living in Andhra Pradesh' reveals glaring poverty levels in Andhra Pradesh.

Table - 2
Poverty Levels in Rurala Andhra Pradesh
Poverty Line : (Rs. 50 per month) in 1977-78

Districts	Percentage of Persons Below Poverty Line	Percentage of House Holds Below Poverty Line
Srikakulam	71.93	68.76
Vizag	59.02	53.36
East Godavari	50.19	44.56
West Godavari	42.09	35.08
Krishna	37.11	32.93
Guntur	85.99	31.43
Prakasam	47.96	44.90
Nellore	47.84	33.91
Chittoor	52.04	49.36
Cuddapah	51.30	43.98
Anantapur	69.57	67.64
Kurnool	66.04	60.21
Mahaboob Nagar	64.00	60.21
Hydreabad	61.93	57.29
Medak	71.22	67.54
Nizambad	41.71	41.62
Adilabad	74.60	65.80
Karim Nagar	78.61	76.98
Warangal	72.80	69.79
Khammam	37.80	36.96
Nalgonda	19.93	27.38

Source: "Distances in Levels of Living: Temporal and Spatial: A Case-study of A.P; Radhakrishna and others, CESS, Hyderabad, 1983

The table-2 on poverty levels shows that in 1977-78, the number of persons below the poverty line in the districts of Srikakulam, Medak, Nizamabad, Adilabad, Karim Nagar, Warangal was more than 70 percent. In Karimnagar,

poverty level is as high as 78 percent. Except in Krishna, Khammam, Nalgonda, in all other districts, the number of persons below the poverty line was more than 40 percent.

Table 3
Poverty Levels of Agricultural Labour in 1977
(Poverty Line: Rs. 50 per month)

Districts	Percentage of Persons Below Poverty Line	Percentage of House Holds Below Poverty Line
Srikakulam	90.63	84.57
Visakha Patnam	73.89	65.73
East Godavari	62.97	54.60
West Godavari	57.97	45.41
Krishna	47.52	40.19
Guntur	55.38	45.28
Prakasam	73.31	68.28
Nellore	61.70	50.00
Chittoor	72.34	64.57
Cuddapah	63.28	53.73
Anantapur	91.64	85.60
Kurnool	85.95	78.41
Mahaboob Nagar	71.30	66.19
Hydreabad	86.38	80.28
Medak	88.34	80.28
Nizambad	64.12	60.00
Adilabad	91.99	83.16
Karim Nagar	90.70	87.25
Warangal	95.83	90.43
Khammam	55.85	56.67
Nalgonda	48.90	44.78

Source: Radhakrishna and others; CESS, Hyd, 1983.

Table 3 indicates that in Srikakulam, Anantapur, Adilabad, Karimnagar, Warangal, the number of agrarian labour below poverty line was more than 90 percent. In Warangal, poverty is highest i.e. 95.8%. Except in four districts (West Godavari, Krishna, Guntur and Nalgonda) in all the other districts this number was more than 50 percent.

The economic growth is to be seen in terms of its contribution towards the eradication of poverty and reduction of inequality in the distribution of productive assets as well as the fruits of development. But the research studies on Andhra shows that the effect of development has been uneven both on classes and regions. The study at Centre for Economic and social Studies, Hyderabad, conclusively proves that the development widens disparities between the rich and the poor, especially in the developed region. Agricultural development did not make any dent on the poverty of agricultural labour, instead, it proliferated their number. Hence, the scope for raising the levels of living of these bottom classes relying on economic growth is limited. Even, the anti-poverty programmes, targetting these classes, have raised the expectations without any matching performance.¹⁸

An analysis of the wage structure of agrarian poor reveals the painful fact that the real wages of agricultural labour didn't show much improvement despite the impressive growth in production.¹⁹ The rate of growth in prices is consistently higher than the rate of growth in wages in the post green revolution period. D. Rama Rao's study on the impact of green revolution on wages of agrarian poor concludes that there is a definite trend of increase in the number of agricultural labour and landlessness over a period of time. His study also point out the alarming trends in landholding position. In fact, the proportion of agricultural labourers is highest in Andhra next only to Bihar. Their number is nearly 12 lakhs in Andhra as per CMIE Survey.²⁰ The studies of Sastry and Partha Saradhy also indicate only a marginal improvement in the agricultural wages.

The high levels of poverty and low agricultural wages, are making the sections of agrarian poor restless. They have been waging struggles for redistribution of land and for minimum wages.²¹ The high incidence of rural poverty combined with high degree of feudal oppression is responsible for the Naxalite movement in North Telangana districts. The agrarian poor, who are worst-hit by the skewed development strategy are facing problems at two levels :

one, they are bypassed by the growth process and at another level, they are made to bear the social costs of development.

2.3.2 UNEMPLOYMENT

Both the daily status and weekly status unemployment rates in Andhra are consistently higher than the all-India rates. Neither agriculture, nor industry is able to absorb the increasing proportion of unemployed youth. The capital-intensive industry did not address this problem. Agriculture, where land-man ratio is already high and where there is decline in total factor productivity, is equally not able to provide employment. As a result, the educated and rural unemployed are turning into a class of frustrated youth attracted to Naxalism.²¹ There are roughly three million educated unemployed in the state. The formidable youth force has been one of the major sources of tensions. In fact, they contributed to the political waves witnessed in the state. The studies on female employment found that modern growth process marginalised female workers. This had adverse implications for total development, because women's development holds key to total development through its effects on literacy, health and nutrition.²²

A study of bonded labour in Medak district reveals that though the bonded labourers are free to leave the master after repaying the debts, their inability to repay the debts is leading to inter-generational bondage.²³

The studies on Andhra suggest that the economic stratification broadly coincides with the social stratification.²⁴ This can be seen in the case of agricultural labourers, majority of whom belong to scheduled castes. This mutual reinforcement of one stratification of the other accentuated the caste identity in certain regions of the state. This process also blunted, to some extent, class polarisation.²⁵

The Scheduled caste labourers who have been socially and economically oppressed are in search of their own identity. This identity is expressed both in caste and also in class terms. Where the land struggles are strong, this question is expressed in class terms and in those areas where these struggles are weak, the identities seem to be taking the caste turn. The peasant movements in Telangana and the caste tensions in the coastal Andhra have to be viewed in the larger political economy context. The violent factionalist politics in Rayalaseema marginalised

the caste-class question. We can also see in Andhra upper castes with huge tracks of lands invoking caste solidarity, when they resort to dominance and oppression of the lower castes who happen to be agrarian labourers.

2.3.3 REGIONAL IMBALANCES IN ANDHRA

The regional imbalances-caused by the Krishna-Godavari anicut of mid-19th century-got accentuated by the green revolution. The nature and choice of technology is such that it caters to the needs of only irrigated areas. The coastal Andhra developed much faster as a result, surpassing other two regions. Within the coastal Andhra, only the rich could afford the technology and other inputs of green revolution. ICRISAT annual report of 1982 shows that the gains from this green revolution were concentrated among the rich farmers.²⁶

The net outcome of the above development is the mixed mode of production in the agrarian base of Andhra political economy. Capitalist and semi-feudal modes are empirically shown to exist side-by-side without jeopardising one another in overall agrarian relations in Andhra.²⁷

When the modern growth processes operate within a semi-feudal socio-economic structure, on one hand, they

strengthen the semi-feudal ways of extraction, on the other, it results in dualism ie. co-existence of two segments in the economy: one is modern, market-oriented and the other is traditional with low productivity and subsistence systems. We see dualism not only between rural/urban, but also between agricultural/industry, between the rich and poor policies intended to augment economic growth accentuated this dualism.²⁸

The regional imbalances in Andhra are likely to continue. The coastal Andhra, which already has the advantage of irrigation and of agricultural technology now also has the advantage of natural gas. The development of Kakinada and Vizag ports and a large outlay under the world bank project for cyclone-relief placed the coastal Andhra in an advantageous position. Telangana has a historical legacy of underdevelopment since the Nizam rule. Although it developed due to Nagarjuna Sagar and Sriramsagar projects and industrial growth around Hyderabad, the indicators of social development are not picking up. The semi-arid Rayalaseema has the legacy of denuded ecology some parts of Rayalaseema region are benefitted from major and medium irrigation projects. With intense factional fights, and electoral violence, this region has gained a

notoriety for its 'bomb culture'.²⁹

STATE OF TRIBALS

The main agency area in Andhra extends over 30,000 square miles covering parts of the districts of Srikakulam, Visakha, Vijianagaram, East Godavari, Khammam, Warangal and Adilabad districts. Tribal population in Andhra is mainly concentrated in this area. Ever since the colonial state entered the forest, the tribal life and livelihood has been disturbed. The post-colonial state through its ameliorative policies sought to rectify the problem created by the entry of plains men into tribal areas.

The studies on tribal policies of the A.P. reveal that the main grievance of the tribals has been that they are deprived of their rightful land and property owing to centuries of neglect and exploitation by landed interests and deprivation of forest rights, resulting in a series of Girijan revolts in Andhra.³⁰ The state intervention presented itself to the tribals in the form of corrupt forest bureaucracy and the officials of Girijan cooperative corporation. In order to be allowed to cultivate under the 'podu' system, the forest rangers have to be paid regular bribes in cash, kind and labour.³¹

Due to low prices paid by the corporation, the minor

forest produce has been slipping into the hands of private merchants.³² A study points out that 60 percent of the tribal households are debtors. The sources of credit for them are rich tribals, traders and moneylenders. This suggests that the Girijan Corporation and the nationalised banks are not able to cater to the credit needs of tribals. Even from the loans granted to tribals, they get very little. The case of leakages and pilferages of funds is also witnessed in implementation of the policies meant for improving health and nutrition among tribals. An indepth study of three tribal willages in Andhra on the basis of land records for a period of 80 years concludes that "the state policy of land restoration has not helped the tribals but protected the interests of the rich classes of the non-tribals".³³

This chapter attempted to portray a panoramic view of the complexities in Andhra political economy. The problems of poverty, hunger, unemployment persist in Andhra Pradesh. More than half of the population are illiterate in the state. Studies on the different facets of development and state intervention resulted in a wide gap between promise and performance. The state, given the context of larger socio-economic structure, seem to be lacking in will to undertake socio-economic change more rigorously, so as to better the lot of the vulnerable groups. This chapter is a

background to probe deeper in to the nature and pattern of violations of rights in Andhra Pradesh.

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CHAPTER III

STATE OF HUMAN RIGHTS DURING THE TELUGU DESAM PARTY (TDP) REGIME

The last two chapters of the dissertation attempted to understand the social contradictions within the political economy of Andhra Pradesh and how they give rise to violation of rights at various levels. Within this theoretical and empirical understanding of political economy, this chapter seeks to analyse the state of human rights in Andhra Pradesh during the regime of Telugu Desam Party (TDP) between 1983-1989. How the party in power addressed the problem of violation rights? What are its policies and programmes that affected the rights of the people, of the dispossessed in particular? How does the law enforcing agencies especially the police function to protect the people's rights during the TDP regime? What are the various issues and events which affected the situation of human rights during this period? The 'regime' is understood here as 'government', which is different from the 'state', and which is also subject to change.

The rise and growth of the TDP should be understood as a reflection of the socio-economic dynamics that contributed to political change in Andhra. This change is significant in Andhra politics because the 'citadel of

Congress' gave way to 'competitive two party system of sorts'. Congress Party in Andhra Pradesh through its policies of accommodation like political patronage, welfare schemes, reservations etc. successfully dominated the state politics.¹

These policies intended to accommodate competitive groups, while initially effective, could not be sustained under conditions of proliferating claimants for patronage, so that over a period of time dominant social groups like 'Kammas', the enterprising landed castes, became alienated from the Congress. They felt that their share in political power was not in commensurate with the economic wealth which they acquired through high industrial growth in the State.²

The Congress Party has a faction-ridden and corrupt image in the state. The Congress Chief Ministers were changed at the will of the Central leadership of the party. The Congress party's preferential policies towards the Scheduled Castes alienated the backward castes from the Congress. Various sections of youth, middle class felt disillusioned by the centralised Congress rule. The erosion of credibility of the Congress and the socio-economic conditions in Andhra Pradesh during 80s led birth to the TDP.

The charismatic leader of TDP, N.T. Rama Rao with the slogans of 'Telugu nationalism' and 'Telugu self-respect', promised many policies and programmes to cover broadly a diversity of groups like weaker sections, women, farmers and agrarian labourers.³ TDP's policies were basically meant to garner the electoral support of these groups. The 'two rupees-per-Kg rice' scheme caught people's imagination because it addressed the immediate needs of survival of the poor.⁴ The other policies like 'janata dhotis' and 'sarees', the construction of 2 lakh houses, mid-day meals are mostly populist in nature. NTR's success lie in building a charismatic personality, along with a series of populist measures.⁵

NTR's electoral success did not result in building the TDP into an organized party. It continued to be a one-man show.⁶ NTR's authoritarian style as Chief Minister more visibly seen after his re-election in 1985, had an unhealthy impact on the state administration. The decision-making within the government was highly centralized, the legislators played no significant role. NTR took some impulsive and arbitrary decisions like dismissal of village officials, abrupt ending of the mid-day meals scheme.⁷ NTR's decision to sack all the ministers at once on the pretext of budget leakage revealed his authoritarian tendencies. The authority of the government continued to rest

in a single individual. NTR did not show any interest to build the TDP into an organized party, as it could have constrained his personal power. Even the morale of the senior bureaucrats was low, due to NTR's "heavy handedness".⁸ The centralized power has always been a threat to democratic norms and institutions, endangering the people's rights. NTR won many elections, in spite of running a one-man, partyless and relatively arbitrary government. This may be due to his personal appeal to the rural illiterates, establishment of elaborate patronage networks and also due to the organizational decline of the Congress party. It is the NTR's authoritarian style which resulted in abject dependence on the coercive apparatus to solve the pressing problems.

3.1 POLICE LAWLESSNESS

Naxalite movement in Andhra Pradesh should be understood in the context of larger political economy before we analyse the police lawlessness in Andhra Pradesh. Dhanagre described agrarian structure in Telangana as a 'page from medieval history'.⁹ We see large scale feudal oppression in Northern Telangana districts, coupled with poverty, deprivation, low wages and unemployment of the rural poor. Naxalites or the various CPI(ML) groups since late sixties organize the tribals, the landless poor, coal

mine workers, women, students into mass organizations called `sanghams' to agitate for their basic rights in these districts.¹⁰

Naxalite movement is centred around issues like minimum wages, land reforms, end of forced labour and of extortion and harassment by the landlords and the government officials, better living and working conditions and so on. However, naxalites' violent methods normally receive severe criticism, though their goals are appreciated. None of the issues they agitate for fall outside the manifestos of the political parties and Part III and Part IV of our Constitution.

The police in Andhra Pradesh unleashed an arbitrary and lawless repression on the naxalite movement and the poor who participate in and support the movement. The extra-judicial killings and arson by the police are justified and legitimized, by the state government in the name of containing `naxal violence' and maintaining 'law and order', rendering the democratic principles like separation of powers, procedure established by law, meaningless. The brazen flaunting of law by the law enforcing agencies was justified by the argument that naxals use violence and lack faith in the Constitution. Every violent act or violation of law does not empower the Police to summarily punish or

kill the persons committing these acts. If the law is abandoned under unfavourable conditions, then the legitimacy base of state violence is eroded.¹¹

Moreover, if a lawless situation were to be handed only through lawless means, there would be no distinction between the Police and the private groups. As **Balagopal** rightly observes "the possibility of criminal acts by individuals is inherent in the very logic of the existence of a state. Its' rationale as the maintainer of 'law and order' would have no basis otherwise. But the state, whose moral basis is the law, can't violate that very law. Here the distinction between state violence and private violence takes an essential form". He continues "social violence has its origins in the social, political and economic conditions. What needs to be done is to tackle the root of the problem and not to use force to suppress its manifestation".¹²

Even the guilty or the persons using violence should be tried and punished in accordance with a procedure laid down by the law. That is the essence of democracy and civilized governance. Anything other than this would be contrary to Articles 14 and 21 of our Constitution.¹³

The Police in Andhra Pradesh used various repressive measures to suppress the mass movement. Their methods

ranges from extra-judicial killings, to custodial deaths, rendering people 'missing', false cases, arson on the rural poor, destruction of property, etc. Police lawless behaviour can never be justified, on the pretext of containing 'Naxal violence'. It makes the Police unaccountable. The State governments fails to understand that Naxal violence is a result of both oppression and frustration in Andhra society. The governments did not address the problem at socio-political level, by attending to socio-economic grievances highlighted by the Naxalite movement.¹⁴

3.1.1. EXTRA-JUDICIAL EXECUTIONS

'Encounters' are the most glaring forms of Police lawlessness in Andhra Pradesh. They are referred to a situation wherein there is an exchange of fire between a group of police/security forces and the armed individuals who are identified as 'Naxalites'. But this term came to acquire a new meaning, of police killing the unarmed people in cold blood. The Civil Rights Organizations (CROs) in Andhra disagree with the police version of 'encounters' and proved repeatedly through their Fact Finding Committees (FFCs) that majority of incidents are 'fake', except when the police have been killed or wounded. They also proved that mostly, the victims were unarmed villagers.¹⁵

The ambivalent attitude of the TDP government towards Naxalites is visible through its changing stances. Sometimes, the government gave open commitment to promote civil liberties the government had also agreed that the Naxalite movement has a socio-economic context, but treated it as a 'law and order' problem. NTR's inconsistent policy is seen in his ambiguous statements, often blowing hot and cold. Calling Naxalites as "patriots", NTR had also talked of holding a "dialogue" with them. Later he declared that he could order bombing of Naxal zones.¹⁶ The repressive policy of TDP is clearly visible in quantum jump in the number of 'encounter deaths' from 1978-83 to 1983-89.

TABLE-1

Year	No. of persons killed extra-judicially in Andhra Pradesh
1968-1977	About 335
1978	Nil
1979	Nil
1980	07
1981	05
1982	04
1983	03
1984	NIL
1985	35
1986	20
1987	29
1988	61
1989	51

Source: APCLC Complaint to National Human Rights Commission, September 1994

Table-1 indicates that the number of 'encounter deaths' rose from 19 in 1978-83 to 236 in 1983-89. In the years 1988 and 1989 alone the number was 112. From 1985, 'encounters' occurred with fatal regularity. APCLC findings reveal that more than 80 per cent of the victims were not Naxals, but the marginal peasants, rural poor, tribals, youth, rickshaw pullers and the urban poor. Majority of them were from the poor and oppressed sections of the society. Predominantly, the victims belonged to the Scheduled Caste, Backward Class categories.¹⁷

There were no 'encounters' in 1984. In all subsequent years there is a spurt in their number. It is due to the fact that, as asserted by CROs, encounters are not merely acts of 'police excesses' but are result of conscious political policy. "Whenever the government decides, for whatever reasons, to go slow or even to completely stop the killings; there has been a definite slowing down and complete stoppage of 'encounters'.¹⁸ In 1987-89 when the TDP government announced that, it was going to "finish off the Naxalites within six months" Encounters increased to a record of 134.

The electoral compulsions and political expediency, made the TDP to adopt sometimes a moderate approach towards

the Naxalities. Naxalites had a powerful support base among the rural poor in North Telangana. ~~...~~ The Scheduled Caste, Scheduled Tribe and Other Backward Classes, who form the electoral base of ^{the} TDP were the victims of police repression. The repressive policy of the TDP also resulted in Naxalites' reprisals in the form of kidnapping and killing the local representatives. Malhar Rao,^a local leader of TDP, was killed by Naxalites as their demand to make the whereabouts of two colleagues public was not met. This alienated both the public and the rank and file of TDP from the government, for, its repressive policy led to Naxalites' reprisal. As a result, there is a conscious decrease in 'encounters' after Malhar Rao's murder in 1988. This short-term moderation in otherwise continuous repressive policy is due to political compulsions.¹⁹

3.1.2 CUSTODIAL VIOLENCE

Custodial torture is the most heinous kind of HRV commonly practised by the Andhra Police. The practice of torture of the suspect is such a routine affair that it does not attract any attention, except when it results in custodial death. Custodial death is generally interpreted narrowly as death of a person in a police lock up. But, some times, death takes place outside the premises of a

police station, in a hospital or on streets, but technically in the custody of the police. Custody starts the moment the person loses the freedom of movement, which passes into the control of police.²⁰

Normally, police officials, argue that a majority of the alleged custodial deaths are actually suicides or deaths due to ill-health. But the CROs disagree with this version and proved through their FFCs that many of them are custodial deaths.²¹ All deaths in custody are not necessarily caused by the police, but the police are responsible for the death, because they are exclusively responsible for the welfare of persons in their custody, whom they deprived of their freedom, with the authority of law.

TABLE-2

Year	No. of Custody Deaths
1984	20
1985	14
1986	18
1987	22
1988	16
1989	10

Source: APCLC Complaint to National Human Rights Commission, 1 August 1995.

Table 2 gives the number of custodial deaths occurred each year from 1984 to 1989. The data may not be perfect as mistakes in data collection cannot be ruled out. Table

2 shows that except in the year 1989, in all other years, the number of custodial deaths are nearly 15 or more.

Unlike 'encounters' which are predominant in the naxalite strongholds, custodial deaths are evenly spread all over the state. Majority of victims of custodial deaths are from the Scheduled Caste, Other Backward Class communities. The series of custodial deaths in September 1986 caused popular uproar. The FFC reports also suggest that there is a lack of 'political will', to control the repeated occurrence of custodial deaths, despite the availability of various punishments prescribed.

The campaigns by APCLC and OPDR, apart from public protests forced the TDP government to appoint judicial inquiries like Ramakrishna Commission and A.D.V. Reddy Commission during 1986 and 1987 in a few cases. Some of the commissions established the role of police in the custodial deaths.²² Criminal proceedings were never initiated against the erring police personnel. In case of 'encounters' even when the judicial inquiry went against the police, the government protected them, even rewarded them.²³ Some of the Commissions' reports unfolded the linkage between the police and other officials responsible for post-mortem and magisterial enquiry, who tend to avoid recording evidence that may go against the police.²⁴

3.1.3. OTHER POLICE EXCESSES

The repression on the rural poor and police firings are the two major forms of police excesses, other than the 'encounters' and 'custodial deaths'.

Rural poor face multi-faceted repression in addition to the various undemocratic practises of landlords locally dominant caste groups or individuals. Any resistance from the oppressed masses would generally lead to the induction of police into the village, presumably to maintain 'order' but it leads to suppression of the rights of the poor. APCLC identified seven modes of repression against the rural masses. They are: (a) illegal detention, (b) torture, (c) false cases, (d) raids, (e) police camps, (f) extortion, (g) suppression of democratic activity.²⁵

The peasant movement in five north-western Telangana district bear the brunt of police repression. The rural poor are organised into Ryot Coolie Sanghams (Peasant Labour Associations) affiliated to CPI (ML) groups, to agitate for issues like land, minimum wage, social justice, better living conditions, which should form part of the welfare policies of the government. The government, instead of fulfilling these obligations, dubbed these 'sanghams' as 'extremist groups', intimidated and terrorized the

villagers through police raids, for 'harbouring naxalites'. According to a newspaper report, quoting "informed sources of police department", in the first year of NTR's rule, eleven thousand persons were arrested by the police and implicated under various cases. It is on such a large scale that the repression began during the TDP regime.²⁶

The FFC reports of APCLC and OPDR explains the details of arson and raids on villages. All these efforts are aimed at terrorizing the people back into servility. Altogether, forty villages in Adilabad, one hundred and ten villages in Karimnagar, seventy villages in Warangal, thirty villages in Khammam were affected by police raids in 1984 alone.²⁷

Large number of people were taken away for illegal detention during the raids. The police demand bribes to release the detainees. Detainees were implicated in false cases en masse. If they managed to get bail, they were arrested outside the jail and implicated in another case. During October and December 1983, at least hundred landless poor suffered illegal detention and torture in Madikonda police station alone (Warangal). When police camps were set up, the police extorted a variety of services and material comforts from the villagers. The villagers were forced to do begar for the police in the Camps.²⁸ There

were 100 such camps in Telangana during 1983-84, as per the PUDDR Report.

The TDP government set up two special courts to try 'extremist offences' in Warangal and Khammam. The constant vigilance of Court premises by the police, arrest of 'sureties' made any attempt for legal remedy meaningless.

The Police firings at Tangutur (1983), Manjulapur (1985), manifests another form of police lawlessness. Nearly fifty people died in police firings during 1988 and 1989, as against 12 during 1985 and 1987. Although 1984 recorded 42 deaths, that was largely due to the dismissal of N.T. Rama Rao's government and the problem of 'communal riots' in Hyderabad. In many of the incidents, the CROs allege, that the police did not follow even the minimum norms prescribed in the police standing orders, while on the other hand, the issues raised by the 'unrest' remained untouched.²⁹ Renderary people 'Missing' is another worst form of police lawlessness, in the face of rising protest against more conventional police methods of getting rid of people.³⁰ Making people 'disappear' was the easiest alternative. Nearly 26 persons picked up by the police are found "missing" during the TDP regime. The government of Andhra Pradesh appointed TLN Reddy Commission to enquire into their utereabouts. The terms of the commission was

extended even after the TDP government fell down.³¹

The Black laws like TADA, NSA, MISA, Distured Areas Act, Indian Arms Act authorised the police to use extensive powers to make arrests, detain people with not trail, conduct searches without warrant and to shoot and kill. TADA was the most notorious and undemocratic. Act which made it easy for the police to put inside all manner of inconvenient people. Nearly, 5415 persons were booked under TADA in AP during 1985-89.³² These repressive legislations were more arbitrarily and brazenly used by the police in Andhra Pradesh.³³

The positive encouragement and strengthening of the police force by the TDP Govenrnment is more striking. The democratic rights were systematically violated by the ~~law~~ law enforcing agencies with the tacit consent of TDP government. The refusal to take any action against erring police officials, positive encouragement in some cases and the dependence of TDP government on the police apparatus shows the control, the police acquired during the TDP rule. The State Cabinet itself took many policy decisions that strengthened this process police acquired the autonomous domain of functioning.³⁴

Andhra Pradesh has the largest number of police officials in the country. The TDP Government in addition appointed a Special DIG for curbing 'extremist activities'. In addition to the Armed Reserve Police and the Special Police, two battalions of CRPF had been borrowed in 1984.³⁵

The TDP could not initiate many policies promised in its election manifesto, like the vocational education minimum wages to labourers, drinking water to all villages, rural electrification, protection from natural calamities, administration free of corruption etc.³⁶ Studies show that the policies meant for the rural poor had very limited impact on their living conditions. The gap between the promise and performance was more visible in the case of agrarian labour, whose conditions did not improve. None of the policies of the TDP aimed at bringing out structural changes in the system.³⁷ The basic issues like poverty, unemployment, illiteracy and regional imbalances remained largely unaddressed. Policies created higher hopes without any matching performance. This exacerbated mass discontent.

The unaccountable and arbitrary use of force and the abuse of authority by the police bred a culture of repression, its growth threatens the democratic polity.³⁸ Giving "free hand" to police, supplying them with sten

guns, to repress mass movements, without addressing the socio-economic problems they raised, proves the hypothesis that the state uses force to put down the mass discontent, which is a result of failure of developmental and welfare policies. The Police lawlessness coupled with an absence of socio-economic measures has had a multiplier effect on the deteriorating conditions in Andhra.

3.2. VIOLENCE AGAINST WOMEN

Custodial rape, assaults against women and domestic violence are identified as three main aspects of violence against women based on a review of FFC reports.

The TDP government took ^{many} measures on women's issues. ~~many measures were taken~~ Having secured a large chunk of women's votes, NTR took measures like passing a bill to give equal property rights to women and setting up a university exclusively for women. But the offences against women by the police continued during the TDP rule. The four incidents of custodial rapes in Vikarabad, Yellareddipeta and in Srikakulam during 1983-84 received public attention through the press. On Public pressure, erring officials were suspended in a few cases.³⁹

The FFC reports of APCLC and OPBR documented the frequent assaults on women by landlords upper caste men in

rural Andhra Pradesh. Such assaults include molestation and rape.⁴⁰ Since the raped women is a 'forbidden human' in our society, many rape cases go unregistered. If at all these cases are reported, the victims feel demoralized with the kind of response they get from our 'modern' state institutions which are often influenced by traditional and patriarchal values. Violence in the family normally results in the macabre phenomenon called 'dowry deaths'. For instance, between 1987 and 1989, 53 'unnatural deaths' were registered in Krishna district. Between 1985 and 1989, 72 unnatural deaths were reported in Vizag district.⁴¹

3.3 VIOLENCE AGAINST DALITS

The concept of 'social justice' is generally articulated as protecting the human dignity of the 'weaker sections' by making all kinds of social discrimination punishable, through protective discrimination and providing them right to life and livelihood. Caste is identified as the important and complex form of social authority in our society. The rigid normative frameworks of caste contradicts any democratic concept of social justice.

The massacre on dalits by the dominant landed castes at Padirikuppam (1983), Karamchedu (1985), Neerukonda (1986), Gudiyada, Dontali, Bandlapalli (all in 1987) in

Andhra Pradesh suggests how atrocities on dalits take place when the conscious assertion of the rights and dignity by dalits threaten and challenge the traditional power structures of the rural Andhra.⁴² Two points need to be noted here. First, in all these incidents, the dominant landed castes perpetrated atrocities on dalits. It is the 'Kammas' at Karamchedu, the 'Naidus' at Padirikuppam, 'Reddys' in Ranga Reddy. These dominant castes are close to men in power. Second, in all these incidents, the police either looked at the other side or hand in glove with the dominant castes and protected their interests.

During the NTR's rule, the dominant castes, the Kammas in particular, felt a sense of power and political clout.⁴³ With the rising wealth, the Kamma community zealously wanted to ensure its authoritarian position. A simple act of raising a protest by a dalit boy against a Kamma youth polluting the drinking water and the interference by the dalit woman at Karamchedu were seen as blatant challenge to the authority of Kammas. The refusal by the dalits to face the 'katcheri' is seen as an affront on their feudal authority. The carnage that followed was sought to be justified as a response to the provocation by dalits.⁴⁴

All these incidents are suggestive of a pattern in rural Andhra Pradesh where the feudal practices and feudal

forms of authority are getting strengthened by the entry of capitalist modernization. They are examples of emerging social tensions. The articulation may vary with the variations in the political economic power of the dominant castes on the one hand, and the consciousness of the oppressed on the other. What is more alarming is the involvement of men who are close to power-that-be and the overt and covert collaboration of the police with them. One positive trend in Andhra Pradesh after the Karamchedu incident is the birth of 'Dalit Maha Sabha', a step in the direction of organised dalit movement in Andhra Pradesh. But, only in one incident (Bandlapalli) the accused were a punished, in 1989. In the rest of incidents during this period, no serious probe in to the killings took place. No is one arrested till rpw.

3.4. DROUGHT/STARVATION DEATHS/ENVIRONMENTAL POLLUTION

The issues like draught, Starvation deaths and environmental pollution are the results of dominant paradigms of development. All these issues are inter-related. They are primarily related to the issue of right to life and social justice.

The drought situation in Anantpur and Adilabad as reported by CROs, brings out the perennial problems of rainfall shortage and water scarcity and crop failure in

the arid/semi-arid areas. The starvation deaths in Medak between 1985 to 1989 occurred due to the drought situation only. The State government refused to accent the deaths in these districts as starvation deaths. Since the perennial problem of drought and starvation is a protracted process, the government as CROs argue, has a duty to find alternative methods for a sustainable enrichment of water resources. But the government's response continued to be indifferent and improper.⁴⁹

The 'starvation deaths' of displaced people of the Srisailem dam at Mahboobnagar is due to the callousness of the government in rehabilitating the displaced. This is a clear example of development leading to displacement without proper rehabilitation. The problem in Adilabad is the absence of proper storing and utilization of water which creates a drought like situation. It is more related to the official in action.⁵⁰

The environmental pollution in and around cities like Vizag, Hyderabad, Ramagundam, Kothagudem, Kagaj Nagar is the area of concern where right to clean environment is clearly endangered. One oil mill in Krishna district polluted the nearby farms and caused the death of cattle. Industrial pollutants damage the water, air and environment. The hazardous nuclear technology constitutes

other facet of the problem. The proposed nuclear plant near Nagarjuna Sagar to step up power generation was widely protested.⁵¹ Problem in Chittoor district is caused by elephants which are attacking the villagers and their crops since 1985. The wild animals are said to have migrated from the neighbouring areas due to destruction of forests. The measures taken to contain this problem were not effective.⁵²

3.5. STATE OF TRIBALS

The tribals in Andhra Pradesh : the Gonds, Pradhans, Kolams, Naikpods, Koyas, Kondareddys, Kondakapus live in two forest belts, the Godavari Valley forest and the eastern ghat forest. The tribal movement is active in Adilabad, Karim Nagar, Warangal, Khammam districts of Godavari belt and Rampachadavaram and Elavaram of East Godavari districts. In addition, Lambadas, Waddera and Erukalas are tribal communities in plain areas.

The major causes of discontent in tribal areas are the reservation of forests for paper and teak plantations, restriction on shifting (podu) cultivation and the conversion of forests from natural wealth to state property.⁴⁵ The measures like demarcation of agency areas, legislation against tribal land alienation, setting up of tribal corporation, etc. may give an impression that

statisation of the forests benefitted the tribals. But it is not true. As Balagopal rightly observes "the tribal conflict today is much more directly against the state than the non-tribals because it is the state that restricts their forest rights, that arrests them when they cultivate forest land. Ecology is more valued than the life of tribals by the State. Non-tribals like contractors, traders and landlords are either the creatures of the state or secondary to it as oppressors of the tribals.⁴⁶

Tribal resistance against corrupt bureaucracy, exploitation of contractors is met with severe repression. The tribal communities as a whole were targetted. The Gonds of Adilabad, the Koyas of East Godavari and the Konds of Vizag experienced the police raids and their brutalities. The police terrorised the tribals on the pretext that they are harbouring naxalites. The police burnt the tribal hamlets enmasse at Chintapalli⁴⁷ In January 1986, 52 armed police camps were set up in Rampachodavaram and Chintapalli areas.

Tribals make their country liquor, 'ippasara' and 'gudumba' due to unaffordable arrack prices. The licensed attack contractors with their private armies attack the tribals to prevent the illicit brewing.⁴⁸ The attacks of liquor lobby on tribals is not prevented by police. This

reveals the incursion of unfamiliar modes of statehood and social ordering in tribal areas on the rights of tribals.

3.5.1 OTHER ISSUES

During the TDP regime, the civil liberties leaders were harassed, tortured, kidnapped and killed. The APCLC which is working for implementation of 'constitutional rights' and for promotion of democratic values in all spheres of society and state institutions in Andhra Pradesh was the principal target of state government. The TDP government consistently tried to delegitimise APCLC by calling it 'the frontal organization of Naxalites', despite that, APCLC leaders condemned the activities of naxalites unequivocally, whenever they violated people's rights.⁵³

APCLC's leaders, Gopi Rajanna an advocate, Dr. Ramadham a paediatrician, Japa Lakshma Reddy, a peasant leader and social worker - were killed by the state police in 1985, 1987 and 1988 respectively.⁵⁴ Even the poets were not spared. The revolutionary Poet, Varavara Rao was implicated in three false cases. The witch-hunt of this noted poet by the government was so unrelenting that he preferred to get his bail cancelled and stay in Secunderabad prison so as to safeguard himself from the murderous

police.⁵⁵ His poetry was proscribed. This shows how the freedom of expression took a beating during the TDP regime.

The electoral violence and the conflict between the political parties in the state had a spill-over effect on the rights of the poor. The arson and curfew witnessed after the murder of a Congress leader in Vijayawada town, violent factional fights in Rayalaseema were all part of this trend. **Balagopal** observes "The rise of aggressive neo-rich classes aspiring for more power and patronage, increasing fractional conflict among the propertied classes which takes all conceivable forms from gang fights to NTR's anti-centre rhetoric and consequent unfolding of a culture of lawlessness and violence, led inevitably to 'atrocities' on the toiling masses and their activists either by police or the landlords". The Congress party's petition against NTR in AP High Court reflects this fractional conflict.⁵⁶ The disturbing trend in these conflicts was the police's partisan behaviour.

The excessive use of police force ultimately led to withdrawal of support for the TDP. In fact, the police repression was an indication of the growing political incapability of the system to handle the contradictions in political economy.

Certain ill-considered policies also led to withdrawal of support. The continuous high rate of inflation had hit the life of the poor very hard. Added to this, the TDP government encouraged the arrack sales and raised the revenue from Rs.235 crores in 1983 to Rs.839 crores in 1988.⁵⁷ From these revenues, the government spent about Rs.240 crores on the two rupees kg rice scheme. The overall impact of such a budgetary approach was counter-productive, leading to popular protests. The TDP also antagonised the non-gazetted employees of the state. The measure to revise the wage bill strained their relation with the government. As a result of these unpopular policies, the TDP government was rejected in 1989 elections. The restlessness of the poor continued to grow and their problems remained unaddressed.

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CHAPTER IV

STATE OF HUMANRIGHTS DURING THE CONGRESS (I) REGIME

This chapter analyses the Congress party's approach to human rights in Andhra during 1889-94 and draws comparison from the earlier TDP rule. It also attempts to address the Congress party's policies and programmes, affecting the peoples rights, its response to the rights violations. More importantly, the role of law-enforcing agencies during the Congress regime, the impact of New Economic Policy (NEP) on peoples and rights state of women and dalits during Congress rule will be examined.

It is an undeniable fact that the Telugu Desam government was voted out of power as a result of its authoritarian exercise of power. Being aware of this fact, Congress party promised to protect civil liberties in its election campaigns. After assuming office, Chief Minister Chenna Reddy gave an explicit commitment that his government would reform its outlook and its way of handling the Naxalite problem. He announced the three pronged policy of implementing reforms beneficial to the tribals and rural poor, allowing all lawful and democratic activities and suppressing by lawful means all unlawful activities.¹ He

accepted the suggestion of the civil liberties leaders, that the issue of Naxalites is to be treated as a politico-economic problem.

Even though the Chenna Reddy government did not initiate any concrete efforts to implement land reforms or any other policy intended to benefit the rural poor, his government did not prohibit the legal activities of Naxalites like the public meetings and rallies for a short period. A number of undertrial prisoners in the state were released. The 'Disturbed Area Act' was revoked in 1989. There were no 'encounter killings' during the first half of 1990. During this period, the Naxalite groups began to operate more openly, distributed surplus land declared by government under Land Reforms Act, conducted peoples courts to resolve local disputes and dispense justice.² The PWG also organised series of strikes which nearly paralysed the entire state.³ Killings by the Naxalite groups continued; by the end of 1990, their number reportedly touched 200.

Chenna Reddy came under increased pressure from the dominant landed castes whose lands had been seized by the Naxalites. By late June, the thaw between the Congress and Naxalite groups came to an end. The Congress government

reverted back to its poll-promises, launching a new offensive against the Naxalites by resulting in the sudden increase in the number of 'encounter killings'.⁴ The Government justified its action stating that the Naxalites had 'misused' the 'freedom' given by the government.⁵ This very notion of the government giving 'freedom' to the people and taking it back upon their 'misuse' is itself a symbol of authoritarianism.

No doubt, the Naxalites kidnapped the civilian and government officials, killed land lords and police informers. In its brutal attacks, PWG detonated bombs and set fire to government buildings and trains.⁶ Even the internal fights among the Naxalites groups on questions of ideology and tactics led to violence.⁷ All these activities of Naxalites constitute violation of law and of people's rights. But their actions cannot be an excuse for denying them the due process of law, and for executing them extra-judicially. Even their violence cannot be an excuse for torturing and jailing the poor peasants and tribals who sympathised with them.

The state can not take the 'Naxal violence' as a plea to unleash its terror and violence on the people. There lies a major distinction to be drawn between the individual

violences and state violence. Even their violence cannot be an excuse for torturing and jailing the poor peasants and tribals who sympathised with them. Moreover, behind this violence lies the government's failure to enforce its own laws and operate within them. The speedy and effective implementation of land reforms and minimum wages would not have necessitated the Naxalites forcible occupation of surplus land. The 'direct explosion' and delayed justice forced the people to seek arbitration at local level at 'peoples courts'.

The change of leadership in Congress in January 1991 easing out Chenna Reddy's government, resulted in triggering communal riots in Hyderabad.⁸ Janardan Reddy replaced Chenna Reddy. His government was characterised by "political gangsterism, rule by sten gun, economic liberalism and corruption".⁹ The private engineering and medical colleges were granted permission during his tenure. Half of the seats in these colleges were given to 'high capitation fee'. Janardan Reddy defended all this in the name of encouraging private enterprise later the permission was withdrawn under the court's directive.¹⁰

Janardhan Reddy's rule became in public image, corrupt and immoral on many counts. Half members of the Janardan

Reddy's cabinet consisted of those who had a record of crime, land grabbing and illegal possession of arms.¹¹ The Congress party, worried about its unpopularity, replaced Janardhan Reddy with Vijay Bhaskar Reddy, a faction leader of Rayalaseema. Change of three Chief Ministers within the Congress party was witnessed in the state. The different leadership styles, corruption and factionalism in the ruling party made the governance unstable and ineffective.

The Congress party reversed some policies introduced by the TDP like two rupees KG rice scheme. The resources that they were able to divert to step up power production were limited. This made them to encourage privatisation initiative which would go well with the New Economic Policy (NEP). No impressive result on irrigation front. The dominant classes remained dissatisfied.¹² The crisis in Congress not only affected the growth of both industry and agriculture, but the employment opportunities of the educated youth and the rural labour force did not improve.

The rural Poor over the years grounded in deeper economic turmoil. The price rise, withdrawal of Rs.2/kg rice scheme and contracting work opportunities contributed for the turmoil. The relative reduction in the welfare expenditure added to the gravity of the problem. The

objective economic situation led to further restlessness. it also led to a major anti-liquor movement by women.¹³ The Congress government did its best to suppress the movement. But the public protest compelled the government to impose partial prohibition of arrack.

The poor in general and women in particular demanded total prohibition to protect the subsistence levels of standards of living. Withdrawal of Rs.2/kg rice scheme can be inferred as one of the potential causes for the genesis of anti-liquor movement. The movement was able to set the political agenda for the electoral politics. Both the Congress and the TDP had to pledge for total prohibition to ~~wi~~th over the electorate.¹⁴

4.1 NEW ECONOMIC POLICY AND PEOPLE'S RIGHTS

The contradiction arising out of the curtailment of welfare expenditure had moved to its peak during the congress regime. The New Economic Policy (NEP) with its thrust on privatisation, marketisation and international capital had no comprehensive plan about the welfare commitment. The whole thrust of structural adjustment was seen as 'retreat of state from its welfare domain'.¹⁵ Agriculture, the mainstay of our economy, was bypassed by the NEP.

The capital intensive industrialisation spurred the jobless growth.¹⁶ The inflation and unemployment on one hand and lack of perceptible increase in real incomes on the other had an adverse impact on the living conditions, especially of those in unorganised sector like agrarian labour and tribals. Subsidies had been slashed. Education and health facilities became costlier. Corruption was on increase after the introduction of the NEP.

The impact of the NEP on small and intermediate industry was adverse. It is estimated that more than 130 industries in rural Andhra had been closed down, resulting in the loss of livelihood to a large number of rural poor.¹⁷ Starvation deaths of weavers were widely reported during this period. Aquaculture farms were set up in Nellore, Prakasam and Krishna districts, in order to promote the exports of prawns. They affected the traditional livelihood of fishermen. Most of their lands were purchased for this purpose, making them labourers in the aqua farms. Huge tracks of paddy fields were converted into aqua farms, which caused environmental pollution.¹⁸

Modernisation of industries like Southern Steels and Pratap Steels caused retrenchment of labour.¹⁹ APCLC study on closure of four mills painfully reveals that it had

affected 20 thousand workers.²⁰ 4000 workers' families lost their livelihood by the closure of Rayalaseema paper mill at Kurnool. Cases of suicides among them are steadily increasing. Spinning mill at Guntakal, Jute mill at Nerli-marla, Ajamjahi Cloth mill at Warangal are other examples. There had been violent protests against the closure of some industries, resulting in police firings and death of the workers. A micro-level study on impact of industrialisation on rural women points out that a large number of women have been reduced either into wage labourers or housewives. In this village, hardly any woman was absorbed in the organised sector.²¹

Thus, the situation in Andhra suggests that the NEP widened disparities, endangering the right to livelihood. The growing mass discontent and the resultant social protests and violence were basically due to pressing problems of poverty, job insecurity, unemployment and regional imbalances, which seemed to have got accentuated by the NEP. The withdrawal of the government from its welfare and developmental roles gave scope for a wider use of its coercive instruments to address the social discontent and suppress popular protests. The total number of 'encounter killings' surpassed all earlier records during this period.

Table 1

Year	No. of persons killed extra-judicially
1989	51
1990	20
1991	104
1992	256
1993	136
1994	N.A.

Source: APCLC's complaint to NHRC, September 1994.

Table 1 shows the number of persons killed in 'encounters' during 1989 to 1994. In the beginning of Congress rule, there were relatively less number of 'encounters'. For first five months during the Chenna Reddy's tenure, there were no 'encounters', due to the truce between the government and the Naxalites. When the government resumed its repressive policy, 20 'encounter' deaths were reported in 1990. During the tenure of N. Janardan Reddy, the number of killings were highest in Andhra touching 500. This was due to his declared policy of 'wiping out Naxalites'.

4.1.1. EXTRA-JUDICIAL EXECUTIONS

The Congress record in 'encounters' increased manifold, when compared to Telugu Desam record. The police and

Naxalites indulged in large scale 'revenge killings'. Following the Congress policy of 'suppressing Naxals' and the subsequent murder of Mr. T. Hayagrivachary, a Congress leader by Naxalites, there was a marked increase in encounters. As a result, the number of encounters increased. During 1991, 1992 and 1993, many CRPF or BSF personnel, Congress leaders were killed by Naxalites. Whenever such incidents happened, the police retaliated the violent acts of Naxals by killing the rural youth from that locality based on the suspicion that they sympathised with or aided the Naxalites. Stories of 'encounters' were put out by the police.²² Police were even reported to have threatened the villagers in Karimnagar district, "If you allow Naxalites to come to you, we will shoot you down and proclaim it an encounter".²³

The impunity and brutalization of 'encounters' were the notable feature of the Congress regime. The rule of law was a source of annoyance for the police. Several of them strongly believed that the situation can be controlled if there is no insistence on observance of Rule of Law. This approach made the police partisan and arbitrary. This arbitrariness posed danger to human rights.²⁴

The encounter killings which had earlier been confined to deep forests now shifted to urban areas, to high school

grounds, empty water tanks etc. Nearly 80% of the people killed in 'encounters' were not 'Naxalites'.²⁵ The failure to conduct adequate investigations into alleged encounters as well as the failure to prosecute suspects had effectively condoned the actions of the police and contributed to the escalation of violence. The Police officers responsible for these killings were not only shielded from the law but were also given monetary awards and promotions.²⁶ This resulted in alarming increase of killings of "unidentified Naxalites". APCLC argued that since it is absurd to suppose that if a person is unidentified, it is not possible to know that he is a Naxalite. All these cases are cold blooded killings of rural of unarmed poor by the police.²⁷ No action was taken against the Police officials of Nizamabad for their involvement in the killings of eight villagers in broad daylight Tippapur.²⁸

Even the efforts of APCLC to bring the erring officials in 'encounters' to book did not have desired impact. Supreme Court failed to take any action based on the writ petition filed by APCLC regarding the incidents of 'encounters' occurred in Andhra during 1980-81. As per advice of the Supreme Court, APCLC submitted a detailed list of all the 'encounter deaths' after the lifting of emergency in Andhra, to government of A.P. Supreme Court directed the government to report to it about the action taken. DGP

Prabhakar Rao gave reply to the memorandum of APCLC in Supreme Court during the Congress regime. He reported that enquiries by the local sub-divisional magistrates were conducted on all encounters and that action would be taken as per their reports. He did not tell the court the details of the magisterial enquiry reports which went against the police. APCLC claims that three reports on the 'encounters' in Warangal district found fault with the police and that no action was taken as per these reports.²⁹

Even some of the magisterial enquiries were frustrated by the State Police. The witnesses were intimidated and not allowed the freedom to depose before the enquiry. One civil rights activist was killed by the Police, allegedly in an 'encounter', while he was bringing witnesses to depose before the Commission, which was set up to enquire into the 'disappearance' of two women activists.³⁰ This showed the contempt of the Police for judicial processes. During NHRC's visit to Andhra in August 1994, the Police attempted to sidetrack the proceedings and the Commission's investigations. The State Government did not cooperate with the NHRC. The Police intimidated, even manhandled the civil libertarians who wanted to complain to the NHRC, in front of NHRC officials.³¹

4.1.2. CUSTODIAL DEATHS

The TDP government ordered the judicial inquiries into the incidents of custodial deaths under the pressure of the sizeable popular upsurge following six incidents of lock up deaths in quick succession in September 1989. People went even to the extent of attacking the Police stations, to express their protest. Out of the twenty judicial enquiries ordered, fifteen reports had been submitted. The TDP Government forwarded the reports to the DGP to enquire further into the matter and take appropriate action. In many cases 'appropriate action' meant rewarding the erring officials with promotions than subjecting them to criminal prosecution.³²

TABLE-2

Year	Number of Custodial Deaths
1989	10
1990	8
1991	24
1992	22
1993	24
1994	23

Source: APCLC's Complaint to NHRC, August 1, 1995.

Table 2 shows the number of custodial deaths for each year during the Congress regime. They were more than 100 custodial deaths occurred with fatal regularity, exceeding

20 from 1991. During the TDP government, judicial enquiries were ordered into a considerable number of incidents of custodial deaths. This was one step forward, despite that no action was taken as per these reports.³³ The Congress Party's record was much worse. Judicial enquiry was ordered in only one incident of thirteen custodial deaths, which occurred during first one year of the Congress rule.³⁴

The attitude of the Congress Government must be seen in the context of increasingly assertive mood of the people. The custodial deaths at Husnabad, Mahboobnagar, Raikal and Nandigama led to considerable protests by the local people in 1991.³⁵ In a few places, the people forced the administration to get post-mortem examination done by doctors of their choice. At Chigurumamidi, they forced the doctor to announce his report in public. In the face of such assertiveness of the people, the Congress Government continued to be indifferent to minimum demands like conducting post-mortem examination without delay, arrest of the concerned policemen if a prima facie suspicion was revealed and the judicial enquiry into the incident.

The lack of proper legal restraints on Police powers to regulate and control is the principal reason for continuous police abuse. The procedure for investigation into

the custodial deaths is totally perfunctory.³⁶ The recommendation of the National Police Commission for a mandatory judicial enquiry by a district Sessions Judge and recommendation of 113th Report of the Law Commission for amendment of burden of proof in case of custodial death have not yet become the law. This situation encourages Police to abuse their authority, by using force on detenues due to ill-will, vendetta or to teach offender a lesson or to please the men in power.³⁷

An analysis of the social nature of custodial violence by APCLC revealed that 59 per cent of the victims were peasants and workers. Majority of them were also persons of dalit and backward communities.³⁸ These people who got involved in criminal activity under pressure of circumstances, may be guilty. But they were subjected to most inhuman and brutal custodial torture.

4.1.3. OTHER POLICE EXCESSES

The frequency of custodial deaths continued to be the same under the Congress Government and there is a marked increase in the frequency of Police firings. 106 people died in Police firings during 1989 and 1991 as against 12 during 1985 and 1987.³⁹ The Police opened fire at fifteen places during 1990-91.

None of the incidents involved dangerous rioting of the kind that could not be controlled except by opening fire. More importantly, all the involved social problems that can only be tackled by the civil administration or political leadership. For instance, the farmers were agitating for continuous supply of power at Patkal, Nizamabad district were fired at.⁴⁰ At Appapuram, Guntur district, there was an agitation against improper distribution of cyclone relief. The local TDP leaders alleged that the officials in charge of relief distribution of were functioning at the behest of Congressmen. The true response would have been a visit of District officials in charge of cyclone relief and a genuine attempt to set right the situation by taking prompt action against the erring officials. Instead the Police entered the scene.⁴¹ In another place, police fired at the people who assembled to protest against the rape by a Police constable. Police firings at Narmetta in 1990, received wide public attention in the State. Police fired at 5,000 people, who gathered at the Police Station to protest against the illegal arrest and detention of a person, belonging to the Radical Youth Association, killing twenty people.⁴²

Nearly, 2,140 persons were charged under TADA during the whole of TDP rule. That number had been exceeded in the first ten months of Congress rule.⁴³ The DGP himself

announced that nearly 6,000 people were arrested in 1990 under TADA.⁴⁴ TADA is an extremely undemocratic piece of legislation, which goes against the principles of natural justice and fundamental rights. It provides for detention without formal charges upto one year and admits confessions extracted by the Police as evidence.⁴⁵ The arbitrary use of TADA was the hall-mark of both the TDP and Congress regimes. During the Congress period TADA was more extensively used with impunity. It came in handy to bypass the normal process of enquiry and prosecution.

The Police raids and search operations increased in the Telangana districts following the deployment of BSF troops in late 1991. The Congress government continued with the same old unlawful methods to kill, torture and terrorise the sympathisers of CPI(ML) groups. In the course of the suppression of Naxalites by force, the Police resorted to extensive destruction of the property of these sympathisers, majority of them were labourers and tribals.. Even the basic democratic process of elections had been subverted by the Police. During the elections to State Assembly and local bodies, the CPI(ML) cadre groups were tortured, their election campaigns were disrupted and the voters were openly threatened with reprisals in case they voted for these candidates. In Khammam district for instance, the ASP was believed to have gone around the tribal

villages, along with the STF police and forced the villagers at gun point to vote for Congress Party.⁴⁶ This open political role by the Police was the disturbing trend.

The Government has the duty to ensure that a political party and its line of functioning does not result in disturbance of law and order, but no political belief itself can be outlawed. To appeal to Naxalites on one hand to enter mainstream politics and on the other to deny them the basic democratic freedom of peaceful political activity demonstrated the contradictory approach, which was initially followed by the TDP Government and later continued by the Congress government.

The infamous method of rendering the people 'missing' was also practised by the State Police. The TDP Government appointed T.L.N. Reddy Commission to enquire into the disappearance of two activists Ilaiah and Rajamallu in the wake of Naxalites' reprisal. The Naxalites killed Malhar Rao, a TDP leader, as their demand to make the whereabouts of these two colleagues public was not met. The Congress government referred 45 more cases of disappearances to the T.L.N. Reddy Commission. The Commission's report was submitted to the government in 1993, the report was never made public.⁴⁷

The restlessness of the masses and the resultant protest continued to grow leading to social violence. The government found it difficult to address this social discontent, by formulating and enforcing corrective and welfare policies with sincerity and effectiveness. This was primarily due to inherent incapability of the political system to handle the sharpening contradictions in the society. As a result, the government stepped up its repression to address the pressing problems. The increase in police lawlessness and brutality on one hand and the gradual withdrawal of the government from its welfare commitments are the two simultaneous trends which can be discerned during this period. The greater salience to the coercive machinery, instead of democratic instruments in resolving social conflicts was witnessed, endangering people's rights seriously. These trends indicate movement of contradictions between the people and the Government to a higher level.

4.2 VIOLENCE AGAINST WOMEN

Molestation and rape of women continued to occur, despite the change of regimes. The incidents at Badaigadda and Ellareddypeta in 1990 revealed that the atrocities on women were committed by members of ruling party and the police respectively.⁴⁸ Many of the rape incidents in

police camps were rarely reported.⁴⁹ Since the raped women is a 'forbidden being' in our society, the victims mostly suffer silently without complaint. Even if these incidents were reported in police camps and custody, the time gap between the incident and the prosecution of the case was enough to diffuse the evidence. Civil Rights Organisations (CROs) in Andhra feel that unless this problem is redressed, further amendment to the rape law is unlikely to bring adequate change.⁵⁰

A report on 'unnatural deaths' of married women by APCLC during January-June 1993 brought out shocking findings. Nearly 1330 married women were reported to have died of various 'unnatural reasons' like dowry-deaths, wife-battering, suicide or murder in Andhra in just six months. The report also noted that everyday seven married women died of 'unnatural reasons'. These deaths occurred in same intensity both in rural and urban areas. Many of their deaths were not being recorded, if some cases were recorded, they were not properly investigated.⁵¹

Although the data is inadequate to know the exact pattern of violence in the family, the press reports suggest that the violence was on increase. For instance, between 1987 and 1989, 53 dowry deaths were reported in Krishna district, whereas 47 'unnatural deaths' had been

reported between May and October 1991 in the same district.⁵² Between 1985 and 1989, 72 'unnatural deaths' were reported in Visakhapatnam district, whereas 31 cases had been reported during 1989-90 in the Visakha city itself.⁵³ The influence of the consumer culture and the social legitimacy of the dowry custom on the one hand and vulnerability of the women on the other perpetuate the conditions for increasing violence towards women.

4.3 VIOLENCE AGAINST DALITS

When dalits were assaulted during TDP rule, Congress party made a hue and cry and campaigned against the atrocities. The Congress party's return to power was partly due to those campaigns. While Congress was in power, what happened was nothing other than a continuation of the assaults against dalits, except that the assailants now were persons close to Congress party. For instance, at Pulivendula, in Cuddapah, Congress leader Y.S. Raja Reddy led personally a seven hour orgy of arson against the Yerukalas (a scheduled tribe) of his village. Same incidents continued in Srikakulam, Anantpur, Krishna, East Godavari districts. Thirteen incidents of dalit atrocities were reported during 1990-91.⁵⁴

The gory caste assaults on Chundur dalits in Guntur district caught the whole nation's attention because of the

magnitude of the massacre. The dalits of coastal Andhra were better educated, assertive and identity-conscious than the dalit communities elsewhere in the state. The younger generation started rejecting the social discrimination and subordination to the forward castes and as a consequence, started rejecting also the submission to either TDP or Congress party, a submission that was structured through traditional caste domination. It was this socially and politically effective advancement and assertiveness of the dalits that the forward castes found so intolerable, leading to assaults such as Chundur.

Balagopal observes, "one has to only contrast Guntur with the Rayalaseema districts to realize that Chundur happened not because the dalits of Guntur were more oppressed than elsewhere, but precisely because they had fought oppression and have put themselves on an unrelenting path of socio-economic advancement and political autonomy".⁵⁵ But this dalit assertion faced obstacles both due to the organised violence of the landed forward castes, and the help of police extended to them in variety of ways. The 'politicization' associated with exploiting atrocities against the dalits to gain political advantage in state politics affected the professionalism of the police. Publicizing police failures had become a way of incriminating ones opponents. The extent to which political parties

are dependent on powerful local elites was apparent from the fact that these attacks on dalits were carried out with impunity.⁵⁶

4.4 DROUGHT/STARVATION DEATHS/ENVIRONMENTAL POLLUTION

All these issues are inter-related which can be subsumed under the problems of 'developmental policy'. From the civil rights point of view, they are primarily related to the issue of right to life and social justice.

The starvation deaths of weavers in Guntur, Prakasam, Nellore, Kurnool and Krishna districts during 1991-92 (nearly 120 deaths) raised many issues related to weavers' livelihood and government's policy. The hike in prices of raw materials (wool) and dyers, the severe competition from power looms, export of wool, shrinking market for the handlooms - all these causes made the handloom industry extremely burdensome. The pathetically low wages to the weavers and the continuous intake of malnutritious food resulted in starvation deaths.⁵⁷ Far-sighted corrective measures from the government were lacking. Certain institutional changes like equipping the weavers with new tools so as to meet the modern day needs of cloth industry and improving the protection measures from power-looms for them etc, are very much needed.

The development of oil and natural gas and its transport from Krishna-Godavari basin to Vijjeswaram power plant caused serious social and environmental costs. The slick of oil and natural gas from the pipes polluted the nearby farms, coconut trees, fishing waters and canals causing losses amounting to Rs.20 lakhs. The government's compensation far from being adequate, could not address the problem of soil productivity seriously damaged by the oil slick.⁵⁸

The drought problem continued to haunt Anantapur, Prakasam, Nalgonda and Cuddapah districts. The ground water level was dipping low in these rainfed areas. Long term measures to store water through small/medium size projects and to find ways of improving water resources and their storage were found missing. Drought worsened the conditions of the agrarian poor, causing starvation deaths, migration, etc. The condition of Palamur labour in Mahabubnagar district reveals the various problems faced by the poor due to drought situation. The drought witnessed in these districts, is a protracted one, occurring with fatal regularity, the government should have evolved alternative methods for a sustainable enrichment of water resources.⁵⁹

The problems of the displaced of Srisaillam dam which began in early 80s continued to result in their starvation deaths. The callousness and inadequate compensation rehabilitating them is the root of the problem.⁶⁰ In Mahboob Nagar district, there is a wild life sanctuary meant to protect the decreasing population of tigers. But recently with the increasing population, the tigers entered the nearby villages, causing loss of life and property. Thus, the reports on ecological problems suggest that both an indiscriminate destruction of the forests and an incautious protection of 'endangered' species by creating wild life sanctuaries could 'endanger' the human species.⁶¹

4.5 OTHER ISSUES

During the Congress regime, the attacks on civil liberties activists and journalists were on increase. The APCLC leaders were intimidated, tortured and arrested. This pattern of attacks reached its peak in 1985-96 at the time of TDP's crackdown on Naxalites. Again in tune with the repressive policy of Congress government, Mr. Narra Prabhakar Reddy, APCLC leader of Warangal was killed. The Civil rights activists believe that Reddy was killed because of his admirable civil liberties activism. Reddy frequently acted as defense counsel for persons illegally detained by the police under TADA and forced the police to produce detainees in court. He got them bail also successfully.⁶²

The journalists were frequently threatened and attacked because of their reporting of police atrocities and Naxalite activities. Those working at the village level were particularly vulnerable to intimidation and attacks by police who suspected them of supporting Naxalite groups and of 'making heroes' of the Naxalites. Nearly ten journalists were arrested by the police during 1990-91. They were charged with serious offences. Ghulam Rasool, a journalist was killed by police apparently because he had exposed police involvement in a land scandal.⁶³

The situation of human rights during the Congress period had worsened, as was seen in the manifold increase of 'encounter' deaths and police firings. The police lawlessness and their brutality on one hand and the absence of welfare and developmental policies during this period had a multiplier effect on this worsening situation. The attacks on dalits by landlords with impunity, the politicization of the police, who openly at times stood by the interest of men in power, more incidents of violence against women were the other two notable trends during this period. The social and environmental costs of 'development policies' continued to be seen in the conditions Palamur Labourers, weavers starvation deaths, oil slick etc. Finally, the new economic policy accentuated the social contradictions, endangering further the right to livelihood of the dispossessed groups.

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CONCLUSION

The study attempted to examine how far a change in the political regime could improve the state of human rights in Andhra Pradesh. The study attempted to analyse the major facets of human rights violations and their comparative significance during the regimes of the Telugu Desam Party (1983-89) and of the Congress (I) Party (1989-94) respectively.

The Telugu Desam Party's rise to power was due to the socio-economic dynamics in Andhra Pradesh political economy and the serious erosion of credibility of the erstwhile Congress government's policies and its ineffective and centralised rule. The TDP's charismatic leader N.T.Rama Rao introduced many populist programmes to garner the electoral support of a broad diversity of groups like weaker sections, women, farmers and agrarian poor. Populism and charisma of N.T.Rama Rao, who practised 'plebiscitary politics' brought electoral success to the TDP. But the populism and charisma were inherently deinstitutionalising. NTR's authoritarian style of functioning, demonstrated by his arbitrary and centralised decision-making had undermined the mediating structures like party and state institutions. NTR did not take any steps to strengthen the

party, as it could have constrained his personal power and discretion.

The TDP government's populist policies could not address the pressing problems of poverty, unemployment and illiteracy. The power and irrigation needed to step up growth and pace of development both of agriculture and industry were the major demands of the industrial class and the agrarian rich. The TDP government could not address these two chronic problems of political economy. The TDP's policies created higher hopes without any matching performance. This gap between promise and performance exacerbated the mass discontent.

The well developed mediating structures like political party are essential in a democratic polity to resolve social conflicts and to channelise people's demands. Absence of such party organisation and the policy ineffectiveness in addressing the basic problems sharpened the social contradictions in Andhra during the TDP regime. The social discontent and people's protests were met with repression. The TDP government took many policy decisions that strengthened and gave positive encouragement to the police force. The unaccountable and lawless use of police force bred a culture of repression during this period. The number of 'encounter deaths' rose from 19 in 1978-83 to 236

in 1983-89. Incidents of custodial deaths and police firings occurred with fatal regularity. Despite that the TDP government instituted a good number of judicial enquiries into the incidents of custodial deaths, no action was taken against the erring police personnel.

The police repression on rural poor and the tribals, revealed the glaring fact that the 'Rule of Law' was repeatedly flaunted by the law-enforcing agency with impunity. Giving "free hand" to the police resulted in their autonomous functioning, leading to police repression. APCLC findings revealed that majority of the victims of police lawlessness were unarmed rural poor, rather than armed Naxalities. The abject dependence on the police force showed the ineffectiveness of civil and democratic instruments to resolve social conflicts during this period. The populism and repression were the two policy responses by the TDP government to address the socio-economic problems highlighted by the Naxalite movement. This proves the hypothesis that the state uses repression to put down the mass discontent which is a result of failures of developmental and welfare policies.

The excessive use of police force, coupled with an absence of viable socio-economic legislation had a multiplier effect on the worsening living conditions of the

rural poor and tribals. The restlessness of the masses continued to grow. The TDP regime had a long record of authoritarian politics. By falsely implicating tribals, rural poor, youth and intellectuals, carrying out 'fake' encounters. It systematically violated the democratic rights in the state. The TDP regime, which gave the slogan of fighting authoritarianism of the congress at the all-India level had demonstrated its own authoritarian proclivities by unleashing police repression in Andhra Pradesh.

Assaults on Dalits during the TDP regime took place when the increasing consciousness and assertion of the rights and dignity by dalits threatened the traditional rural power structures. The dominant landed castes who were involved in these atrocities were close the men in power. The active collaboration of the police with the dominant castes was noted during this period. The nexus between the government and the dominant castes clearly resulted in the violation of democratic rights of dalits.

Certain ill-considered policies led to withdrawal of support to the TDP government. Added to the high rate of inflation, the TDP government encouraged the arrack sales. Such budgetary approach was counter-productive, leading to popular protests. The strained relations with the non-gazetted employees of the state made the TDP government

unpopular. Severe police repression resulted in the alienation of rural poor and tribals. This repression coupled with ill-considered policies ultimately led to withdrawal of support to the TDP government.

Congress regime could not reverse the trend, because of the prevailing socio-economic structures. Congress government realised that the TDP was defeated due to its authoritarian politics. The election manifesto of Congress (I) put restoration of civil liberties as one of the top priorities. The Chenna Reddy government took some measures like revoking the 'disturbed areas Act', releasing the Naxalite undertrials, allowing the democratic activity like public meetings by mass organisations.

This moderate policy lasted for a few months. The Naxalites groups strengthened their support base, by expanding their activities during this period. They forcibly occupied the forest land and conducted people's courts. Alarmed by the Naxalite's expanding influence, the Congress government reverted back to the brutal repression. The Congress record in 'encounters' increased manifold, when compared to Telugu Desam record. During 1991-93 alone the number of encounter deaths was highest in Andhra Pradesh, touching 500. The frequency of custodial deaths continued to be the same under the Congress government.

Virtually no judicial enquiries into the incidents of custodial deaths were appointed, unlike the previous government. The undemocratic legislations like TADA were used mere extensively with impunity.

No doubt, the violent activities of the Naxalites constituted the violation of law and of people's rights. Naxalite violence can't be an excuse for violating the rule of law and for executing them extra-judicially. Nor can the arson and repression on tribals and agrarian poor be justified in the name of containing 'Naxalite Violence'. In fact the Naxalite movement has a mass character. It's rooted in the socio-economic discontent of the poor. It is born out of oppression and frustration wide spread in Andhra Society. Behind the Naxalite violence, lies the government's failure to enforce their own laws and operate within them. An effective implementation of land reform act and minimum wages would have made the Naxalite movement irrelevant. The costly and delayed justice from the courts made the people's courts popular.

The two governments could not address the problem at Politico-economic level, as suggested by the CROs, but resorted to repressing the movement by lawless and unaccountable use of police force. The response of the two governments to the movement was the continuous repressive policy. Their occasional moderation in this policy was due

to electoral compulsions of the ruling parties. Excessive repression would have antagonised the Naxalite groups who commanded a wide support-base in Northern Telengana districts. This in turn would have ruined the electoral chances of ruling parties. Moreover majority of the SC, ST, OBCs, who constituted the electoral base of the ruling parties were the victims of police repression. Thus the political expediency occasionally resulted in moderation of policy repression. This can be witnessed in the last year of the TDP regime and the first year of the congress rule.

Congress party organisation underwent a steady decline in Andhra Pradesh since mid 70s. No steps were taken to strengthen the party. Faction-ridden, centralised and personalised Congress rule continued. Change of three Chief Ministers in quick succession added to the instable and ineffective governance.

The New Economic Policy (NEP), introduced during the Congress regime, had no comprehensive plan about the welfare commitment. It had an adverse impact on the living conditions of the working class and the unorganised workers. The contradiction arising out of the curtailment of welfare expenditure had moved to its peak during the Congress regime. The New Economic Policy (NEP); with its thrust on

Privatisation, Marketisation and international capital had no comprehensive plan about the welfare commitment. The impact of NEP on the living conditions of the rural poor and workers had been adverse. The pressing problems of poverty and unemployment seemed to have got accentuated by the NEP. The withdrawal of the government from its welfare and developmental roles gave scope for a wider use of its coercive instruments to address the social discontent and suppress popular protests.

Two points need to be noted here. One, certain trends like violence against Dalits and women, draught and starvation deaths persisted despite the change of regimes. second, the policy repression became widespread, more aggressive and more sophisticated. It is empirically found that the number of encounter deaths, the incidents of police firings and the repression on rural poor, misuse of TADA on wider scale, increased to a greater extent during the congress regime. This clearly establishes that the situation of human rights had worsened during the congress regime, when compared to the TDP regime. Erosion of democratic instruments and welfare commitments is simultaneously witnessed along with the authoritarian dimensions of the state becoming more aggressive and brutal.

The Dalits continued to be subjected to atrocities by upper castes/middle castes. While congress was in power,

what happened was nothing other than a continuation of the assaults, except that the assailants now were persons close to congress party. Moreover the atrocities on dalits are used by the ruling parties to discredit and defeat each other and climb a little higher along the power ladder. Exploiting the unrest of the masses for political advantage characterised the period of two political regimes.

The problems arising out of dominant development model, were manifested in drought, starvation deaths, environmental pollution and the displacement. These problems remained the same during the two periods. The plight of the displaced of the Srisaillam dam which began in early 80s, continued. The environmental pollution due to oil slick, industrial wastes remained same and unaddressed during the two periods. The drought conditions persisted, as no concrete steps were taken by both the governments. Development, on one hand widened disparities, bypassing the poorer sections, on the other hand, it made the poor bear the social and developmental costs of development. Suicides by 'weavers' and industrial waste polluting the farms and water during the two periods suggest this trend.

Harassment of women and oppression in various spheres persisted. Democratic institutions whose framework is based on liberty, equality and social justice, often influenced

by traditional values and patriarchal norms that does not recognise women as an equal human being and relegate her to a secondary position.

The increase of police repression in various forms and persistence of many trends, suggestive of continued violation of right of the vulnerable groups, reveals the fact that state of human rights during the congress regime when compared to the TDP regime had worsened. What are the reasons for the deteriorating situation in Andhra Pradesh? Why did both the political regimes fail to improve the human rights situation? Why did the situation worsened during the congress regime?

At manifest level, four related variables - the widening gap between the regimes' commitments and capabilities, weak and ineffective political parties without stable social support, the policy ineffectiveness and the deinstitutionalising leadership - can be identified as reasons for worsening situation. But this explanation demands further probe into the deeper reasons for the worsening state of human rights during the congress regime in Andhra Pradesh.

A change in the regime or in the managers of the state apparatus does not necessarily mean a change in the nature of the state itself. The state is the aggregate power

structure of society. It entails social basis of state power or the social groups and classes who exercise power in society and the way power is exercised and defended. The state is a coercive, responsive as well as a legitimate organisation. Only when long term changes take place at all these levels can we discern a change in the nature of the state. The change from the TDP to the congress government can hardly qualify for this subjective factors like leadership and the political party are important, but their linkage with the objective forces needs to be considered while identifying the reasons for the inability of the political regimes to improve the state of human rights in Andhra Pradesh. Change of regimes could not trigger off a process to resolve the existing and emerging contradictions in the society.

The authoritarian dimensions of state became more sophisticated and aggressive, so as to meet the social discontent and the resultant mass movement, which is a result of failure of state's development and welfare policies, during the two political regimes.

To the extent authoritarianism was the function of the subjective leadership it was reversed by the decisions of the political leadership. The moderation in the repressive policy towards Naxalities, witnessed during both

the regimes for a short-period testifies this proposition. But to the extent that the authoritarianism was the outcome of the social process, it persisted. Whether it was Telugu Desam or congress in power, the response of the state to the Naxalite movement altered marginally. The nexus between the dominant classes and the governments officials was glaringly seen, when they swung into action to contain Naxalites.

A distinct trend crystallised in Andhra Pradesh politics in the early 80s signalling the rise of the rich peasantry in the state's political economy. This agrarian rich embodied elements of semi-feudal relations. They come from intermediate castes also. These 'backward classes' had exploitative relations with the schedule castes, who were mostly agrarian labourers. Thus, there was a class-caste contradiction between the intermediate caste peasantry and the Dalit Labourers. In Andhra, mobilisation based on caste-class contradiction took place. But there was a objective clash of interests between the rich peasant landlords with the landless. The rich peasants also have an objective contradiction with the industrial class.

The significant pattern emerged clearly in Andhra, namely the entire might of state power representing the industrial class and the rich peasantry came down heavily

on the mass movements. The New Economic policy introduced by the congress regime, heralded a new stage in the Andhra political economy, accentuating the social contradictions. This in turn created new conditions for authoritarian politics.

The conflict among the Ruling classes for the fraction of political power resulted in the process of criminalisation of politics and society, which was manifested in electoral violence factional fights and private armies in Rayalaseema in particular, and the consequent violation of the democratic rights of the marginal groups. Rule of law was flaunted by the law-enforcing agencies with impunity during the two political regimes. This resulted in unaccountable violence and political bias of the police. The professionalism of the police was seriously eroded as the police took sides openly with men in power and the dominant classes. The police arbitrariness systematically violated the human rights in Andhra Pradesh. Attacks on civil liberatarians, intellectuals and journalists was also the recurring trend during the two political regimes.

It is the class complexity and the social dynamics of the semi-feudal society dominated by bureaucrat capital and the interplay of various social structures of domination which created conditions for state authoritarianism functioning through liberal democracy.

The change from the TDP to the congress government could not bring any qualitative change in the state of human rights. In fact, this political change in Andhra Pradesh helps us understand the human rights violations to a limited extent. The larger social forces created the basis for authoritarian politics in Andhra Pradesh. The repression in Andhra had shown the growing incapability of the political system to resolve the existing and growing social contradictions, leading to a serious crisis of human rights.

To sum up, the study arrived at three propositions

1. At manifest level, the weak political parties, eroding state institutions, ~~centralized leadership~~ on one hand and the policy ineffectiveness on the other led to crisis of human rights in Andhra Pradesh.
2. The change of regime brought no immediate change in the nature of the state. The social basis and the political mechanism of authoritarianism continued to exist acquiring new forms of sophistication and legitimation, despite change of regimes
3. The uneven and distorted capitalist development in Andhra accentuated the social contradictions among different classes. This resulted in growing mass movement and the incapable political system resorting to repression. The class contradictions in Andhra political economy are responsible for rights violations of the vulnerable groups like Dalits, agrarian poor and Adivasis.

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