When Civil Society Becomes Uncivil Society

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'Instead of removing the filth I hate to see,
They try to pluck out my eyes'.

The contemporary phase of globalization has two contradictory dimensions: on the hand, it has brought about a world order where border and distance appear to be myths, marketization and liberalization become the dominant discourses, knowledge becomes the only source of value and the work is contingent and delocalisable (Huws: 1999: p.32). In fact, through a complex set of distinct but interrelated politico-economic, socio-cultural as well as military processes, it has produced a new framework for understanding global and domestic politics. On the other hand, it has generated massive inequality and financial volatility, both within and across nation-states, and produced economic, cultural and personal inequality (UNDP: 1997: pp. 51 – 52). It seems that the emerging 'weightless world' and the 'digital economy' would not be able to radically transform the messy, rounded, vulnerable materiality of those who still live below the poverty line, who are marginalized and who remain excluded and remain far away from the dematerialized world. We confront a typical paradox in the contemporary phase of globalization: on the one hand, we have been talking about the potintiality of the market which ironically has been generating massive inequality and legitimating problem of the political system; on the other hand, emphasis has been given on democratic politics – as if success of

the market depends, to a large extent, on popular consent and peoples' participation. Rowan Williams, while delivering his Dimbleby Lecture on 19th December, 2002, argued that under the impact of globalization, nation-state has been giving way to the 'market place' (Hoffman: 2004: p.2). It has been argued that this 'button-pushing model' of the market-state does not reflect the ideal of democratic life, but rather a parody of the same (*ibid.*: p. 3). In fact, such a state appears to be indifferent towards all sorts of norms of justice or for that matter "to any particular set of moral values so long as law does not act as an impediment to economic competition" (Bobbitt: 2003: p. 230). This state will talk about peoples' participation, but such participation will "will count for less, and thus the role of the citizen *qua* citizen will greatly diminish, and a citizen will be a mere "spectator" (*ibid.*: p. 234). The welfare activities have been considerably retrenched, and some areas of state responsibilities have been delegated to civil societal organizations on the ground that such delegation would make 'participation' more "available to local citizens" (*ibid:*. p. 236).

The purpose of this paper is neither to inquire into the effects of globalization on the state system nor to argue how market-state can function more effectively towards ensuring peoples' welfare through popular participation. Broadly speaking, political philosophers, either on the right or on the left, have always adopted a critical attitude towards the state – the state has been viewed either as a threat to private property and individual initiatives or as an agent of repression and as a representative of the dominant economic class. In this paper, a different problematic has been identified: as a member of the civil society, how can I establish relationship with my fellow citizens and urge the state to perform functions which are rational and pro-people? Apparently, this is a weird question – but once we go beyond this simplicity, one can probably find a few broader questions. A civil society creates a space between an individual and the state – it acts as a strategy for reform from below, and puts a brake on the state. It seems peoples' demands are articulated and aggregated at the civil societal levels, and, subsequently they are transmitted to the political society for reasonable solution keeping in mind the principles of democratic governance. The questions are: Do civil societal organizations act in a democratic fashion? To what extent the ideas and principles of democratic governance are applied at the civil societal levels? How can the programmatic and legalistic

aspect of governance be emphasized? Whether, how and to what extent do civil societal organizations and institutions tend to perform, or tilt towards performing, the hegemonic function on behalf of dominant economic groups and thereby exclude the agenda of democratization? What would happen if the civil society transoms itself into an uncivil society? No one should view these questions as mere cynicism – on the contrary, these questions reflect frustration, hopelessness, tears, anger and an eternal faith in the possibility of transformation towards civility and a corruption-free society.

II

Before we define 'uncivil society', let us identify the main features of civil society. Following Philips Schmitter (cited in Whitehead: 2004: p.28), we can identify the following features of civil society – it consists of 'self-organized groups, which are characterized by the following:

- Dual autonomy, i.e., relative freedom from public authorities and private units such as firms, families etc.;
- Collective action through deliberation and consensus formation;
- Non-usurpation of powers; and,
- 'Civility' which means activities to be regulated through certain agreeable norms, behavior, transparency, mutual respect and consensus.

But internalization of the market economy, along with an uncritical acceptance of its projected model of man and model of society tend to convert a civil society into an uncivil society. In fact, an egoist, utility-maximizing individual will try to measure his 'rational' actions in terms of self-seeking, profit maximizing objectives. One can find very little difference between the comment of an yuppie academia who says 'I have to do it by any means' ('do it' means 'to secure a project' from a funding agency, and 'by any means' refers to 'through contacts' as well as some unscrupulous behavior'), and the statement of a coolie in a railway station who intends to do 'anything, including murder, to earn money'. Ends, i.e., profit maximization, and optimization of self-centered goals, would justify all means, including violation of others' rights, dignity and self-respect. How nice!

Market is the greatest equalizer – obviously, in different ways and different degrees to different persons, based on one's position in the social hierarchy. Is there any guarantee that the expected 'dual autonomy' of the civil society

will not be subverted through unholy and hidden nexus between the state and civil societal organizations? Given the agenda of atomization, inherent in the massive project of the market economy, and an emphasis on public-private partnership, it is absolutely possible that funds would be transferred from government exchequer by the powerful, corrupt actors to private so-called welfare organizations, which have been founded by those who have direct access to authorities not necessarily because of their qualities, but because of their family connections and elite-cohesion. In fact, it is difficult to discard completely what C. Wright Mills' thesis of elite-cohesiveness. Not that, no cosmetic reforms would be initiated through such 'nexus', or to put in a more sophisticated language, 'public-private partnership', but such reforms would aim more at publicity, rather than removing alienation and eliminating marginalization.

Neither is it true that collective action will be completely missing in civil societal organizations in articulating, aggregating and communicating passions, grievances and demands to the political society. Nor is it correct to say that 'power' does not operate within the configuration of such organizations. In fact, the broader social cleavages and antagonisms are inevitably reflected in the process of deliberations and prioritization of issues to be placed before the political society. All civil societal organizations are characterized, at least to some extent, by oligopolistic system of social control. Such control tends "to block off deliberations, foster intolerance, obscure the legitimacy of alternative viewpoints" (ibid: p.33), and dual autonomy is entrenched and eroded either through interferences by domineering politico-economic forces or through intervention by non-political lumpen elements or through combination of both. In fact, "the local oligarchy tends to exclude and silence alternative views through disrespecting one's feeling ... shocking him, annoying him, frightening him, or (briefly) arousing in him any passion or desire which might diminish his self-respect; that is threaten his consciousness of freedom by making feel that his power of choice is in danger of breaking down and the passion or desire likely to take charge" (ibid.: pp. 28–29). In fact the express purpose of these groups are "to harass, threaten or degrade others", to foment "ideologies of inequality and hatred" in a subtle way, and disregard all those crucial values which we consider as democratic – the tragedy is: neither can one group "be compelled" and convinced to act through

democratic procedures nor can they be excluded through legal provisions (Boyd: 2004: p. 30).

III

Historically speaking, politics may be described as a means of inquiring into the real conditions of life and choosing the best alternative to make society a better place to live in. But politics is also a power game – it is a process which excludes and includes, silences dissent, subverts morality, destroys human values and projects domination. It has been argued that politics in a market-state is viewed not in the "background of competing values", but in terms of "the power relationships of personalities involved, as if politics were like a simple sporting event" (Bobbit: 2003: p.231) in which somebody wins, someone loses, one goes up and the other goes down. This is probably because of an increasing "de-emphasis on the programmatic and legalistic aspects of governance" (ibid). Two points should be noted: First, power structures, either at the political or at the civil societal level, may appear to be an abstract entity – but in reality, it comprises of individuals, institutions, agencies actors who interact constantly with one another, bargain and form coalitions among themselves, create obstacles, try to evolve consensus. But, it seems, in the long run such power structure tends to favour the haves over the have-nots, status quoists over the radicals and the dominant over the weaker sections. Secondly, a market-state, or institutions which operate within the framework of such state structure, may talk about transparency, empowerment, democratic governance, but in reality they tend to reinforce isolationism among individuals through exclusionary practices, discipline them through high sounding ideologies and punish them if they adopt a critical and emancipatory approach. A recent report states that despite enactment of Right to Information Act in India and its massive publicity, 75% of the applicants seeking information from the Delhi Government departments have either been denied information or been provide with incomplete replies ('Despite Right Little Access to Information', *The Times of India,* 3.6.2006). If it can happen in Delhi, what will be the fate of citizens living far away from the capital? The point is: certain expressions under free market policies may sound radical and optimistic, but the reality may be quite startling and pessimistic. One study conducted by Pricewater House Corporation showed that even four years after coming into effect, only 15% of the

people in the country were aware of this Act, and 75% of the information seekers were found to be dissatisfied with the quality of information being provided under the Act. 47% of the information seekers did not receive replies to their applications within the stipulated thirty-day period. Only 13% of rural population and 33% of the urban population were found to be aware of the Act. 40% of rural respondents and 15% of the respondents reported "harassments and threats" from uncooperative officials (*The Statesman*, 18.10. 2009).

No one can deny the fact that honest and talented people may be ambitious, but not at the cost of their ideological commitment. They have to share responsibilities and offices, when such things come to them; but those assignments and responsibilities are not for fulfilling their personal greed, but those are avenues through dreams of transforming the system could, at least, be partially realized. Occupants of high offices, even if they come either from lower strata of a given society or from the marginalized sections, tend to be surrounded by upper class people or their cronies. But in case, if some of such occupants could get rid of pomp and grandeurs as well as associated formalities of such offices, they could see a different world – a world, which such people always feel, should be changed, transformed, and if possible, be revolutionized. In fact, this would help them to get rid of the 'media-designated-or designated realities', and "keep abreast of what was really going on a more reliable way" (White: 2004: p.24). This serves two different purposes: on the one hand, it gives decision-makers a chance to know how ordinary people tends to look and understand reality with a critical but missionary zeal; and provides them with "irrelevant expositions" of the "world at large" (ibid.); on the other hand, by coming out of the restricted and exclusionary power structure, those decision-makers can offer advice and thereby "a sympathetic ear" (ibid.) to the people. On the other side of the spectrum, one can come across decision-makers who own luxurious houses, nice cars, go to exotic destinations on weekends, but talk about austerity measures for poor people; they indulge in liberal sexual practices, but are keen on talking about so-called sexual harassment of women in workplaces or elsewhere. They normally smile at everybody, give a philosophical indifference to all mundane things of life, but the common people does not hesitate to whisper: 'Here they go again – off to doom some bright peoples' future'. The tragedy is that they talk about Hugo

Chavez, but get angry at the slightest critique of enforced corporate rule. This second category of people, endowed with such double standard, tends to marginalize honest, upright and law-abiding people – and the murky events surrounding such processes of marginalization are always "shrouded in a complex interplay of personal animosities and political ambitions" (ibid).

It was a general fear that globalization would empty the coffers – there would be no money either to continue or to take up developmental projects. For whatever reasons, it did not happen. In fact, despite all sorts of talk about 'financial crunch', money poured in. Unfortunately, such financial flow only enriched those people who were close to the power structure – these people were interested only in enriching themselves, creating a coterie which would act as a militia and silence all thinking about changes and transformations. Those who could really visualize a new world order, based on value-system, received little or no financial assistance. Joseph Stiglitz talked about 'hot money' (Stiglitz: 2002: p.7) in his celebrated book on globalization – but then he used it in a technical sense. For people like us hot money is something which one does not acquire through one's own labor, physical or intellectual, but simply grab the labor of someone else, and expropriate without slightest degree of shame. A capitalist society, characterized by the dynamics of Benthamite political economy, does not feel any shame at such expropriation – but rather glorifies it. Any challenge, or threat, to such glorification – even its critique – would invite repression and persecution. Repression should not necessarily be physical – in fact, Bentham's 'panopticon' may be an architectural design, but it also reflects a psychological form of torture. The torturer does not necessarily intend to kill the victim – the object is simple: to destroy the morale of the victim, possibly to destroy his intellect, to compel him to surrender before the despot. Physical torture is the "worst possible blunder" (White: 2004: p. 15), a social disgrace. After all, the despot would have to present a smiling face to the world – truth needs to be hidden. The great historian is awaiting somewhere – the despot cannot meet him, because he is engaged in celebrating the crime he has committed against a person who has been accused of compliance with democratic norms. It is a psychological torture to the both to the historian and to the pro-democracy people. The moment the 'scandal' has been exposed, the despot starts moving around with all

kinds of alibi, and surely with a smile. Despots are shameless, but they are also clever and shrewd.

The problem with the radical elements is that they can understand and internalize the pains of the sufferers, but cannot believe that it could happen to them – they talk indiscriminately as if the so-called welfare dimensions of capitalism has not changed, as if the civil society is still rational as well as objective, and such society still respects freedom of speech and expression. The tragedy is: the old developmental of democracy has changed – it does not count anymore. Now, we live in a society of solitude – even when the worst takes place, our fellow members of the civil society continue to go through their daily routines, as if nothing has happened. The ultra-minimalist state does not recognize the welfare function of the state, but is well aware of its repressive teeth. Such a state threatens everyone by saying "Don't do anything. Nobody has to know" (ibid: p.36). The conscientious member of the civil society may feel bad, but they are afraid because the state-sponsored lumpens are capable of damaging the reputation of radical anti-status-quoist individuals and challenging their genealogy – besides, they are capable of doing more violent things.

The state has its own army, police and informers. An uncivil society depends upon some kinds of informers – as if their "feet are encased in the thick mats of hair" so that they can "silently sneak up to" (ibid: p.12) one's house and listen to its secrecy. Anyone can be the suspect – to these informers, everyone is engaged in grabbing the prized possession of power – everyone is a dissident. Even the so-called dissident's friends could be the victim of these informers. The uncivil society has a unique code of conduct – the informer could be engaged in adultery, can spread rumors, and could even be a congenital liar, but he is exempted from all kinds of criminal activities that he has committed. Nobody protests – because those informers terrorize people in a very subtle way – they appear to be very cordial, always speak in a hushed tone; it is always 'between you and me', but the target is not sure when he will be stabbed from the back. It is not the blame game which is an integral part of an uncivil society – logic has very little chance to win. Today's villain is of a different type – he does not come with all the qualities traditionally associated with a villain; he drinks tea or coffee with his target, and then stabs the victim in his back. The objective is not to kill, but to inflict pain on the victim – "pain is a crueler

master than death itself" (ibid: p.71).

This villain is not motivated by any ideological consideration – it is 'often used to settle old scores – against anyone not for political reasons, but for personal animosity. Class character plays an important role – being born in politically and economically influential families, it is difficult to accept, or even recognize, the intellectual capability – if not superiority – of a person who, despite his humble social background, continues to be upwardly mobile. It would not be an exaggeration to say that the reactionary elements of developing societies have hijacked the radical ideology (and its expressions) for fulfilling their narrow, sectarian and self-seeking interests. One can just remember an enigmatic devil, drawn by a fifteen year old girl Andy – Andy's brother was assassinated by one of the dictatorial regimes in Latin America. The drawing shows "a feathered demon, flying into the background on a mission of vengeance, its talons clutching a three-pronged killing spear. Overlaying the creature's otherwise emotionless features is a disturbing veneer of self-doubt that seems to question its grim task.... There is something tremendously tragic in this monster something that gives it a vengeful fury that cries for Justice in this brutal crime" (ibid: pp.98 – 99). A regime can be radical, progressive and even committed towards egalitarian values, but opposing and eliminating injustice in an uncivil society characterized by reactionary values, lack of transparency, and misappropriation of radical values would be like "screaming in a locked room" (ibid.: p. 99). Threat comes in a subtle way. A lumpen can challenge the target's genealogy – it unnerves the target, instills fears in him, disrupts his life. But the most serious threat come from the so-called elites – apparently suave, politically influential, ideologically empty, intellectually incompetent and emotionally bankrupt. They use various tactics – walk in front of the target, slowly and without recognizing him; extend big smiles to the so-called power holder, but show a stone face to the target; project the image of indifferent philosophical type of personality, but prefer to spy on the target, spread rumours and rarely speak up the truth. They act as real 'panopticon' – their only objective is: devastate the target psychologically; and, collapse the value system. It is difficult to continue a lone battle against collective corruption – in fact, in such a society it becomes difficult to identify who the non-reactionary elements are. 'The web of intrigue and suspicion' characterizes all relationship – 'the politics of fear'

(ibid: p. 162) initiated by these elites generate a sense of alienation, isolation and persecution in the minds of the targets, and the possibility of a well-planned 'crucifixation', based on false and malicious propaganda cannot be ruled out. The elites, who consciously and deliberately suppress information accuses responsible, honest and transparent persons of providing 'wrong information'.

It is argued that the easiest solution under this circumstances is to embrace what is known as 'the Stockholm Syndrome', i.e., to adopt the beliefs of the elites and then to give up one's own values. But the story does not end there. The status quoists spread rumours in such a way that "people who had been warm and friendly become standoffish" (ibid.: p. 162). The politics of fear and paranoia take a heavy toll on the comrades. But the more important question is: what is the impact of these initiations, and probably institutionalization of torture for the society as a whole? According to Jacobo Timerman, the author of *Prisoner Without a Name, Cell Without a Number,* such a process means that there are some people "who believe they have in their hands an instrument to discover everything they want to obtain. They act like God because they have the power not to kill you. That is nothing, because to kill is a power that is in the hands of every human being. They have a bigger power to torture and to discover, find out, and change everything they want to do. And this is the danger. The moment torture is incorporated in a society as a routine, a fixed feature of life, a permanent institution – the moment you accept that you have not changed society, you have changed civilization" (ibid.: p. 266). Probably, you have destroyed it, unfortunately, these elites do not know it – to them, it is a means for survival – to let loose a regime of pain and humiliation; they think they can cow people by institutionalizing torture. Such process of marginalization is an inevitable product of uncivil society – it goes all around the world without interruption. The dominant, powerful elite try to project such processes as if they go unnoticed – as if those events never happened. What elites do not realize that they are the real delinquents – and those who have been marginalized are the real winners because they leave a legacy – a legacy of how to change this unequal, class-divided, oppressive social order.

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Philosophy and Praxis of Rural Reconstruction : Gandhian Paradigm

Sandip Das

We know from writings of several historians that mutuality was the bedrock of community life in the early phases of civilization almost everywhere. With the emergence of feudalism, much of economic co-operation and a sense of basic equity was lost but commonality in village meadows and pastoral fields, remained in vogue. In other spheres of economic activities like cottage industries and commerce commonality persisted and with the advent of industrial revolution and growth of capitalism, these idyllic manifestations of rural life were given a goby first in Western Europe and gradually in many other parts of the world. In India, even after so many onslaughts by the intruders before the British, village society remained more of less undisturbed. With the spread of British rule, traditional and more or less self-sufficient and self-ruled village congeries became conglomeration of cripples.

Indian national movement grew with the feeling of discontent for the exploitation by the British rulers. It had been revealed from the writings of Ramesh Chandra Dutta and Dadabhai Naoroji and some others, how the resources of India were being pumped out to England. It was also found that a section of elite had reconciled with the British. But a significant number of conscious people could realize that the country as a whole and the vast multitude of villages had been thrown into utter destitution. Many of the leaders of the national movement raised their voices against this colossal method of exploitation.

Tagore was unique not only in narrating the miserable state of rural affairs but also chalked out a programme and acted upon with a view to revitalizing villages. Tagore was also a precursor of Gandhi. But Gandhi had also started many of his experiments in South Africa. There were striking similarities between the approaches of Tagore and Gandhi. But the difference, which stem from their way of life also should not be overlooked. Gandhi has been accepted by many of his admirers and followers as a saint. However, J.P. Kripalani, a close associate of Gandhi, told Glyn. Richards, a writer on Gandhi, 'Gandhi would entirely agree in his view that the term was too sacred to be a simple seeker after truth. But who can deny that he was a most remarkable man'[1]?

Gandhi himself had said once more that there was nothing like Gandhism. He had not left behind any philosophy but certain practices of his life. But as a Student of Gandhi, we cannot explain or expound his thoughts and actions unless we try to understand the philosopgy behind, although he was not an acedemic philosopher. From his philosophical belief in the unity of existence, he felt a moral obligation to treat all beings equally. As a matter of praxis, he felt that he could not achieve this goal at a time. He must proceed in steps. He tried to remember however that his self (atma) is a part and parcel of universal self (Bramhan). He was of opinion that through his upanishadic approach one could realize that he is the manifestation of Sat (Truth), Chit (consciousness) and bliss (ananda). There by he could be a self-realised man (Swarat). Such persons would enjoy a sense of freedom, where on bondage could enchain him. Such persons would enjoy Swarajya (self rule). If such a rule of Swarat (self-illuminated) persons could be established, then on rule of law or administration would have been necessary. Being an ideal -realist Gandhi knew that it would not be possible in practical life, as we cannot draw a straight line or a point, strictly according to the definitions of Euclid. But we cannot ignore Euclid geometry. Both saints and rascals are there. Rascals might have potentialities to be saints. But it would be rare occasion to convert a rascal. So he favoured rule of villages. This decentralization should not be pyramidal that is not from top to bottom. A rule of self should be expanded to family, then group of families that is a village, then a cluster of villages all willingly tend to expend. It should be in an oceanic circle expounded in higher circles in districts, provinces and the world. B.N. Ganguli in his 'Gandhi's

Social philosophy' compared these circles with the Jantra's Mandala^2.
Gandhi thought that a village could be a unit for sear of political, economic
and social power where all the individuals living there would be able to
decide mutually through the exercise of their choice collective well being in
all aspects of life. This is the way Gandhi thought a Gram Swaraj could be
established. Be it noted that Gandhi's ideal rule would not be a 'duo decimo
editions of New Jerusalem' as Marx had apprehension. His village would
be always in an ascending scale to concord both horizontally and also
vertically.

As mentioned earlier, Gandhi was not an academic philosopher. In fact, he
did not cling to any philosophical system - metaphysical, epistemological
or political. In search of truth and to formulate an action programme he
moved around. But he did not deviate form basic human values or tenets
of his life. For a searcher after truth and also as a leader of a dependent,
humble and exploited nation, he strongly felt that under no curcumstances
he could deny his responsibilities for working for the amelioration of the lot
of his countrymen. He knew fully how miserably most of the Indians,
particularly those living in seven lakh villages. These people had not only
been politically subjected, they were also economically exploited, socially
subjugated and deprived of health and education. So howsoever he might
be involved in other national and international problems, his focus of
attention was always reorganization of the villages in India.

Gandhi's zeal for this task was revolutionary. His approaches might not
look so. But who can deny that most of the efforts, governmental and non-
governmental are status-quoits. With production system by and large
capital-intensive, notionally federal but with unitary in the bias in the
constitution Panchayats have found a place in the constitution, but it is still
lopsided. However, constitutional limitations apart, the attitude of
bureaucracy as well as the parties in power or nearer to power are not
conducive for empowerment of villages. The governmental agencies and
the N.G.O.'s surviving on foreign funding agencies on acting, as agents of
government are not working for overhauling the village set up. In this context
we have to judge the theoretical basis and parctical aspects of Gandhian
village reconstruction.

The test of a programme may be considered from different criteria. First,
whether this has been able to create a current in the realm of ideas, second

whether there is any serious attempt to translate this current into action, Thirdly, the credibility of the leadership for whom it is meant and Fourthly the timing of the programme should also to be judged. Let us consider, the first criterion. Gandhi could creat a current of ideas, which attached the attention of the poor and exploited Indians. From this he picked up certain symbols from ancient Indian tradition. Many of these symbols were on the lips of the uneducated Indians carried to them through their forefathers. They often chanted these symbols and idioms, which they found lacking in their day-to-day life. But Gandhi did not seek to allow them to go back to the ancient society with all the prejudices and imperfections. He did not want that they should feel complete with the ideas of their forefathers. He gave new meanings to the ancient symbols by going back to its philosophical roots and at the same time helping them to look forward to modern or even to post-modern interpretations. Because of the rural people's familiarity with the symbols he was able to create a current of ideas for reconstruction. He tactfully used the classical concepts with redical contents. Perhaps that was why Irfan Habib characterized Gandhi as a classical modern figure[3]. Secondly Gandhi's success had been rooted in enunciating a programme of action, which could enthuse the rural masses in particular to a large extent. Third follows from the second, that people could repose faith in his leadership and lastly, he could pick up the right moment. He found that though exploited in every sense of the term they have lost the courage to stand up owing to wrong interpretation of the vested interest, religious, social, economical, besides the terrible foreign yoke. Gandhi had resolved that if they could be brought to the national movement along with alternative path of reorganization of Indian Society, particularly rural, then it would usher in a different social relationship where the individual and society might mingle together. This would also lead to development with freedom and dignity.

Ideally every village would endeavour for making it self-sufficient with regard to their basic requirements. The spirit of Swadeshi should start from using their products made by themselves and end with product made in India. In the swadeshi spirit there is no scope for animosity towards others. But born and brought up in this country, we have a special responsibility to the well being of our exploited countrymen. On another occasion, Gandhi said that it was not sufficient to consume food and clothing

made by the poor Indians. One should have sympathy if not apathy for their toiling people who produce them. Gandhi had repeatedly tried to convince the nation that singly by overthrowing the Britishers, we would not achieve swaraj so long as disparities between cities and villages, haves and have-nots could be tolerated. To quote Gandhi 'India economic independence means to me the economic uplift of every individual, male and female, by his or har conscious effort......'

This brings me to socialism. Real socialism has been handed down by our ancestors who taught "All land belongs to Goapl, where this is the boundary line:". Man is the maker of this line and he can therefore unmake it". Gopal literally means shepherd, it also means God. In modern language it means the state, i.e the people'.[4]

No village can be self-sufficient or prosperous, unless everyone offers some physical labour. He must earn his food (bread labour). Since cities are there, the excesses of their production should be made available to City dwellers and those who are intellectually and economically well off, should not also forget their responsibilities to the villagers. On a visit to Indian Academy of Scicnce Bangalore, Gandhi urged upon the scientists there that as some of their experiments were being continued for 24 hours, they should also remember the plight of tillers and weavers to that extent.[5]

In Gujarati Navajiban, Gandhi had written a series of articles under the caption 'Father of the world'. In the first article published on 28.9.1919 he stated with a poem, which was part of his studies in primary school - O Farmer' you indeed are the father of world'. To quote him, 'India is a land of extreme poverty. This only means that Indian peasants are destitute and majority of them have only one meal a day. There is no glow of hope on the peoples' face. Their bodies are not as strong as they should be. Their children are rickety........'

'These are the questions we ought to ask ourselves at every steps. India does not live in her towns. She lives in her villages.......... even if we are able to improve the towns and make them prosperous, these efforts can have very little effect on the villages. Even if we improve the conditions of a ditch on a pond, this does not remove the filth from adjacent river, should it be dirty.[6]

In this writing he had suggested to raise a small band of volunteering who would stick to truth and endeavour for quick progress in the village.

In the sceond instalment (5.10.1919) Gandhi sought to devise ways and means of improving the lot of villagers. He began this article by referring to Leonel Curti's who was a civil servent and then a member of Transvaal Council depiction of Indian villages. Gandhi knew him in his South African days as unfriendly to Indians. But here Gandhi found Leonel's description of Indian villages as realistic as he said 'villages in India are situated on dunghills. The huts are in the ruining and inhabitants feeble. Temples are to be foudn in all places, cleanliness is non-existent'.

Gandhi felt that we could change these, if we could be serious. He suggested 'There ought to be some method in well ordered village... And in India where crores of people walk bare-foot, the roads should be so clean, walking or even lying on them should not seem disagreeable. The streets should be mattled and have guttey to drain away the water. The temples and mosques should be clean and look even fresh. In and around the village there should be useful trees and orchards. There should be dharmsalas, a school and a small hospital.' Then he emphasized on keeping air, water and streets pollution free. The inhabitants should be able to produce their own food and cloth and they should be able to defend themselves. Since then he had been intermittently emphasizing on a need for self-sufficient villages.

To reorganize the village, sincers and willing workers both men and women are required. It is not necessary for them to be highly educated or whole timers. Even while earning their livelihood they can through their sprit of service bring about important changes in the village. In Gandhi's opinion, such services will amount to the service to the entire nation.[7] Elsewhere Gandhi had said that there is no use of thinking that since the world is full of dirt, it is not possible to remove it and it is not worth doing anything. Let one be prepared to remove dirt from one's immediate surroundings.

In the third of the series published on 19.10.19 he narrated the services rendered by Dr. Dev and Mr. Soman in Champaran and how the villagers had co-operated with them. He advised the workers to live with the villagers and appealed to them for joining in cleaning the village. A worker should be prepared for bearing an object of ridicule or to face insult from the neighbors. Gandhi was confident that sometime after villagers would join him in this task. But he should be prepared to clean the street single handedly and he must be prepared to share their sufferings. The workers should

also collcet necessary information regarding crop and provide all possible help to them, there by winning their cofidence. If possible, at a later stage, a worker should help them in teaching about their health and hygiene and also medical care. Through his intimate contact with neighbors he would know their economic and moral conditions and work for improving on these. It would also apprise them about the political reasons for their miseries and try to develop in them a political inclination for standing up against this. From his own experience in South Africa, Champaran and Kheda, he felt excellent results could be obtained.[8]

In the last of the series (2.11.1919) Gandhi had laid down certain rules of cleanliness and health care, a pre-requisite of rural reconstruction. To him, 'There is no sanctity in dire! Filth is a sign of ignorance and sloth. How they are peasants to be rescued from? To meet this he narrated seven point suggestions relating to both personal and public hygiene. At the end he expressed his confidence that if the suggestions were carried out then the life span of the peasants would be increased and the residents of the villages would take a great step towards prevention of diseases.[9]

Gandhi was inspired by ancient Indian tradition in developing his philosophical outlook, which prompted him to look to the villages in India. But he was not prepared to tolerate bad habits of the villagers and also outmoded prejudices and inequities of social system prevailing in India.

Incidentally it may be recalled that there are agreements between Gandhi's Gram Swaraj and Tagore's Swadeshi Swamaj. But while Tagore was against bringing politics in the area of Swadeshi and palli Samaj, Gandhi thought that politics (not in a narrow sense of power politics but in a higher sense) would be necessary. We can also say that since Gandhi had a holistic approach to life, this cannot be avoided, though he had the highest regard for humane ancient traditions. Besides preparing the people to fight against foreign rulers' exploitation, he wanted to overhaul the caste and class-ridden structure of Indian villages, which could not, however, be apolitical. Gandhi had been an admirer of Varnashrama of the Gita and not of Manu's Smriti. But while working in Indian villages he found it had deteriorated to caste system, he cautioned his co-workers like Satish Ch. Dasgupta and Dr. Suresh Ch. Banerjee that Varnashranma had become caricature in caste system. There was no point to preserve it.

Gandhi never wanted that the villages should refrain themselves from modern

ideas. He wanted every village should have electricity, preferably to be produced by themselves. It seems to us that he was fully aware of the veracity of renewable energy even in the thirties of the last century.

He was not against science or applications of necessary machines. His ideas about the use of machinery might be quoted "I want to save time and labour not for a fraction of mankind but for all. I want the concentration of wealth not in the hands of a few, but in the hands of all. Today machinery mainly helps a few to ride on the backs of the millions. The impetus behind it all is not the philanthropy to save labour, but greed.[10] In india, particulary in the villages, unemployment problem is colossal. So how can we resort to labour saving devices? Earlier, Karl Marx wanted profit-oriented society to go. Gandhi went further by emphasizing on building a greed less society, where every one must fulfil his need for nature has provided enough to meet our need, but not greed.

Personally, Gandhi had fascination for rural life, for he found rural life nature-oriented. As the Vedic rishis could proclaim through their intimate contact with nature "Let this earth, heaven and heathen be peaceful. Let peace survives everywhere." Gandhi also tried to learn to love all beings from nature. He also felt that there are seeds of non-violent society on the mores and folklore of villages; many of them are nature-oriented. If we look to Gandhi's way of life in health and hygiene, we find his outlook was to depend on nature more and more. As D.M. Dutta said, 'His physical habits seemed to declare: Nearer to Nature, nearer to health. When the body is sick, go back to nature. One of his great habits throughout his life was to experiment with diet and to find out natural diet of man.[11] On cure from disease he sought to depend on hot and cold water, different trees, air and sun rays - all are available in plenty in villages and salt and quinine, soda etc.

Let us state Gandhi's justification for village movement. As he said, 'The village communities should be revived. Indian villages produced and supplied to the Indian towns and cities all their wants. India became impoverished when our cities became foreign markets and began to drain the villages dry by dumping cheap and shoddy goods from foreign lands.[12] All the time he wanted production by the masses but capitalists owned large units ot produce mass production. He wanted villages to use modern tools and machines but it must not be used for exploitation of others.

In the field of agriculture Gandhi was a pathfinder in natural cultivation. He wanted co-operation of villagers in the use of land and seeds. He urged upon them to use natural ingredients in manure and also in pesticides. At his instance, Akhil Bharatiya Krishi Go-seva Sangha was formed. This organization even now has been undergoing improved research and experiments to this end. Much earlier to Gandhi, Marx had said that capitalists mode of production in agriculture had not only been exploiting the cultivators but also looting the land itself.[13] Throughout several decades of witnessed 20th century, we have witnessed to whate extent the mad rush for immediate gain has spoiled the soil, besides being cruel to the small farmers. But Gandhi had devised ways and means to overcome this. Todey, the demand for natural cultivation has gained ground all over the world.

Besides agriculture, he was eager to spread Khadi and village industries in every village. Speaking to a deputation of Swadeshi League he said 'our object was to encourage hand spun and hand woven Khad, which had been woefully neglected and which needed to be revived if starving unemployed millions were to be served. But khaddar is not the only such struggling industry. I, therefore, suggest you direct your attention and efforts to all small-scale miror unorganized industries that are today in need of public support. They may be wiped out if no effort is made on their behalf. Some of these are being pushed back by large-scale industries, which flood the markets with their manufactures. It is these that cry for your help.[14]

Since the industrial revolution, a surge had been created in the West for more production and more consumption through creating colonies. Today it is alarmingly high due to liberalization, privatization and globalization. The minerals and other natural resources including forests they have exploited so far are going to reach the saturation point. The richest country USA with a population of 5% of the world discharges 23% of the world's carbon emission. An American pushes global warming potetial 33 times that of average Indian. But deforestation and soil erosion in India are alarmingly high. There has been phenomenal increase in fossil fuel consumption which is adding more carbondeoxide to atmosphere, cholorofluoro carbon ozone and other green house gas. So deforestation, withering away of biodiversities, soil erosion, water searcity, and pollution

of air, water and soil are taking place dangerously. The ecological issues have gained general all over the world along with mental and cultural pollutions. Today Gandhi has been attributed as the father of deep ecology, as distinct from shallow ecology. As V. Lal said, 'Gandhi's own views would perhaps be deemed to have the closest resemblance among the various stands of radical ecology encountered today, to the phoilosophical pre-supposition of deep ecology. It is no coincidenec that the Norwegian philosopher Anne Nuess with whose name deep ecology is preeminently associated was an ardent student of Gandhi's thought and work before he turned his attention to the problems of environment.[15] As and when, people became conscious of the crisis of modern civilization they are turning to Gandhi's sustainable development and decentralized home production.

On the Western developmental model, Gandhi had said, to keep U.K prosperous, the Britishers had to occupy such a large area as colonies and the resources. If India had to be a prosperous country by western standard we would require much more. Today, India has about 16% of the world population and China is still the highest populous country in the world. Since both the countries are on the path of LPG and if they are to be developed by US standard, then what would be the fate of the world? Gandhian model of development and reorganization of villages through participatory democracy is the crying need for India and we dare to say for the entire world. It has been claimed that following LPG India's GDP is increasing remarkbly. But since latest figures are not available it is found, 'In 2002, India had low rank of 127 countries on Human Development Index of U.N. But compared to access to health and education it is probably worse for the poor in India.[16] Obviously growth rate is pro-rich. An eminent economist of present day, Amit Bhadauri said, 'applying to Gandhi dictum of higher growth rate is not worth much, unless it improves the lot of the poor in India.[17] In fact, Gandhi picked up the right moment in the swadeshi movement when he ascribed economic content of national movement through his poverty elimination programme and rural regeneration. He expressed his opinion that application of non-violence in the sphere of economics signifies transformation of economics to ethics. So to him, economics is blind to the poorer section. Gandhi said, 'True economics is the economics of justice. An economics that inculcates Mammon worship, and enables the strong to amass weak at the expense of the week is a fales

and dismal science.[18]

However, post independence economic development since the second plan followed different paths. Since the early nineties we are under the spell of TINA syndrome and trying to improve our GDP by indiscriminate invitation of foreign capital and imports of consumer goods. Naturally there is a crunch in the employment market. Rejecting the syndrome, Amit Bhaduri in his fascinating book 'Development with Dignity' argues 'Employment in turn means giving income to the people to expand their purchasing power, and the size of domestic market. On the other hand it also means their engagement in production.[19] This is the essential content of participating democracy; the right to regular income for decent living and the duty to contribute to social production. Bhaduri also feels that 'India's development is not constrained effectively by lack of money or resources. It is the lack of our organizational capacity. And in a democracy the solutions would not come in the Chineese way, which often imposes efficient but ruthless solutions on the people without having any say in the matter. Nor does the solutions be in inviting multinationals to set up shops in India for their profits involved....... We must have the self-confidence to chart our unique path of development suited to our specific requirment.[20] We may remember what Gandhi had said long ago, 'If all laboured for bread and no more then there would be enough food and enough leisure for all'. Ghandi was an ardent supporter of bread labour, but not under compulsion. As he said compulsory obedience to the bread labour leads poverty, disease and discontent. It is a state of slavery.'

Gandhi's educational ideas as systematized by Basic Education Committee, headed by Dr. Zakir Hussian are mostly village-oriented. Basic education as envisioned and practiced by Gandhi rested on head, hand and heart. There should be sufficient room for mature studies, craft and art, besides moral behaviour, health and hygiene. At the level of adult education, the main objective was to improve the knowledge and efficiency of work for farmers, labourers and handicraft workers.

Gandhi was aware that it might not be possible to find work in agriculture throughout the year. During that period, they might be gainfully employed in Khadi. Every household could produce their required cloth through Charka (spinning wheel). Gandhi was not so much concerned with the commercial gain in Khadi cloth. But he wanted self-sufficiency of colth for

the villagers. Gandhi considered Khadi as the symbol of swadeshi and thereby of swaraj. Along with Khadi cloth, other village industries should be encouraged. Those volunteers who want to work for reorganization of the village should help the villagers in procurement of new materials, improvement of their skill and market (might be barter type wherever possible). He urged upon the city dwellers to use village made products as a matter of compensation to the villagers since thy have exploited the villages so far.

Gandhi's Gram Swaraj was based on the idea that he would fight for that India where the poorest person would feel that the country belongs to him and has every right to mould its destiny. With this end in view, he had developed his idea of village panchayat. The panchayat that is village would be the owner of their natural resources of the village and the members, that is, all the adults living in the village would determine its development plan. Then ideally all the decisions should be unanimous; if that is not possible, it should be decided by consensus. If that is also not possible, the decisions should be taken by votes. Their majority should have respect for minority opinion.

Gandhi wanted that civil disputes should be solved mutually. If information that is not possible then it should be left to an arbitration board to be appointed by the Panchayat. From his experience, however, he was against empowering panchayat in criminal matters, for he was weary of customs and communalism and other types of fanaticism.

We all know that because of Gandhi's displeasure for non-inclusion of Panchayat in the draft of the consititution, Art. 44 as a Directive Principle was incorporated in the constitution. With Balwant Rai Mehta Committee Report, Panchayat system was re-introduced in India. Then it became dominant in most of the States. With Ashok Mehta Committee Report it was given a new life. Through 73rd and 74th Amendment of the constitution it became mandatory. But in contravention of Gandhi's idea, both financial and political power are ascribed from above. Since it had become party based, it has created fissures in the villages apart from caste and communal divides in many places. It thus necessitates a reevaluation of the present system, and an effort to see to what extent Gandhi's Gram Swaraj ideas could be implemented.

Gandhi had definitely taken inspiration from the Indian traditions. But he

was more concerned with the removal of untouchability and casteism from the rural society and with establishing communal amity in the country.

In his list of constructive programme, Gandhi emphatically urged upon women's uplift. In a traditional male dominated society he had created a miracle in bringing so many women in the national movement in both constructive and combative activities. But he was aware of to what extent taboos and male-dominated mores are used to deprive the women from their human rights, particularly in the villages. So he emphasized on the women's rights, education and the right to make them fit for earning their livelihood. Today many organizations are working to this end. The Government has also enacted many laws to safeguard women's interests. But the task remains stupendous and we have a long way to go.

Gandhi never wanted exclusive secluded villages. He wanted that villagers should expand their horizon by stages. He wanted cultural synthesis but never cultural subjugation. Even in his lifetime he could see that in many villages the people are losing their moorings. Today, in the name of globalization and ultra modernism, we are forgetting our rich cultural heritage embodied in the village music and art, mores and folkores, which should be considered as treasure. If we want regeneration in our rural life, then we should be prepared to resist not only economic, social or political onslaught but also cultural onslaught - this is a message not of Gandhi alone but also of Tagore, Vivekananda, Shri Aurobindo, Subhas and many other leaders of our national movement.

Finally, we would like to mention that since Gandhi's publication of Hind Swaraj about hundred years ago, he had reconsidered and changed his opinion and courses of action about the details but he never deviated from the basic tenets of life on his philosophy of life developed in this book. Regarding village reconstruction he had revised his opinion about the use of certain amenities of life for the villagers. He had welcomed scientific advancement and its practical applications in villages also. He wanted to march with the time but he would not encourage any technology which might expose our moral and spiritual poverty'. He had also no illusion about the priorities.

Taking a clue from Gandhi, we should not also think of remaining confined in Gandhi. We should proceed with a forward-looking attitude but we would ignore Gandhi and refuse to take lessons from him at our peril.

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Social Differentiation and Tribal Identity in the context of Globalization

Rajat Kanti Das

Globalization is a buzz word today, which has many dimensions. It invariably brings into focus the global processes and markets, which have not spared communities placed in the remotest corner of the globe. Held et. al. try to explain globalization in the context of economic liberalisation :

> " Globalization can be thought of as a process (or a set of processes) which embodies a transformation in the spatial organization of social relations and transactions - assessed in terms of their intensity, velocity and impact - generating traditional or inter - regional flows and networks of activity, interaction and exercise of power."

The neoliberal agenda promoted by powerful vested interests among the world's wealthiest countris has not only strengthened the regional and global markets, but also opened up more and more economies and societies to world markets. Amartya sen (2000), however, thinks that market is no more than a basic arrangement through which people can interact with each other. My objective here is not to go for a market analysis. Instead, I shall restrict myself to examining some of the social and political effects of globalization. There is now increasing evidence to show that some persons or communities are excluded by global processes, and some are included under conditions that are not of their choice and that are detrimental to

their livelihood and well being. Obviously, globalization sets in a process of internal social differentiation since the persons are differntially exposed to it. The relationship between global economic pressures and increasing social differntiation was a critical issue which was even debated at the United Nations World Summit for Social Development held in Copenhegen in March, 1995. Apparently, globalization produces a wide range of network connecting people to global production system, all of whom are not at the same level. It, however, generates a conflicting situation suggestive of individual economic solvency as pitted against increasing social diffemtiation. After all, not all individuals have the capacity to satisfy global demand. Not only that, some of them are socially excluded as a result of the creation of the process of differentiation, which becomes an impediment to their free and unrestricted participation in the global market. Expanation in term of social exclusion pinpoints on economic inequality and marginalisation. Indeed, much attention is now paid to the process of social exclusion manifest at various levels. Can social exclusion offer a better explanation for assessing the relationship between members of society and the emerging nation-state?

Rene Lenoir (1974), who is credited with propularising the term 'social exclusion' in France, argued that people who were marginalised from former labour markets and welfare benefits had experienced a rupture of the socal bond that constituted the undergirding of both the rights and responsibilities of citizenship (Quoted from Amartya Sen, 2000). Here the emphasis is more on 'citizenship' rather than on social exclusion. Sometimes the two may combine as and when the prevention of social participation checks exercising full citizenship rights. When it involves the members of the tribal society, violation or deprivation in terms of citizenship rights may not be able to touch the real problems. While the Naga movements for a sovereign state may have a global input in the form internationally accepted rights to be enjoyed by ethnic groups or sub-national entities manifesting a territorial and cultural integrity, the same cannot be said about the Kamtapur movement spearheaded by the Rajbansis, which has the objective to achieve specific social goal in a pluralistic situation. The Rajbansis at a certain stage may represent a case of 'identity based social exclusion'. (Jo Beall, 1992). Initially, their Rajbansi indentity would have been linked with the

deprivations they had suffered as a result of spatial cum social exclusion. Such 'indentity-based and spatially determind inequalities' may or may not be directly related to the forces promoting globalization. But there are indications that with the passage of time the impact of globalization is going to be more extensive and far-reaching. This is because of the fact that the state is now too willing to participate in global programmes. In such a situation, the debate between 'state-centrists' and 'globalists' will loose much of its sharp edge. Again, from development point of view, globalists seen to have overtaken the state-centrists, breaking the barriers set up by the latter to protect their own interest.

The interacting pattern between-global dynamics and particular componets of national states deserves special discussion. Two distinct sets of dynamics are actually involved in globaization. One of these involve the formation of explicity global institutions and processes, such as the World Trade Organization, global financial markets, the War Crimes Tribunals, the Amnesty International, the World Bank, the World Health Organization, the Human Rights Council and so on. The second set of processes associated with globalization, according to Saskie Sassen (2006), form only a part of globalization.

> " These processes take place deep inside territories and institutional domains that have largely been constructed in national terms in much, though by no means, all of the world.... Among these processes I include particular a spects of the work of states...."

Specific 'localised struggles with an explicit or implicit global agenda' may come under this category. Movement aimed at restoring to indigenous rights and human rights and environmental organizations trying to improve upon the local or specific situation have assumed a global character. Such localised issues become part of global lateral networks'. Of late, these have attracted the attention of global environmentalists in a big way.

The global processes may manifest at various scale, ranging from supernational and global to subnational (Tyler 2000; Swyngedpiw, 1997; Amin and Thrift, 1994).

'The multi-scaler globalization' has different institutional locations marked by specific contents. Sassen (2206) treats the subnational as a site for globalization. Such subnational entity which has its focus on local practices

and conditions may thrive on cross-border connections among various localities or ommunities. In their present form many of the tribes display such a subnational identity and all representations of subnational identity may be regarded as components of global processes. In this way it may be possible to find a link between tribes and globalization. Tribes may provide examples where globalization gets constitued subnationally. A tribe in that sense represents a microenvironment or a microsystem which may assume a global span. At the national level, the impact of globalization may not always be positive. The global entering into what has historically been constructed as an institutionalized territory as is manifested by a tribe generates a variety of negotiations, some of which become the source of contradictions, ambiguous expressions and critical assumptions. Destabilising effects of globalization on national and subnational entities are no longer incipients. These are more real than could be thought of earlier. Conversely, it may be difficult to bring all subnational entities representing diverse microlevel situations under a common global agenda.

Sassen's argument is that at present we are seeing the incipient formation of a type of authority and state practice that entail a partial 'denationalizing of what had been constructed histrorically as national'. It has to be admitted that there was a tendency to treat tribal states not at par with the modern states. Any reference to a 'Tribal state' carried with it a different type of formation and connotation. A tribal state with components of modern state system is considered to be a later development, subsequently constructed and contrived. Whereas the tendency now is to transcend nationally oriented state authority and institute world-level institutional orders, a tribal-state, recently constructed or still nurturing an earlier tradition, continues to remain firmly rooted to its newly created national base. For a modern state the definition of what is 'national' has undergone sea-change. Sassen thinks that under the impact of economic globalization some of the components of national institutions have ceased to remain national in order to accommodate foreign and 'non-state' actors and to ensure implementation and regulation of foreign agenda. Many of the African states have been facing such a situation today. Inspite of the strong sense of 'tribalism' still prevalent in Africa, it cannot be denied that its capacity to unify all the tribes within a country has received a severe jolt in the face of increasing economic onslaught by the forces of globalization.

Botswana may be cited as an example, where, as has been reported, the more advanced and politically dominating tribe systematically displaced the indigenous tribe belonging to the San group of people in the Kalahari desert. Their action made the San people more conscious of their self-indentity and historical entity, what of late had found expression in their national agenda. Incidently, nation to the San people is a term of self-designation. Although the ILO Convention Concerning Indigenous and Tribal Peoples in Independent Countries, No. 169, 1989, recommended self-indentification for such peoples, this remains highly contentious in absence of a general consensus within and between communities.

In a speech in November 1998 Robert Moris, an indigenous spokesman of Botswana declared, 'a nation without a culture is a lost nation' (Quoted from Mathlas GUENTHER, 2006). Culture is an area which cannot automatically be transformed by globalization, particularly in the tribal context. It was Claude Levi-Strauss, who had proposed that tribal mentalities are locked within their cultures. A new meaning may be imparted to it under the impact of globalization, but culture still remains central in their consideration. Nothing can take culture away. But it is not just a question of sentimental attachment. There is a practical side of it. Here a reference may be made to the San people of the Kalahri desert. Culture as a device and a strategy used by the San consciously to gain recognition of the wider society, and from the state that runs it and consequently, identity projected through a distinctive culture is 'one of the central planks in the platform of conpemporary San politics, along with land and rights'. But the land restitution act promulagated by the government does not recognise "tribes" or "indigenous" or "aboriginal" land rights. Guenther (1997) is convinced that identity and culture and their representation are self-declared priority issues for most indigenous people. Indigeneity has now become a tool for resisting domination of the state and those dictating state policies, and even the interstate bodies with whom the state has entered into some form of negotiation detrimental to the interests of the indigenous or tribal people. But this is not always the case. In some parts of India multinational companies could extend their tentacles to the interiormost tribal villages and make use of the indigenous knowledge system for commercial purpose. There are even indigenous groups who have some knowledge of nation - state politics and consequently, their

movement has been fostered by international development agencies and NGO s. In 1974 George Manual and Michael Posluns coined the term 'Fourth World' for those described as 'encapsulated minorities' (Quoted from T.H. Eriksen, 1995). The term probably focuses more on the structural relationship between aboriginal groups and the dominant society. This may be a demonstration of how to think globally even when the focus is on those people who are localised and considerably disadvantaged. Again, as Beall (2002) observes, ".... international convention's declarations on human rights, women's rights and the rights of the child do suggest global pressure for a recognition of rights akin to citizenship rights, to which everyone, universally is entitled". When the question of rights is involved, those supposed to be enjoyed by tribals are clubbed with deprived sections of the society. That they are excluded by global process may not be the only perspective. There are those who are placed under conditions that are not of their liking and may prove detrimental to their livelihoods and well-being.

Concepts of human rights, minority rights and indigenous rights so often invoked to strenghten the principle of self-detrimination have assumed a global dimension. Thus, identity formations along with Naga nationalism are not just expressions of localism. Naga nationalists aspire to go beyond the limits of a state-centrist formation and assume a global character by becoming a sovereign state. By invoking the national agenda they are actually making an attempt to come out of the shackles of localism set in the archaic mould and attain a bigger national identity to have a global representation. The emphasis here is on a universal legal and political substance rather than a repetition of a form of archaic and primordial existence. In a semi-urban situation small groups of tribals are sometimes locked in a frontal relationship with the majority groups of non-tribals with whom they have been economically linked. Often, their economic dependence culminates in recognising the position of dominance enjoyed by the majority groups. More important than economic dependence is perhaps the political constraints under which small groups of tribals have to function in an urban situation. Even in a rural set-up the life situation of tribals have been increasingly dependent upon the domination of political order established at the governmental level by the controlling political party/ parties, where they have only a token representation. No wonder, they

are now involved in consolidating group identity. For those who are placed in an urban situation, it may be natural to take up a position of tribalism. But what is remarkable is the tendency of rural-based tribals to use the urban centre as a platform to display their brand of tribalism. There may, however, be a difference between the two forms of tribalism. As Gluckman (1956) and his associates, notably Mitchell (1969) and Epstein (1958, 1992) insist, 'tribalism in urban areas was nothing more than a reconstructed guoup identity'. Here identities in contemporary 'social fields' (the phrase is Gluckman's) were concentrated to urban areas and their compatibility with modernity was some what taken for granted. Such tribalism was 'not a relic of the (traditional) past but a function of the (modern) present'. Generally speaking, a modern situation is the one where the forces of globalization operate with much more regularity and acceptability. At the same time, our understanding of tribalism is that, unlike nationalism, it is not intrinsic to modern way of living and hence less likely to be affected by globalization. The fact that there has been renewed efforts from the modern forces of change and champions of liberalism to focus on the tribals speaks of their hidden agenda of gaining access to a situation hitherto unexplored or partially explored for propagating the efficiency and transparency of their political method with the ulitimate objective to achieve mass appeal. At the formal level, the particularistic trend in the nationalist ideology of the indigenous tribal groups may give way to a global, impartial and universalistic ideology based on the principles of justice and civil rights. On the other hand, citizenship and complete civil rights are not quite compatible with a specific identity along ethnic line. But for a particular ethnic identity to grow on the basis of cultural distinctiveness, larger national identity may sometimes provide the necessary impetus. The latter in such a case assumes a distorted, alienated meaning to a culturally defined ethnic group. After all, it is nationalism which 'reifies culture in the sense that it enables people to talk about their culture as though it were a constant'. This is, however, only one side of the picture. There are even attempts by the tribals to defy state control and prepare the ground for 'self-rule', often joining hands with ideologues who project exploitation - free system run by the people themselves. Sometimes rebelling, sometimes compromising, the tribal groups have been trying to come to terms with the modern situation created as a result of unchecked globalization. The forces of globalization have

shaken the tribal base so much so that in some cases the tribal groups become more inward-looking, renewing their effort to bring in some stability at community level. They tend to justify their position as ethnic groups, coordinating members of the community as a politically viable group on the basis of an ideology of shared ancestry and territorial control. The members of such a community feel that they belong to an 'unmeltable ethnic category' (Steinberg's connotation). In extreme cases, the members take a stand against pursuing their political interests through usual channels defined by the state. They believe that thair political base has to be their own community in order to make it politically viable. In a sense, this is the price the nation has to pay for globalization marked by rapid interaction and power relations. Good or bad, globalization has contributed to strengthen the forces that can challenge or even destabilise what has historically been constructed as state power. And here tribal communities have taken the frontline position, though one may argue that the inspiration and ideological as well as logistic support for them have come from other sources in the form of propagators of revolutionary ideas or urban-based intelligensia. The tribals could provide them with an ideal base to be explored or experimented upon.

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Bhopal Gas Disaster : Justice Delayed and Denied

Peu Ghosh

Introduction

"Mothers didn't know their children had died, children didn't know their mothers had died and men didn't know their whole families had died"

In the night of December 2-3, 1984 a catastrophe unfolded itself in the city of Bhopal, Madhya Pradesh when a deadly lethal gas floated over the city causing casualties to thousands of humans and animals and creating unbearable sufferings to those who survived as they too were affected by the side-effects of the leakage of Methyl Isocynate gas (MIC) causing blindness, kidney and liver failure and a variety of chronic diseases. The world's worst industrial accident often identified as the Bhopal Gas Tragedy of Bhopal Gas Disaster took place when a valve in the Union Carbide Pesticide Plant's underground storage tank broke under pressure and MIC had escaped. It took 26 long years for the court to give its verdict and that too has been described by the victims of the gas disaster and the NGOs working for them as more symbolic than just. Justice has been delayed and denied to the victims of Bhopal tragedy.

The people of Bhopal still continue to be a vulnerable population as 390 metric tones of poisonous waste lay around the factory area for 25 years awaiting court's decision. This definitely requires serious thoughts about the handling and disposal of hazardous substances and the looming

danger on environment costing lives of thousands from their usage and disposal without caution. A legal regime is necessary to chart out the rules and regulations regarding the handling of hazardous and harmful substances along with their proper execution. This paper, therefore, makes an effort to look at the laws relating to regulation of hazardous and harmful sub- stances at the international level as well as in India and their shortcomings so that future catastrophes can be averted. A lesson must be learnt from the Bhopal gas leak and this paper will put the Nuclear Liability Bill now an Act under scanner in the light of the dangers from nuclear disasters.

Regulation of Hazardous Wastes and Hazardous Chemicals: International Regimes and the Indian Case

The Bhopal Gas Disaster showed the world how environment and the living beings be it human or animals can become easy prey of hazardous wastes and chemicals resulting in deaths and environmental degradation. The point to be noted is that environment is something which cannot be limited by political boundaries of sovereign states and most often environmental disasters like oil spill may transcend political boundaries and affect a number of states. What is therefore, essential are legal international regimes to control the activities of companies including MNCs so that they tend to follow guidelines as set by regimes and avoid their violations. A glance at the international conventions reveal that quite a number of conventions relating to hazardous wastes and hazardous chemicals are in place till date. The noteworthy among them are:

- European Agreement concerning the International Carriage of Dangerous Goods by Road, Geneva, 1957.
- FAO International Code of Conduct on the distribution and use of Pesticides, Rome, 1985.
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, Basel, 1989.
- Convention on Civil Liability for Damage Caused during Carriage of Dangerous Goods by Road, Rail, and Inland Navigation Vessels (CRTD), Geneva, 1989.
- Bamako Convention: Convention on the ban of the Import into Africa and the Control of Transboundary Movements and Management of Hazardous Wastes within Africa, Bamako, 1991.
- Convention on the Transboundary Effects of Industrial Accidents,

Helsinki, 1992.

- Waigani Convention: Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region, Waigani, 1995.
- Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, Rotterdam, 1998.
- European Agreement Concerning the International Carriage of Dangerous Goods by Inland Waterways, Geneva, 2000.
- Stockholm Convention: Stockholm Convention on Persistent Organic Pollutants Stockholm, 2001.

Conventions relating to Nuclear Safety
- Vienna Convention on Civil Liability for Nuclear Damage, Vienna, 1963.
- Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water, (PTBT) 1963.
- Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (Assistance Convention), Vienna, 1986.
- Convention on Early Notification of a Nuclear Accident (Notification Convention), Vienna, 1986.
- Convention on Nuclear Safety, Vienna, 1994.
- Comprehensive Test Ban Treaty 1996.

The United Nations Conference on Environment and Development (UNCED also referred to as the Rio Summit or the Earth Summit) adopted the **Agenda 21: Green Paths to the Future** or the **Rio Declaration of 1992.** This Declaration upheld what is now regarded as the 'Precautionary Principle'. It states, "In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation." [Principle 15]

Another important and widely accepted principle is the "Polluter Pays Principle". It was initially developed by the Organization for Economic

Cooperation and Development (OECD) but later became the basic guideline for international and domestic legal regimes relating to environment. This principle in essence means that the polluter should bear the cost/ expenses of carrying out pollution prevention measures or pay for the damages caused by pollution. The **Rio Declaration of 1992** upholds this principle in its Principle 16 which states, "National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment." In India, however, before the Bhopal Gas Disaster and in its aftermath there is a dearth of proper legal instruments to regulate hazardous chemicals and wastes. It was after the Bhopal tragedy, the Environmental Protection Act, 1986 (EPA) and the rules under it were promulgated to regulate the usage and disposal of hazardous substances and their wastes. The Factories Act of 1948 was amended in 1987 to regulate hazardous processes with a view to protect worker's health. The Central Motor Vehicle Rules of 1989 regulated the transportation of hazardous substances. To provide the mechanism for dealing with the death and damage resulting from hazardous substance the Public Liability Insurance Act of 1991 and National Environmental Tribunal Act of 1995 were enacted. The Precautionary Principle and the Polluter Pays Principle have been widely been applied in a number of cases by the Supreme Court of India. The Precautionary Principle has been upheld in cases like the Vellore Citizens Welfare Associations vs UOI, 1996, M.C.Mehta vs. UOI, 1997, S.Jagannath vs. UOI, 1997, A.P. Pollution Control Board vs. Prof. M.V. Nayudu, 1999 to mention a few. The Polluter Pays Principle was first applied in the DCM Oleum Gas Case (M.C.Mehta vs. Union of India), 1987 and later adopted in several other cases.

The Supreme Court in all these cases has uphold that the precautionary principle in the context of municipal laws means:

(i) the environmental measures – by the State Government and the statutory authorities –must anticipate, prevent and attack the causes of environmental degradation;

(ii) that where there are threats of serious and irreversible damage, lack of scientific certainty should not be used as a reason for post-

poning measures to prevent environmental degradation; and
(iii) that the "onus of proof" is on the actor or the developer industrial-
        ist to show that his action is environmentally benign.

In the Vellore Citizens Welfare Forum vs. UOI, 1996 and the Indian
Council for Enviro-Legal Action vs. UOI, 1996, the Supreme Court up-
held that once the activity carried on is hazardous or inherently dangerous
the person carrying on the activity is liable to make good the loss caused
to any other person irrespective of the fact whether he took reasonable
case while carrying on his activity. This principle the Supreme Court stated
that this was a slight variant of the Polluter Pays Principle but was pre-
ferred as it was "Simple, practical and suited to the conditions obtaining in
this country."

Above all the Indian Constitution itself provides provisions for envi-
ronmental protection. By the Forty-Second (Amendment) Act, 1976 Ar-
ticle 48A was added in Part-IV (Directive Principles of State Policy) which
provided that "the State shall endeavour to protect and improve the envi-
ronment and to safeguard the forest and wild life of the country" (48A). It
was also declared that it was "the duty of every citizen of India to protect
and improve the national environment including forest, lakes, rivers and
wild-life and to have compassion for living creatures" (Article 51A). But
these being Directive Policy, they are non-self-executing provisions and
only after February 1986, the Supreme Court by its judicial interpretation
of the fundamental guarantee of the "right to life" (Article 21) stated that
this right extended to a healthy and sound environment.

Despite such legal arrangements there is no guarantee that lives of
people will be jeopardized from future dangers arising out of negligent
handling or disposal of hazardous chemicals and wastes. Further, dangers
from nuclear wastes or accidents in nuclear plants will cross all possible
limits once the catastrophe takes place. As justice was delayed and de-
nied in the Bhopal Gas Case, the people feel that in future too if any such
nuclear holocaust happens there will be no remedy or justice. This leads
us to a discussion on what went wrong in the Bhopal gas case, which has
left people disillusioned.

The Bhopal Gas Case: What Went Wrong

The Union Carbide India Limited's (UCIL) plant at Bhopal, designed by its holding company Union Carbide Corporation (UCC), U.S.A (which held 50,9% of UCIL's equity) as a formulation factory for UCC's SEVIN brand of pesticides was set up in 1969. This was produced by reacting Methyl Isocyanate (MIC) and alpha naphthol. Later in 1978 the alpha naphtol manufacturing unit was set up and a year later the MIC unit was set up at UCIL's plant in Bhopal. The first gas leak took place on December 25, 1981 when Phosgene gas leaked and plant killed one worker. Another leak took place in January, 1982 at the UCIL plant when 25 workers were hospitalized as a result of the leak. Workers' protests went unheeded. Leak from one of the solar evaporation ponds took place in March 1982. In April 1982 a UCIL document addressed to UCC noted that the continued leakage was causing great concern. Following this the UCC sent its US experts to UCIL plant to conduct audit which found out leaking valves and a total of 61 hazards, 30 of which were major and 11 of which were in the MIC/Phosgene units. That same year another leak from the plant resulted in hospitalization of hundreds of nearby residents and in March 1983 Bhopal lawyer Shahnawaz Khan served a legal notice on UCIL stating that the plant posed a serious risk to health and safety of workers and residents nearby.

By November 1984 UCC had decided to dismantle the plant and ship it to Indonesia or Brazil. Following this on December 2, 1984 the workers under instructions from their supervisors began a water-washing exercise to clear the pipes choked with solid wastes. The water entered the MIC tank past leaking valves and set off an exothermic 'runaway reaction' causing the concrete casing of tank 610 to split and the contents leaking into the air and causing the catastrophe.

Record shows that:

- Initial deaths (3-6 December): more than 3,000 - official toll
- Unofficial initial toll: 7,000-8,000
- Total deaths to date: over 15,000
- Number affected: Nearly 600,000
- Compensation: Union Carbide pays $470m in 1989 [1]

Several findings reveal that :

- 5 Lakh people affected by poisonous effects of gas leak

- 2000-25000 people died of gas leak
- 1 lakh 70 thousand to be chronically ill with respiratory, gastrointes-tinal tract (GIT), reproductive, musculoskeletal, ocular, neurologi-cal, psychological and other disorders.
- 2000 domestic animal died from gas leak
- 6000 still falling ill due to after effect
- 390 ton of poisonous waste still around the factory area causing contamination in the locality [2]

Immediately after the disaster there was demand for relief for the vic-tims and punishment of those who were responsible for the disaster. UCIL was asked to pay compensation and arrange for relief but the matter sim-ply got embroiled in legal controversies stretching over a period of 26 years. In 1984 the case was handed over to the CBI. The Government of Madhya Pradesh on December 6, 1984 set up a Commission of Inquiry called the Bhopal Poisonous Gas Leakage Inquiry Commission, presided over by N.K.Singh a sitting judge of the Madhya Pradesh High Court. Warren Anderson, Keshub Mahindra and V.P.Gokhale were arrested and later released on bail on the same day. Anderson was escorted out to Delhi on the Chief Minister's special plane.

In 1985 the Indian Government files claim for US$3.3 billion from Union Carbide in a US Court but in 1986 Judge Keenan dismissed the claim and transferred all Bhopal litigation to Indian courts. In 1989 the Indian Government and Union Carbide strike an out-of-court deal and compensation of US$470 million was given by Union Carbide, which was partly disbursed by the government among Bhopal gas victims. However, this took away US$ 2,530 million from the gas victims at one go (Rs, 3000 million –Rs. 470 million).[3] In 1996 the Supreme Court of India diluted the charges against the Indian accused and converted their offence from culpable homicide not amounting to murder (Section 304 Part II of Indian Penal Code) to rash and negligent act causing death (Section 304 AIPC). While the punishment for culpable homicide is up to 10 years' imprisonment, the maximum sentence that could be awarded for rash and negligent act is only up to two years. This led to another paradox whereby the foreign accused due to their continuous absence from the trial contin-ued to face charge of culpable homicide while the Indian accused had the

advantage of reducing their charges by the Supreme Court. Further, the government and the CBI felt that their extradition could not be sought because the demand for extradition of Anderson would have been inconsistent with the requirement of the Indo-U.S. Extradition Treaty. On similar ground the US also rejected any Indian request to extradite Anderson in 2004. In the meantime Dow Chemical bought UCC in 2001 and it began sustained lobbying to escape liability for the gas disaster and finally it was left free of any responsibility. P.Chidambaran and Kamal Nath who were members of the earlier Group of Ministers (GoM) as Finance and Commerce Ministers had recommended in official notes that a Site Remediation Trust be set up to let Indian corporate fund and implement remediation activities leaving Dow free of responsibility. This had lead to widespread protests by victims of gas leak and social activists. After years of protest and legal wrangling on June 7, 2010 the final verdict came on Bhopal gas leak.

June 7, 2010—the people killed, maimed and rendered helpless by the Bhopal gas leak were betrayed and their hopes of justice was shattered when a trial court in Bhopal under the Chief Judicial Magistrate (CJM) Mohan P. Tiwari gave his judgment. He convicted eight Indian officials of UCIL for causing "death by negligence" and UCIL, itself, as a juristic person. Apart from the 2-year imprisonment, the CJM also imposed a fine of Rs.1,01,750 on every accused. But the CJM also granted the convicts a quick bail on a bond of Rs.25,000. A fine of Rs.5 lakhs were imposed on UCIL. But the chief accused Warren Anderson has been absent or as it is commonly put has been absconding throughout the period of the trial. As seen above, now too the charges have been diluted on the basis of previous ruling of Supreme Court and the Indian accused have also been let off with a 2-year imprisonment and freed on bail.[4]

The Group of Ministers (GoM) formed immediately after the July 7 verdict and amidst large scale protests by gas victims, social activists and the opposition recommended a Rs.1,300 crore package for the victims enhancing the compensation for the kin of dead to Rs 10 lakh and for permanently disabled to Rs. 5 lakh. The GoM has also cleared a proposal for clean up of toxic site at the plant in Bhopal for burying the poisonous materials there itself. A sum of Rs. 300 crore has been set apart for the clean-up job. For environmental upgardation another 170 crore has been

proposed and 50 crore for setting up of Indian Council of Medical Research. The second and third generations of the gas victims are to receive medical treatment. Finally, there was also proposal for seeking fresh extradition of Warren Anderson and restoration of a stronger case against the accused, which was diluted by the Supreme Court in 1996.[5] This was approved by the Union Cabinet on 24 June, 2010.[6] But the constitution of this GoM comprise two ministers who had backed a proposal from Dow to clear it of any responsibility of the Bhopal gas leak especially any matter related to remediation or the clean-up of the contaminated site (P.Chidambaram actually heading it).

If this is the situation, then in future if nuclear disasters take place in India what would be the outcome and then what would be done by the Indian government. This must be given serious thoughts when one tries to look at the issue from the point of passage of the Civil Nuclear Liability Bill in August 2010.

Civil Nuclear Liability Bill, 2010

The fear for future disasters is not without reason for if nuclear plants are established in India even for civilian purpose the question is that are we equipped enough for handling such a crisis if it ever happens in India. Bhopal gas tragedy has symbolized the height of betrayal and injustice meted out to the victims of the disaster. How far is the Nuclear Liability Bill apt to handle such future disasters?

There was much furore in the Indian Parliament over the passage of the Nuclear Liability Bill (*). The opposition had specific reservation about the Clause 17(B). They wanted the word "intent" to be dropped from the clause as it meant that suppliers would be liable for an accident only if it could be proved they had the intent to cause the damage. The rephrased amendment now reads as "The nuclear incident has resulted as a consequence of an act of supplier or his employee, which includes supply of equipment or material with patent or latent defects or sub-standard services." Earlier, the Union Cabinet had cleared 18 amendments on August 20, including the one that deals with a clause on liability of a supplier in the event of a nuclear accident. The change made in Section 6(2) law triples the liability cap to Rs.15 billion from the earlier Rs.5 billion on an operator in case of an accident. But whether such an action will be taken against any MNC is doubtful but allows the State to get more compensation be-

yond the cap. The time limit for bringing actions for nuclear claims in case of personal injury has also been increased from 10 to 20 years under Section 18(b). This provision also makes the suppliers and operators accountable for the effects of radiation that could spread for twenty years and with a possibility of claims coming up after 19 years also. Section 35 upholds that victims can approach High Courts and Supreme Court for review of compensation amounts. Thus scope of judicial review has been retained but whether it will be like the Bhopal gas verdict only time will say. Some positive points about the Act is that it also makes the government liable in the case of an accident at a nuclear installation owned by it also calls for the setting up of a Nuclear Damages Claims Commission as a Regulatory authority.

However, the Nuclear Liability Bill has been severely limited if looked at closely. The victim of any accident, as in Bhopal tragedy, will not be entitled to sue either operator or supplier under this law. Section 46 says the victims can file claims under torts, which is a general principle of liability and not codified anywhere. While many countries have unlimited liability imposed on the operator and supplier and the tort law in general also insists on unlimited liability, but this bill has limited the liability of the operator of the plant at a level of Rs.1,500 crore. The Chernobyl disaster has already demonstrated how deadly nuclear accidents can be and how victims still suffer from the effects of radiation even after years of the disaster. In such case the Nuclear Liability Bill without imposing strict liability on behalf of victims and environment loss, will do little for the victims. The whole issue of liability of principal company or MNC or a supplier from foreign country, which supplied machinery, technology and training to the staff like what the Union Carbide did to Union Carbide India Limited in Bhopal, is left untouched by the new legislation.

The Chernobyl Disaster: A Lesson to Learn

A couple of years after the Bhopal Gas Tragedy, the world's worst nuclear disaster happened on the night of April 25-26, 1986 at the nuclear power plant near a small Ukrainian town of Chernobyl. The disaster resulted in contamination with long-living radioactive isotopes creating a situation where the effects of the disaster continued over a prolonged time.

The results of the disaster were:

- 23 % of Belarus' territory was contaminated with long-living radioactive isotopes (4,8 % of the Ukrainian territory and 0,5 % of the Russian territory);
- 2.3 million people were affected;
- 2,640 sq. km of the plough land was prohibited for use;
- 17,300 sq. km of the forestry has dangerous radioactive contamination levels; 135,000 people were resettled to non-contaminated areas of Belarus, residents of 415 settlements were evacuated;
- 9 agricultural plants and factories and 54 collectives farms were closed; schools, kindergartens, hospitals and other medical establishments in the contaminated regions were closed too. The contaminated areas suffered significantly from the outflow of the qualified specialists.[7]

If nuclear plants are set up in India with foreign technologies, there is no guarantee that in the near future another Chernobyl will not happen. Thus on the eve of the visit of the French President Nicolas Sarkozy to India, the Jaitapur Nuclear Power Park, Maharashtra, which would have six giant French reactors was given conditional environmental clearance in "undue haste". Local groups and Trade unions have started organizing protests in Mumbai and Konkan in December 2010. They have alleged that "The issuing of the so called "conditional" clearance… in the absence of a consideration of radioactive risks by the Atomic Energy Regulatory Board is not only premature but also a clear lapse of governance."[8] On December 6, 2010 five atomic pacts for building two 1,650 MW nuclear reactors at Jaitapur were concluded between India and France.[9] The fear and apprehension is not unnecessary for the people of this area for with the construction of this nuclear park they will become a vulnerable population always living under the dangers of an unforeseen nuclear disaster.

Concluding Observations

British energy giant the British Petroleum (BP) had been held responsible for the largest accidental oil spill which took place on April 20, 2010 after the Deepwater Horizon, a drilling rig working on a well for the oil company BP one mile below the surface of the Gulf of Mexico exploded leading to the disaster. After a series of failed efforts to plug this gushing

leak, finally BP capped what it had named the Macondo well, and ensured that oil was not gushing into the gulf. It had paid compensation to the Gulf of Mexico residents affected by the oil spill. Under pressure from President Barack Obama, BP agreed to set up a 20-billion-dollar compensation account to be funded over several years. The company also faces huge bills for the cost of cleaning up the spill, sparked when the BP-leased Deepwater Horizon oil rig sunk on April 22, two days after an explosion ripped through the platform, killing 11 workers. The point to be noted here is that, while the US is trying to extract compensation from BP for the oil spill, at the same time it has been doing the opposite in the case of Bhopal gas tragedy. During the 1989 settlement, U.S., Assistant Secretary of State, Robert Blake, had declared that there is no question of review of the Bhopal disaster and again in 2004, the US rejected the Indian request to extradite Anderson because it did not meet the requirements of the Indo-U.S. Extradition Treaty. Now although the Indian accused persons have been punished, though not quite severe, the main accused Anderson is still absconding and residing in the US. After the Bhopal verdict on June 7, 2010, the US Assistant Secretary of State for South and Central Asia, Mr. Robert Blake said, "And let me say that we hope that this verdict today helps to bring some closure to the victims and their families." He further stated, "But I don't expect this verdict to reopen any new inquiries. On the contrary, we hope that this is going to help bring closure." This means that the US is bent on having no new probe on Bhopal and hoped that this would not have any effect on the N-Bill passed later on by the Indian Parliament.[10]

Therefore, in the light of Bhopal gas disaster, the Nuclear Liability Bill must be scrutinized critically as nuclear accident will have severe consequences than any oil spill and even gas leak. Here one should highlight the significant observation made by the June 7 judgment. It stated, "The tragedy was caused by the synergy of the very worst of American and Indian cultures. An American corporation cynically used a Third World country to escape from the increasingly strict safety standards imposed at home. Safety procedures were minimal and neither the American owners nor the local management seemed to regard them as necessary. When disaster struck, there was no disaster plan that could be set into action. Prompt action by the local authorities could have saved many, if not most, of the

victims. The immediate response was marred by callous indifference."[11]
What seems to be clear is that the Third World countries will continue to
be the target of the developed countries and MNCs for minimal safety
standards and limited liability incase of disasters and in future if such disas-
ters happen, justice will be delayed and denied to the victims.

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The Birth of East Timor

Munmun Majumdar

By the nineteenth century the Dutch and Portuguese had established their hold in Southeast Asia and remained as the only colnial powers to influence the outcome of the Timor Island. The two European powers then agreed to split the island of Timor. The portuguese friars connized its eastern part, while the western half of the island enclave, fell under the Dutch control with the formal demarcation of colonial jurisdiction complete in 1913. That demarcation survived Indonesia's national revolution after August 1945, with independence sought only within the domain of Netherlands East Indies. West Timor therefore became an Indonesian territory with its capital in Kupang. Indonessia's boundaries consequently remained as those left behind by the last Dutch conquest. As the legal heir to the former Netherland East Indies, the Indonessian Republic considered that the territory should extend from the island of Sabang to Merauke, with the exception when Indonesians annxed the island of East Timor.[2] If any slogan to Merauke', a geographical assertion of the Indonesian national space.[3] Under this slogan, Indonessian nationalists began to organize aganist Dutch colonial rule in the first half of the twentieth century, fought a war of independence in 1945-1949, and then campaigned for the transfer of Papua (Irian Jaya) from Ducth to Indonesian rule from 1950 to 1962 and ratification in 1969 through the so called Act of free choice.[4] Under the same slogan, the unity Republic of Indonesia has been defended ever since. However the Indonesian invasion of the territory of East Timor in 1975, the subsequent promulgation of the Law providing for the intergration of East Timor into

Indonessia as its twenty-seventh province revised the long standing reison d'etre for the terrotorial boundaries of the Republic which until then had been comprehended with reference to the Dutch colonies in Indonesia.

The Struggle for independence of the East Tiomor

Until the charge of government in Lisbon in April 1974, portugal ruled over East Timor as its "Overseas province", and even formulated this as an agreement to the Portuguese Constitution rejecting thereby the UN General Assembly contention declared in 1960 that the territories under portuguese administration were non-governing territories within the meaning of chapter XI of the UN Charter. The "Carnation Revolution", in Portugal opened a new era for the Portuguese colonies. Portugal acknowledge the Chapter XI obligation and in july 1974 a Constitutional law was adopted accepting the right to self determination, including independence of the colonies. In july 1975, a law was passed providing for the formation of a transitional government in East Timor to prepare for the election of a popular assembly in 1976.[5] There had been a popular resitance to colonialism including a major uprising in the early twentieth century[6]. The often highly localized pre-colonial social and political economic structures of Timor remained intact throughout most of the portuguese colonial period, weakening the prospects for any modern form of anti-colonial nationalism[7]. The first contours of the development of anti colonial nationalism opened specifically when the portuguese Armed Forces movement (AFM) overthrew the Caetano regime in 1974. However the phenomenon found expression among small groups of educated East Timorese elites in the Capital Dili. The most economically placed Carrascalao family played a central role in the creation of the first prominent East Timorse political party, *the Timorese Democratic Union* (UDT). The UDT originally had favored continued, indefinite alliance with Portugal, but a popular support for independence grew in 1974-1975 it shifted its position accordingly. Somewhat lesser Timores elites including various members of Bureacracy and military, formed the second major political party, originally called *the Association of Social Democratic Timorese* (ASDT), but renamed the Revolutionary Fornt for an Independent East Timor, or Fretelin. Fretilin quickly overtook UDT in popularity, championing a broad vision in national liberation. It gained support of the rural Timorese through its programs in local agriculture, the extension of health services and literacy campaigns.

Among the other parties formed around that time was the *Timorese Popular Democratic Association,* or Apodeti. Apodeti had a small base primarily among certain traditional local rulers *(liurai).* Apodeti is significant because it was established with the help of Indonesian intelligence operatives. The political activity within East Timor, and the ferment that followed, aroused concern in Jakarta, at the prospects of East Timor becoming a "Cuba on its doorsteps". Indonesia attempted to set the stage for forcible incorporation of East Timor through the promotion of Apodeti, at the same time it also attempted to recruit support for integration among UDT members. Indonesia was skillfully able to play on the divisions within the coalition formed by *Uniao Democratica Timorese (UDT) and Frente Revolutionaria de Timor Leste Independente* (Fretelin : Revolutionary Fornt for and Independent East Timor), and succeeded persuading several key (UDT) leaders such as the party's president Lopez da Cruz of the merits of integration. In July the Indonesian President publicly stated that an independent East Timor was not viable. In August 1975, the Indonesian armed forces launched a campaign to annex the territory and the Indonesian intelligence operatives provoked a brief civil war from which the progressive, pro-independence party Fretilin emerged victorious. This failure prompted the Indonesian Armed Forces to initiate full scale military operation despite the assurance of the President of Indonesia that East Timor would remain outside the interest of Indonesia. Even the Indonesian foreign minister Adam Malik in a letter to Jose Ramos Horta, had reaffirmed that "the independence of every country is the right of every nation with no exception for the people of Timor... whoever will govern in Timor after independence can be assured that Indonesia will always strive to maintain good relations, friendship and cooperation for the benefit of both the countries."[8] Fearing the prospects of an imminent invasion, Fretilin declared East Timor's imdependence on 28 November 1975. Two days later Indonesia invaded. Indonesia's invasion of East Timor can be seen as the apotheosis of the ethnic nationalist vision of a Greater Indonesia. Although the 1945 Constitution explicitly defined the country as excluding East Timor, the Suharto regime decided nevertheless to invade days after the tiny state declared its independence.

The Indonesian army[9] had been instrumental in the invasion, incorporation and the subsequent management of East Timor. Although

the 1945 Constitution explicitly defined the country as excluding East Timor,
the Suharto regime decided nevertheless to invade days after the tiny state
declared its independence. The result was a bloodbath that also dealt a
body blow to Indonesian international aspirations for more than 20 years.
Yet Indonesia continued to defend that it did not invade East Timor and
instead helped to liberate them from the communist yoke. In his
Independence Day speech in 1976, President Suharto announced to the
people of East Timor "we do not regard you as newly arrived guests. We
look upon you as our blood brothers who have returned to our midst in
the big family of the Indonesian nation".[10] The UN neither recognized the
authority of the Regional Popular Assembly nor endorsed its decision
concerning the status of the territory. International disapprobation was severe
and continued till the question of East Timor was resolved.

The decision by the Indonesian government to invade East Timor
was based principally on security fears and on obsession with anti-
communism. Fretelin portrayed as a Marxist inspired organization together
with the overthrow of the Coetano administration revived and exacerbated
the Indonesian fears of communism. The US troops around this time were
completing their painful retreat from Vietnam. Their desire to see a fair
decolonization process in East Timor fell far short of its desire not to disrupt
friendly relations with Jakarta which had distinct pro-west leanings. The
US view was very much colored by the cold war and Suharto's Indonesia
was a prize that needed to be protected.[11] In return for loyalty to the west,
Indonesia received significant aid, investing and arms sales. The Indonesian
army which played a decisive role in the annexation and after almost entirely
depended on American aid.[12] With the establishment of communist regimes
in Indochina, Indonesia's strategic location made it one of the most important
boundaries to ward off possible communist advances in the region.
Therefore, Indonesia was a valuable strategic asset. The tacit support of
the US was thus intended to safeguard their major western powers not
only tacitly approved of the invasion and even supplied crucial military and
economic aid to Indonesia in support of the invasion and occupation.

The Indonesian policy of military offensive accompanied by a range
of development initiatives directed at consolidating integration did little to
convince the people of East Timor that the development was for their
benefit. Instead it created new problems. The heavy bandedness of the

security forces neutralized any goodwill that could have been earned through development spending. The social effects of immigration[13] have led to suspicion and deprivation finally culminating in the outbreak of violence between immigrants and Timorese. Considerable hostility was generated by the military seizure of property and commerce of the territory and the extensive use of military personnel as an arm of the state administration did not endear the Timorese to their Indonesian masters.[14] Although through continuous repression and propaganda the army had tried to crush all manifestations of political opposition and manage of East Timor through military control and action.

East Timorese nationalism was already strong in 1975. It was given further strength by the visible intrusions of the Indonesian state. The sustained policy of the Indonesian army to crush the Falintil was assisted by the counter insurgency technologies supplied by the US and later France and UK as well as Australia.[15] The extensive use of military personnel as an arm of the state administration did not endear the Timorese to their Indonesian masters.[16] The massive deployment of troops, the Operasi Keamanan directed at flushing out the Falintil fighters, the resettlement policy[17] could not subjugate the Timorese resistance. Though Fretilin was largely dismantled by 1978-1979, and its military arm Falintil, reduced to rather desperate survival strategies, the brutality of the Indonesian invasion in fact catalyzed even deeper support for independence among most Timorese and provided an atmosphere conducive to Fretilin's continuation. In this context Falintil expanded its strategy of liberation struggle to include all Timorese, a move consecrated by specific changes introduced under the leadership of Xanana Gusmao in 1983. This enabled to broaden the liberation movement further and pulled back much of the UDT leaders back into alliance with the Fretilin leadership. Xanana Gusmao backed the idea of forming a new "revolutionary council of National Resistance". (Conselho Revolucionaria de Resistencia National or CRRN), as the supreme body of the resistance. This was designed as the umbrella organization to include all the nationalist groups fighting for Timorese independence, both inside and outside Timor. In March 1986, the formation of a new nationalist convergence between Fretelin and UDT was announced in Lisbon with CRRN becoming the "National Council for Maubere resistance", (Counselho Nacional de Resistencia Maubere or CNRM)

under the presidency of Xanana Gusmao. The CNRM became the common political front of the anti-integrationist movement. It was successful in forging links with Timorese Student national resistance (Resistencia Nacional Estudantil de Timor Leste or Renetil).[18] Jakarta pursued colonial policies in East Timor that had many similarities to those followed by the Dutch in their East Indies colony earlier in the century, with much the same result: an even more nationalist-minded younger generation.[19]

The Timorese Church provided an essential moral dimension to the struggle and tried to retain a sense of separate cultural identity[20] and the only protection from the Indonesian army. The Bishop of East Timor is directly responsible to the Vatican and consequently the clergy in East Timor enjoys some independence from the Indonesian Gogernment. The church showed solidarity with the resistance leaders by extending care to the wives, widow, children and orphans of the fighters. This has been done through the institution of the colegios. This network of colegios and church centres caring for families of resistance fighters also played a role in keeping alive the knowledge of Portuguese language, costoms, despite the Indonesian attempt to impose Bahasa Indonesia and the predominantly Javanese culture in the Indonesian run schools.[21] In this the role of Mgr Carlos filipe Ximenes Belo, the Bishop of East Timor has been particularly conspicuous who argued for a diplomatic solution in East Timor including "the respect for the right of a people for self determination".[22] This also made the Timorese independence struggle more visible and gain substantial support from the Catholic Church groups abroad. The significance of this process was highlighted by Bishop Belo's receipt of the Nobel Prize.

The East Timorese youths formed the backbone of an emerging mass non-violent resistance movement that paralleled the guerilla forces continuing their symbolic stand against the Indonesian army.[23] The opening of East Timor allowed for better flow of information to international supporters of the cause for freedom. This development coincided with the rise of internet which facilitated rapid communication and distribution of information among the scattered international network of East Timor activists. However the early years of the Timorese struggle which had resulted in heavy loss of life, the extensive use of excesses that were being committed by the Indonesian army to implement *integrasi*, use of brutal force against pro-independence activists and their supporters received very

little attention when the communists were "dying as a nation".

The conscious spread of Bahasa Indonesia was aimed at securing a foothold in East Timor was indeed a perfect vehicle for building a pro-integration consciousness. the East Timorese resented the replacement of the Portuguese education system.[24] Although the spread of education was perhaps the single most beneficial effect of Indonesian rule, that too generated the problem of unemployment[25] since Indonesian youth have been preferred over the East Timorese.

Similarly the social effects of immigration[26] have led to suspicion and deprivation finally culmination in the outbreak of violence in 1994 and again in 1995 between the immigrants and Timorese. Despite enormous risks the resistance grew in number. This indicated the failure of the Indonesian policy of *integrasi*, which had become synonymous for most Timorese with Indonesian colonialism and its persecution of Timorese culture and society. The turning point in the balance of forces in East Timor came when the Indonesian troops opened fire at a peaceful procession to a cemetery to mark the killing of a guerrilla Sabastiao Gomes in which more than 273 people were killed. The Armed forces Commander Try Sutrisno defended the army's action amid growing disquiet. For the first time, the Indonesian Government set up an official enquiry. The National Investigating Commission headed by Major General Djaelani and six other government official's recommended trivial punishments and sancitions for a small number of soldiers and junior officials. Its findings were noteworthy since it amounted to a rare admission that the government was at fault. Although the Indonesian authorities sought to downplay that incident by referring to the incident as a "regrettable incident" (musibah), Max Stahl's graphic film provided the defining images for an issue that prompted renewed international attention. The Indonesian government was embarrassed since it had claimed that the situation had normalized. Ironically, it was this normalization which had allowed the journalists to be in East Timor at that time. After the Santa Cruz incident, the ban on foreign journalists traveling to East Timor was re-imposed.[27]

Then again in the Congressional hearing in 1992 on Human Rights violation in East Timor in which Allan Nairn, whose skull was fractured as a result of the beating by Indonesian soldiers at the time of the Santa Cruz incident gave the crucial testimony.[28] After the Santa Cruz incident, the ban

on foreing journalists traveling to East Timor was re-imposed.[29] Governor
Carrascalao was replaced by Abilio Soares who gave support to a forceful
military approach in East Tiomr. In an interview, Soares was asked about
the nagative psychological effects of the Santa Cruz massacre, he said,
"As far as I am concerned, I think far more should have died... what
happened was an incident. It was not something we wanted it to happen.
The time will come when people will be convinced that it was an incident
and that it was quite understandable".[30]

The FRETILIN representatives abroad, human rights activists,
Portuguese officials continued to use the incident to return the East Timor
case to international prominence. On 25 November 1991 the then US
Senator and Vice President Al Gore joined 51 other US Senators in writing
to President George Bush denouncing the Dilli massacre and imploring the
administration to do more to bring about "true self-determination", for the
East Timorese.[31] These criticisms of Indoneasia raised in the US Congress
were responsible partly to an ultimate reversal of Washington's policy. The
support for the Resolution passed by the UN Human Rights Commission
in March 1993 which censured Indonesia for its poor human rights record
in East Timor, startlingly came from the US, which in the past had voted in
similar forums in support of Indonesia. The decision of the Clinton
Administration to back the resolution signaled a toughening of Washington's
stand on East Timor. Twenty one countries followed suit.

The end of the cold war led Washington to reassess its approach to
the region. The fight against communism had been won and a free East
Tiomr was no longer seen as another Cuba. Indonesia was not required to
be the crusader against communism. The US needed access to natural
resources, especially oil, and local markets. In an atomosphere of resurgent
communist activity after the Indochina victories, Washington would have
endorsed any measure that appeared to be anti-communist. It turned a
blind eye all the while as long as Indonesia was a key ally against the
Soviet Union. Conversely with the end of the cold war, more critical attitudes
emerged. The US Congress expressed concerns about East Timor and
the fate of Indonesia lay on the agenda of the Senate Foreign Relations
Subcommittee. With the Secretary of State Warren Christopher stating
publicy that Washington favored a political transition in Indonesia that
reflected the political pressure for democracy.[32] The shifts in international

system therefore created new space for challenging the Indonesian occupation and western support for Jakarta.

The post cold war situation together with the mounting international pressure forced Indonesia to hold high level talks with the East Timorses resistance leaders. Indonesia realized by the mid-1990s that some urgent step was required to be taken in East Timor. Signs of increasing impatience came to the fore when half way through his speech to the UN general Assmbly in September 1992, President Suharto[33] was reminded that the pressure for democracy, self determination and respect for human rights could not be willed away when in the General assembly, a two meter banner was unfurled reading, "Free East Timor". Then again in a dramatic sit in by 20 East Timorese youth in the US embassy compound at the time of the November 1994 Asia-Pacific Economic Cooperation (APEC) forum in Jakarta further enhanced public awareness of the East Timorese issue world wide.

Major developments took place in 1994 and again in 1996 in Dili. The capture of the resistance leader Jose Alexandre (Xanana) Gusmao and his continued activism from prison raised the profile of the resistance. In 1996, the Noble peace Prize was awarded to two leading East Timorese personalities, Bishop Carlos Filipe Ximenes Belo, the apostolic administrator of Dili and Jose Ramos Horta, the leading exiled spokesman of the East Timorese resistance, "for their work towards a just and peaceful soloution to the conflict in East Timor".[34] The award of the peace prize bestowed international legitimacy to the struggle for freedom of East Timor.[35] This was an important event calling international attention to the plight of the Timorese and a serious political condemnation of Indonesia's occupation. Another important event was when President Saddam Hussein expressed his surprise at the international community's reaction to his aggression against Kuwait, commenting that, in contrast the world had turned a blind eye to Indonesia's invasion of East Timor. This remark prompted more than half the members of the Congress to sign a letter to President George Bush pushing for greater action on behalf of the Timorese.[36] Although East Timor gained more attention during 1989-1991, this visibility did not translate into policy changes that could end the Timorese sufferings.

For its part Jakarta saw these developments as a threat. The army had retained its hold on East Timor at an enormous human and material

cost and was not willing to give it up easily. It invested hundreds of million dollars towards development activities with the view to blunt the unabated clamor for independence. This investment would go waste if East Timor was allowed to be free. Besides the wishes of the army which was the power base of the new order had to be fulfilled. Therefore, so long as President Suharto was at the helm of affairs, the political aspirations of the East Timorese were not regarded as legitimate demand. Yet Indonesia had to accept an outcome which it sought to resist. The failure of the Army's policy to integrate East Timor may be sought in the assumptions fundamental to Indonesia's behavior. Jakarta has always portrayed East Timor's problems as essentially ethnic and religious in character thus defying the essence of Pancasila rather than a symptom of its own conduct. Additionally they may be attributed to the political forces of democracy inside Indonesia had begun to question the authoritarian nature of the New Order regime. Since this domestic posture within Indonesia itself drew some of its inspiration from East Timor it became inextricably linked with the destiny of the democratic movement in Indonesia. Such developments coupled with the changing environment in Indonesian politics, and helped place the East Timor case at the centre of the Indonesian political debate. Indonesia was obliged to enter into a dialogue with Portugal under the auspices of the UN. The dialogue proceeded fitfully until the economic crisis hit Southeast Asia in 1997. The unwritten compact, which had kept President Suharto in power namely political compliance in return for economic gains was broken. Inter communal violence spread and the government came in for sustained attack from students led protests. There were widespread calls for a democratic transition to power. And finally Suharto was forced to relinquish power. In Javanese terms Suharto lost his *wahyu*. Suharot's downfall in May 1998 paved the way for a decisive change in Indonesian policy in East Timor. And at a time of fundamental regime change in Indonesia, as the therats to public order grew it became increasingly questionable whether it was worth maintaining such a significant military presence in East Timor.[37] Once described as a pebble in the shoe by Foreign Minister Ali Alatas President Habibe decided that the fate of the agonizing and stubborn pebble had to be addressed.

There are a mumber of reasons that explain why after so many years Indonesia allowed the referendum. Assessed from a pragmatic standpoint

President Habibe had little choice otherwise. The monetary crisis in Southeast Asia impacted heavily on Indonesia. The concession to hold popular consultation in East Timor to determine whether the East Timorese accepted of rejected a special autonomy for East Timor within the Republic of Indonesia was in a sense a trade off for the much needed IMF restructuring loans. Thus Indonesia's weakened economic situation and the consequent political ferment made it increasingly impossible to sustain its policy in East Timor. Besides, Indonesia's policy in East Timor violated its own commitment which opposes all forms of colonialism. According to Devi Fortuna Anwar, "We made a mistake and therefore we had to undo the mistake by giving a choice to the people of East Timor".[38] She was also reported to have said we see East Timor as an appendix giving a fever to the rest of the country". For President Habibe the choice was simple. If there was an infectious body, then it was logical that it be removed. Indonesia also realized that it did not benefit economically by retaining its hold on East Timor. On the contrary it was a major drain in its economy. Finally Preasident Habibe may have had his vested interest in taking the initiative on East Timor. He told the Ulamas, "The integration process of East Timor to Indonesia twenty four years ago was not right as the UN and the international community kept on asking about it. In the name of God almighty, I decided to hand this matter to the East Timorese to choose whether to join Indonesia or not".[39] Therefore President Habibe may have wished to make his mark by resolving East Timor issue once and for all as part of his plan both to strengthen his democratic credentials at home and his credentials abroad.[40]

The resolution of the issue meant the removal of a major obstacle in Indonesia's international dealings. It could uphold its foreign policy principle of anti-colonialism since it saw the conclusion of a wasteful colonial episode. Indonesian foreign policy therefore did not require being defensive in regard to its policy in East Timor. Thus, the transformation of the global geo-political economy which occurred independently of events in East Timor but inadvertently helped to create the impetus for Indonesian withdrawal. The fall of the Suharto regime was to prove crucial moment for the struggle for independence in East Timor and pro-activists in East Timor quickly seized the opportunities created by the economic crises and the changing configuration of geo-political power and construct strategies in ways that

maximized the impact of their long drawn struggle for freedom. The East Timor issue provides an illuminating case study and a barometer to measure how far the normative structure of international socity has changed. During the cold war the US and its allies gave the go ahead to president Suharto to annex East Timor. Twenty four years later when circumstances changed these very powers exerted intense international pressure on Indonesia to allow a UN mandated intervention to stop the "worrying situation in East Timor".

Thus, President Habibe allowed a referendum that voted for independence. The Indonesian military forces and paramilitary proxies accelerated a campaign of terror against independence supporters. The Indonesian army and militia groups tried to derail the vote, killing and deporting many thousands and carried out a scorched earth campaign of terror and destruction and literally razed the country to the ground, killing thousands of people. Habibe was eventually forced to accept an international peacekeeping force. His policy required a psychological paradigm shift in a country where the dominant historical narrative insisted, in defiance of the facts that Indonesia had acted to liberate its East Timorese 'brothers and sisters' and was now delivering only good things. In doing so he falied to realize the full implications of his foreign policy for the army who had ruled the island since its invasion in 1975. A whole generation of the Indonesian army had taken the pains to integrate the province as a part of the republic. Now they saw their efforts go to waste. The military's attachment to the territory was out of proportion to any rational assessment of interest. In this situation, President Habibe had failed to anticipate the reaction of the military. He lost his chance of re-election because he lost the support of the factions opposed to independence for East Timor. The East Timor had been a test of the dual function (dwi-fungsi) role accorded to the military in the Indonesian State. The prolonged Timor campaign had been the biggest commitment and failure of the ABRI.[41] Even with considerable resources at hand and negligible restraint from the centre the military could not govern East Timor, even though it had been strongly committed to retaining East Timor as part of Indonesia. General Wiranto and Feisal Tanjung had paricipated in the descussions and accepted the policy reversal. General Wiranto's public condition was that the correctness of the original inervention in East Timor in 1975 should not be questioned

in view of the sacrifices made by the military personnel during the previous two decades.[42]

The struggle for independence in East Timor came to fruition when on 30 August 1999, more than 400000 East Timorese, nearly all of the adult population of East Timor voted in a UN -monitored referendum on the Indonesian government's autonomy proposal. Nearly 80% of those who voted rejected special autonomy within the Indonesian State, opting instead for independence. In doing so they articulated electorally the position they had previously expressed through nearly 25 years of resistance to Indonesian occupation. The Referendum set in motion a process of transition, under United Nations auspices, that led to a formal consummation of this resistance with the inaugural independence day celebration on 20 May 2002, and the swearing in as President of Xanana Gusmao, a long standing leader of the independence struggle. The cost of the Timorese resistance was high to the bitter end, as it had been throughout the period of occupation.

The liberation struggle in East Timor and the final shedding of Indonesian occupation stands as a remarkable if seemingly untimely concluding chapter to a century of revolutionary anti-colonial struggle, coming long after the era of national liberation ended. East Timor's independence did offer the chance for Indonesia to move ahead, free of the burden of this intractable problem. Yet it also served as a lesson that no amount of harsh repressive action can defeat a nationalist movement, rather the security approach only stimulates further nationalism.

The international context derived from its history as a Portuguese rather than a Dutch colony was rectified when Indonesia withdrew from East Timor. The crucial issue before Indonesia is whether there is space in the post-East Timor Indonesia to renegotiate the terms of engagement so that diversity can be brought back into the unity of Indonesia comprising of a land that stretches from Sabang to Merauke.

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Indian Diaspora in South East Asia : Predicaments and Prospects

Jayita Mukhopadhyay

Recent enthusiasm shown by Indians in claiming Nobel laureate Venkataraman Ramakrishnan, the Cambridge scholar as one of our son of the soil actually became a source of consternation for this very gifted scientist as his inbox got clogged up with emails from India. We unfailingly display the same euphoria, the same urge to reaffirm our kinship ties with all those persons of Indian origin from Kalpana Chaola to Amartya Sen, Lakshmi Mittal to Swaraj Paul, who make a mark for themselves in arts or science, sports or entertainment, business or social service.

However, an uncomfortable question pops up its head amidst this celebration of the umbilical ties between mother India and her sons and daughters who by choice or by force of circumstances have relocated themselves in far-away countries. Are we equally responsive to the plight of the less fortunate members of Indian diaspora who often face various kinds of persecution in their adopted homeland, who are subjected to unfair competition in their endeavour to set up a business or secure a job, who are frequently politically disenfranchised, racially discriminated against or culturally marginalized?

This paper is an attempt to probe these uncomfortable issues embroiled in the relationship between the Indian diaspora and the government and people of India. The first section of this paper takes a brief note of how to define the Indian diaspora, presents a few data regarding the spread of

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the diasporas and traces how the policy of the government of India towards the diaspora has undergone a shift. A vignette of the present sociopolitical status of Indian diaspora in Southeast Asia is presented in the second section. Attention has been focused on countries like Malaysia and Myanmar where the Indian diaspora faces challenging situations. How government of India has responded to these challenges has also been taken note of. The third section evaluates how far the policy measures suggested by the High Level Committee on Indian Diaspora (Report of L.M. Singhvi Committee, 2002) address the grievances of people of Indian origin and also endeavours to point out what remains to be done.

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I

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The "Diaspora" originally meant the dispersion of Jews living amongst Gentiles. More recently, the term has come to mean a dispersion of originally similar peoples. A diaspora exists when those people, living far from home, forge some sort of community with each other, and maintain a relationship (real or otherwise) with their homeland.[1]

The Indian Diaspora is constituted of the people who migrated from territories that are currently within the borders of the Republic of India. It also refers to their descendants. The Diaspora is currently estimated to number over twenty million composed of "NRIs" (Indian citizens not residing in India) and "PIOs" (Persons of Indian Origin who have acquired the citizenship of some other country). The Diaspora covers practically every part of the world. Spread across 110 countries, and estimated at about 25 million, it is one of the most unique diaspora of the world. It is extremely varied, with number of religious and sub-ethnic identities and also diverse occupational and income patterns from the highest to the lowest.[2]

Before Independence, it had very little contact with the motherland. Nevertheless, on March 18, 1946, addressing a predominantly Indian gathering in Singapore, Jawaharlal Nehru said: "India cannot forget her sons and daughters overseas. Although India cannot defend her children overseas today, the time is soon coming when her arm will be long enough to protect them." [3] However, on other occasions, Nehru categorically advised his overseas brethren to integrate and assimilate themselves in their adopted homelands. [4] The hope of the diaspora that an Independent India will take active interest in the plight of overseas Indians were belied. In the post-Independence period, the government of India's stand towards

its diaspora continued to be quite ambivalent. Our policy makers felt that
if India fully supported the cause of Indian community whenever it faced a
crisis, it would not only alienate the government of the host country, but
would also not help the Indians in the long run as they had to eventually
depend on the country of their residence. Thus, in spite of being sympathetic
to and supportive of the concerns of Indian community, the government of
India preferred not to interfere in the affairs of other governments. In
erstwhile Burma in 1964, when General Ne Win nationalized all businesses,
the large Indian community became homeless and penniless overnight, but
India remained a silent spectator. In 1970, in Malaysia, the enactment of
the New Economic Policy (NEP) created difficulties for the Indian
communities but India chose not to take any stand.[5]

However, things changed rapidly in the early 1990s as India adopted
the strategy of globalization and liberalization and mandarins in the South
block started exploring all possible avenues of realizing India's dream of
becoming a regional big power. New Delhi now started viewing Indian
diaspora as powerful partner in India's venture to affect an economic
transformation of the country. What is to be noted here is that, despite
odds, people of Indian origin has been considerably successful in business
and profession in their adopted homelands. As our President has recently
observed, 'The story of the overseas Indian community is truly the story of
ordinary people with extraordinary courage and enterprise. It is a story of
trials and tribulations and the eventual triumph of the migrants who traveled
to distant lands.'[6]

The economic vitality of this group was to be harnessed for our
economic benefits, they were to act as a bridge between India and the
outside world. There was now a new found concern to use and nurture the
symbiotic relationship between India and its diaspora to the advantage of
both. Accordingly, in 2000, the Government of India established a High
Level Committee under the Chairmanship of Dr. L.M. Singhvi, MP, with
the mandate to make an in-depth study of the problems and difficulties,
the hopes and expectations of the oversees Indian community. The report
of the Committee tried to sensitize Indian people about the problems and
expectations of the diaspora and also to propose a new policy framework
for creating a more conducive environment in India to leverage these
invaluable human resources and thus forge stronger ties between the two.[7]

II

Let us turn our attention to the condition of Indian diaspora in some Southeast Asian countries. Large scale Indian emigration to Southeast Asia took place in the 19th and 20th centuries as a result of colonialism through the indenture or Kangani system, (our colonial masters forcefully took away Indians to work in rubber, tea and coffee plantations) and also by 'free' emigration of traders, clerks, bureaucrats and professionals. Thousands of Indians were mobilised to fight in the Indian National Army (INA) in Malaya and to contribute to the cause of Indian independence. After Independence, Indians continued to migrate to Thailand, Malaysia, Singapore, Brunei and Indonesia in search of employment, with the pace picking up from the 1970s onwards. The Indian community constitutes 7.3% of Malaysia's population, 5% of Myanmar's population and 9.71% of Singapore's population. [8]

Indian ethnic community in Malaysia consists of mostly Tamils (80%) and bulk of them are Hindus. A large section of Indian community has remained engaged in the plantations and lagged behind in economic progress and education. As a result, per capita income of an Indian in Malaysia is below that of an average Malaysian. [9] Whereas in most countries affirmative action programmes or quotas are reserved for underprivileged or disenfranchised minorities, in Malaysia the beneficiaries of such actions are the bhumiputras, (sons of the soil), a category that includes, the numerically dominant Malays. The Indians, one of the poorest sections of the population are not denied affirmative action, but, some five generations after they arrived in Malaysia, still may find themselves denied citizenship and even identity cards. [10] There are widespread allegations about serious discriminations faced by Indian community in matters of education, basic citizens' rights, economic wellbeing, housing, licenses and permits for trades and regulated occupations, and government funds allocation.

Increasing Islamization or as some scholars have put it, 'Arabisation' of Malaysia has lead to rapid marginalization of ethnic Indians. As Malaysia was celebrating its 50th anniversary in 2007, the country witnessed one of the largest public protests by the minority Indian Hindus in the capital city of Kuala Lumpur. On 25 November 2007, the Hindu Rights Action Front (HINDRAF), an umbrella organization of more than 50 Hindu groups staged a mass demonstration in Kuala Lumpur, accusing the Malaysian

government of practicing deliberate economic marginalization of ethnic Indians in Malaysia, religious persecution against the Indian Hindus, denial of political rights and ethnic cleansing.[11] The coalition had been particularly vociferous against what it calls the unofficial policy of temple demolition and the steady introduction of Sharia-based law. The Memorandum, submitted to the British High Commission, demanded that the United Kingdom should move an emergency resolution in the United Nations condemning the "ethnic cleansing" taking place in Malaysia. On the temple issue, the Malaysian Government maintained that most of these temples had been constructed in government owned lands without proper authorization and were being demolished to make way for highways, housing projects and shopping centers. Strangely, there have been no reports of the destruction of Chinese places of worship for such developmental projects.[12]

Malaysian police brutally cracked down on HINDRAF protesters, using tear gas and water cannon on unarmed protesters. Leaders were arrested without the framing of charges and trials under the Internal Security Act. The news of political turbulence in Malaysia involving the Indian community predictably generated a sense of outrage and concern in India, particularly in southern part of the country. Tamil Nadu's Chief Minister, M. Karunanidhi called upon the Indian Prime Minister to take note of the poor and discriminated ethnic Indians in Malaysia. The Malaysian government reacted strongly and asked Karunanidhi not to interfere in the internal affairs of the country. The Indian government's initial response came in the form of a 'balancing act' extending support to Karunanidhi and the cause of Indian diaspora, distancing itself from the HINDRAF and cajoling the Malaysian government by highlighting its strong political, economic and security ties. While India's external affairs minister, Pranab Mukherjee expressed concern in the Indian Parliament on 30 November 2007 over the use of force against the peaceful demonstrators, he refused to meet the HINDRAF leader, P Waythamurthy and denied any support by India to the HINDRAF on the ground that it pertains to Malaysia's domestic matters. Approximately a month later, Mukherjee, during his visit in January 2008, described Malaysia as 'the cornerstone of India's Look East Policy' and discussed about enhancing defence and security ties with the Malaysian government. [13] The issue of ethnic Indians found no mention

in the discussion. There has been a slight improvement in the situation in Malaysia following the 2008 general election in Malaysia in which the electoral performance of the ruling Barisan National Front received a jolt. Though it managed to form the government, it fell below the two-third majority mark in Parliament, mainly due to the negative vote of ethnic Indians. Prime Minister Nazib Tun Razak, in a move to assuage the Indian community, released three HINDRAF leaders from detention. This signifies at least partial vindication of the *Makkal Sakthi* (People's power) campaign spearheaded by HINDRAF. However, any substantial improvement in the condition of Indian community is yet to take place and ethnic Indians, as lamented by HINDRAF leader Waytha Moorthy, continue to be treated as 'third class citizens'.[14]

Myanmar also has a sizable Indian community. According to the *Singhvi Committee Report*, 400,000 of them are stateless, although all of them are born in Myanmar and belong to the third or fourth generation. But since they do not have any documents to prove their citizenship under the Burmese citizenship law of 1982, they are deemed to be stateless. Their economic condition also is quite dismal. In the Yangon area, which has its largest concentration, most of the PIOs are engaged in jobs like domestic help, mechanics and construction workers. Only a handful of them are doing well in trade and business. There are hardly any Indian student in colleges and universities and there has been a virtual extinction of a professional class among the Indians. They have no social or political clout as the present military government (junta) does not allow any political activity.[15] As T. P. Sreenivasan, former Indian Ambassador to Myanmar has pointed out "they had no rights either in the land of their origin or in their land of adoption, and neither the two governments seemed concerned."[16] There has been practically no compensation for the land holdings of Indians nationalised in 1948 or the private business nationalised in 1962 following military takeover. However, New Delhi has followed a "hands-off policy" with regard to the Indian community in Myanmar.[17] New Delhi is in fact quite keen to provide legitimacy to the authoritarian government in Myanmar and trying to constructively engage the junta for a host of reasons like countervailing Chinese presence, securing cooperation to tackle insurgency in the north-east, getting access to reserves of natural oil and gas in Myanmar and so on. The issue of securing the right of

dispossed Indian community is sacrificed at the altar of realpoilik.

Condition is very different in Singapore where the ethnic Indian community, a diverse group consisting both highly skilled professionals, successful businessmen and unskilled workers face no unusual discrimination and earn higher average monthly incomes than the Chinese or Malays and are more likely to hold a university degree than these groups. They are well represented in politics and in higher echelons of judiciary and executive and two of Singapore's Presidents till now have been persons of Indian origin.[18]

III

The Singhvi Committee Report, released on 8 January 2002, while recognizing the important role of the diaspora in mobilizing political support on issues of vital concern for India in countries like US and UK, made several recommendations for strengthening the bond between India and the diaspora. In recognition and appreciation of the constructive economic, political and philanthropic role played by the diaspora, and its achievements, the committee recommended the observing of an annual Pravasi Bharatiya Divas in India and abroad on the 9th of January every year, a symbolic day as Mahatma Gandhi returned on this day to India from South Africa and for the institution of Pravasi Bharatiya Samman Awards for eminent PIO/NRIs. It also recommended the grant of dual citizenship to certain members of the Indian diaspora with appropriate safeguards, which would facilitate the contribution of the diaspora to India's national development. Other recommendations were for a suitably calibrated country-specific plans for enhancing connectivities and setting up of a 'single window' organization for interacting with the diaspora.[19] Accordingly, a Ministry of Overseas Indian Affairs (MOIA) was created in September 2004. The Overseas Citizenship of India (OCI) Scheme was introduced by amending the Citizenship Act, 1955 in August 2005. A registered Overseas Citizen of India is granted multiple entry, multi purpose, life-long visa for visiting India, he/she is exempted from registration with Foreign Regional Registration Officer or Foreign Registration Officer for any length of stay in India, and is entitled to general 'parity with Non-Resident Indians in respect of all facilities available to them in economic, financial and educational fields except in matters relating to the acquisition of agricultural or plantation properties'. However, OCI does not confer political rights.[20]

What is to be noted is that all the measures are directed towards wooing the Indian diaspora in Western countries who have considerable economic clout which India needs to harness for its own benefit. There is hardly any mention of doing anything for those hapless members of the diaspora in countries like Malaysia and Myanmar where they face persecution and marginalization. While it has to be admitted that India can not make any direct intervention into the affairs of other countries for redressal of the grievances of the diaspora as that would be a violation of international norms, it can take a number of indirect measures for economic empowerment of Indian community in these countries which can alleviate some of their hardships. As suggested by a noted expert, the Indian government can initiate various capacity-building programmes like setting up schools, entrepreneurship development centre etc. aimed to develop the human resources among ethnic Indians in Malaysia. The proposed PIO University in India should be set up on an urgent basis which could offer technical education to deserving Malaysian Indian students. Besides, the Indian government can facilitate creation of an Indian Diaspora corpus fund, which could generate resources for the implementation of some of these initiatives.[21]

The same policy of taking steps for meeting the educational and cultural needs of the diaspora in Myanmar is likely to be fruitful. Many families want to send their children to India for higher education but face financial constraint and government of India may provide scholarships to these students. As the junta in Myanmar also expects to benefit from heightened interaction with India and is reportedly expecting Indian technical know-how for acquiring its own satellite, government may try to persuade the junta for reopening the issue of compensation for nationalized businesses as a quid pro quo.[22]

As India asserts the *jus sanguinis* (right of blood) principle while giving a clarion call to the affluent section of the Indian diaspora to make substantial contribution to our development process, by the same token, it can not ignore its moral and ethical responsibility to do what ever possible to ameliorate the sufferings of the less fortunate members of the diaspora in some Southeast Asian countries. Even within the constraints of international laws and the compulsions of implementing our Look East Policy, the capacity building measures and financial assistance to ethnic

Indian institutions in these countries will empower the Indian community and convey the comforting message that their estranged motherland still cares for them.

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Iconography and Nationalism in India : A Few Reflections

Siddartha Das Gupta

Iconography: its significance

Conventionally from the time of Renaissance, 'iconography' has generally been referred to as symbols and rituals pertaining to the religious domain or representation of the divine[1]. However, the march of civilization saw iconography emerging from the strictly religious domain to bring under its fold various other forms and figures of varied importance and connotations.

Interestingly, images and visual symbols appeared earlier than texts. Thus, there have always been effective modes of communication, especially in non-text based societies or societies semiliterate or literate without the power to understand or interpret the inner ideas that the texts may hold. Under such circumstances, visual imagery has had the power to become a robust medium of communication in inter-cultural, inter-religious and many other kinds of inter-denominational dialogue. It is especially important in situations where "immediate exchange of cultural meaning across heterogeneous boundaries" is needed. Over the ages? visual imagery or iconography has become integral part of "political and religious spectacles, and part of marketing strategies for key multinational products and productions, even part of a global exchange of cultures through discourses of tourism and travel, to mention only a few sites of iconic circulation".[2]

Coupled with the power of digital revolution and backed by huge capital, imagery today has the capacity to stabilise or destabilize any society. The efficacy of visual imagery or iconography or broadly speaking visual representations are been understood and used by power-elites across civilizations, countries and societies throughout the ages. In this relationship, the elite in power has sought to mobilize and manipulate public opinion with the help of imagery. This, bring us to the complex relation between nationalism and iconography since the issue of mobilization and manipulation of public opinion is intrinsically linked to the formation or breaching of nationalist contours. As a country with low dependence on texts, pedestrian rate of literacy and lack of substantive education coupled with simmering clashes of identities along class, caste, religious and even provincial lines, India has been a classic case to focus on the interacting dynamics of iconography and nationalism.

Nationalism has been one of the most debated, contested and discussed concepts within the precincts of Indian history and society. Issues of nation, national identity and nation-building have served as recurrent topics in public discourse in India well over the past century. The basic source of the huge compendium of literature pertaining to the theme 'nationalism' in India has been mainly the "written sources". This "over-reliance by historians on written sources"[3] has naturally led to an exclusivist and elitist understanding of the narrative of Indian nationalism. But interestingly, the esoteric nature of nationalism in India has also expressed itself through myriad vehicles of expression ranging from posters, movies and paintings to mobile display of ideologies like processions (coming under the rubric of visual iconography). This stress on "visual imagery" has helped to reach out to the strata of Indian society beyond the ken of literacy. This vast non-elitist Indian society has recorded their perception and values with the help of visual iconography.

Visual representations has the tremendous capacity to go beyond artificial barriers like literacy and more importantly act like a pivot around which identities like family, community or religion, caste and other types of social formations "crystalise". In the process they may veer towards an overarching nation or may form a competitive relationship with it. Perhaps it partially provides answer to one of Benedict Anderson's query as to why so many

are willing to sacrifice at the alter of an "imagined" nation? Iconography perhaps provides the bond between the individual and the imagined construct called the nation. Anderson, so far formation of nationalism is concerned, focused primarily on the role of journalists, writers along with other actors involved in the emergence and strengthening of "print capitalism".[4] Ironically, the same infrastructure that was instrumental in spreading new ideas among the literate class through the written word was also responsible for the mass dissemination of visual imagery in the form of posters, photographs, postcards, illustrations etc.

Over the last one hundred years the insertion of religious symbols into mobilization for politics has caused much grief to the peoples of South Asia. In colonial India, through this new phenomenon, Indians throughout the country, began imagining themselves as members of an Indian nation as well as being part of smaller identities. The production, distribution and reception of such images helped construct and maintain the Indian "National Symbolic" (Lauren Berlant's used this phrase). [5]

Sandra Freitag has opined justifiably that a lopsided view by historians on written sources has inevitably led to a "distortion in the master narrative of Indian nationalism and modern South Asian history more generally, in which the elite, literate classe, have been granted an exaggerated historical role". [6] This trend has had greater ramifications in the Indian or sub-continental arena because of widespread lack of basic literacy or even because of the deficiency of analytical insights which is not necessarily wedded to the official conception of being literate. There still exists a huge populace which despite fulfilling the mechanistic official parameters of being literate fail to grasp the esoteric and complex notions regarding issues like nation, nationality, identity as they are enframed in written form. For this huge population, visual imagery plays a vital role in the consolidation and articulation processes. Suffice to say that, attention to visual imagery enables social scientists to look beyond the literate and hence powerful classes who were involved in encoding history, to trace "the influence and significance of popular values" in the modern developments of nationalism, identity, citizenship etc.

Iconography, identity and nationalism

There exists a complex nature of relationship between visual articulation

and nationalism through identity formation. The process of formation of both national identity and consciousness and countervailing identities with the help of imagery in different forms from the late nineteenth to the late twentieth centuries has been one of the main features of Indian history. Consciously defocusing from the written texts , we need to stress on a visual history of nation-building in Modern India.

In the past century and a half, Indians have sought to portray their conception of nation in a plethora of imagery. Since these portrayals were often influenced by particularist aspirations, it was only natural that these were not only concerned with the depiction of "unitary, consensual nationhood" favoured by the officialdom. Against the mono-chromatic unitary brand of pan-Indian nationhood, there was situated the alternative and contestatory ways of imagining the nation having strong moorings in casteist, religious, linguistic and even regional assertions. The subaltern scholars, thus have recognized that imagining the nation is in no way the exclusive and uncontested preserve of a single social class. The work of national imagining is dispersed among its inhabitants. It can be stated that no single dominant group can exercise a monopoly to create an imagery to suit its goals and motives. If such a project is attempted, it inevitable gives rise to contestations from rival imageries reflecting and articulating different ideologies, agendas and aspirations emanating from different sections of Indian society. In addition, economic liberalisaton and its corollary functions in the form of privatization and globalisation accompanied with unprecedented growth in media power both financially and technologically has led to a deep imprint on identity formation and the issue of nationalism in India in the recent past.

The rise of Hindu nationalism over the last quarter of the century has to be seen in this context. The political and their cultural agencies (mainly the Bharatiya Janata Party and its cultural fronts like the Rashtriya Swayamsevak Sangh, Vishwa Hindu Parishad) have themselves utilized visual imagery and media with great skill and panache during their rise to articulate a significant alternative National Symbol grounded in Hindu revivalist thought. However, constructing such an ideology is not the sole preserve of any rightist group. Michael Taussig has argued that even modern polities that claim to represent secular ideas try to invoke any symbol vested

with "sacral" qualities. Public rituals and their wide publicity around flags, symbols, war memorials, pilgrimages are just attempts to this end.[7]

Iconography, homogenization process and its reaction

A modern state has a clear interest in trying to constitute its people as a single nation for the purposes of governance. Walter Bagehot in early 1960s had stated that, every constitution must first "win the confidence of mankind" and then "employ that homage in the work of government". He had spoken in the context of the working of the British political system but it holds good for any country even now. He goes on to elaborate on the use of state sponsored official iconography to virtually manufacture this "confidence" of the people towards the state.[8] Similarly the Indian state apparatus irrespective of any ruling dispensation has tried to create, disseminate and enforce a particular iconic vision of its nationhood. The official iconography of the state seeks to direct the "reverence of the population" towards the state. This posture is taken to ensure that loyalties to other communities and subgroups represented by "lesser" imageries do not interfere with the overarching loyalty towards the "sacral" nation-state publicly. Religious, ethnic, linguistic loyalties standing counter to the national loyalty are tolerated so long it does not try to assert itself beyond the threshold limit. The threshold limit is again decided by the national elite who themselves are engaged in creation of the overarching national imagery. This type of lopsided power relationship gradually leads to conflict, which at times takes the form of bloodshed. In other words, loyalty towards a region, religion, a particular class or caste or to a culture and language of a region within the national territory may take on the imagined form of a nation and thus may perceived to be challengers to the claims of the national state. Indian history is replete with instances of such contests especially from the North Eastern part of India. In this respect we may recall Ernest Renan. In his 1882 address, "Qu'est-ce qu'une nation?" Ernest Renan stated about the intentional motive of omission or obfuscation played by the persons who are involved in creating imagery. Willful absence or omissions of certain elements of iconography are done to exclude lesser identities or consolidate iconography of a dominant identity. [9]

Naturally there have been reactions to such homogenization processes in India. In the absence of a single vision of nationhood in the country and

more importantly attempts to formulate a pan-Indian single vision has brought about reaction in the form of assertion of smaller identities. There has been the presence of clashing agendas and visions of nationhood. An individual may have numerous affiliation to many identities and may identify himself or herself to many imageries. It is akin to the many layers of an onion. We peel off a layer only to find a different layer. The problem rises when an officially sponsored identity seeks to draw allegiance of all to a singular vision of nationhood expressing itself through a set of loft overarching and sacrosanct imageries. These other affiliations co-exist within each persons, and within different situation may become more or less relevant to how one identifies oneself. In other words, at a particular point of time, one or a few of these entities may gain in primacy and prominence at the cost of the others in response to some external stimuli. Forcible subjugation of these lesser identities and willful marginalisation of their accompanying iconographies ultimately leads to conflict.

In India, the alternative loyalties have developed along various faultlines like class, caste, region, religion which have sought to challenge the national state. Over the decades since independence, mobilizations in several parts of India have favoured the withdrawal of "reverence" (to recall Bagehot) towards New Delhi, and a redirection of that spirit of devotion towards an imagined community closer to home- to Tamil Nadu, to Assam, to Punjab, or to Kashmir among others. There have been different terms for this trend. From the official perspective these problems have been seen as "regionalism" or "communalism" with the implied threat of "balkanization" or "subversion". Again Sanjib Baruah used the term "subnationalism" to describe the Assamese aspirations.[10] However, not all of these mobilizations and subsequent assertions, consciously or not, have offered alternative visual representations or iconographic symbols as manifestations of their aspirations and pride. On the other hand states like West Bengal, without any assertive and volatile regional or linguistic phenomenon, have been very sensitive to representations of its culture, language and heritage.

The Homogenising Tool

Doordarshan has been the most powerful instrument of successive governments in independent India to create and bolster a plethora of imageries representing the official version of national identity. This process

had its natural consequences in the form of contestations from rival imageries. The rival imageries did not have the backing of a powerful media like television. However, Doordarshan failed to inculcate a national identity through media depictions in the face of opposition of these smaller rival imageries. According to Farmer, "there were many different views of 'India'. No conception of its national identity, however overarching, will ever be uncontested, and no conception however pluralist, will ever be deemed fair by everybody". It would be suffice to say that a government orchestrated construction of national identity through a chosen media and by way of a set of imageries not acceptable to all and was destined to fail. One major consequence was the widening of cracks between the majoritarian 'nation' as represented on Doordarshan and those outside this "homogenized conception"[11]. To make matters more problematic, attempts to construct a national identity on secular foundations soon found itself in a communal quagmire. The astounding successes of Ramayana and Mahabharata in the state sponsored Doordarshan and the heady rise of the Sangh Parivar in the 1980s led credence to the view that the so called secular portrayal of the united and homogenized nation through the national media was in fact manifestations of the dominant and communal strands of throught that remains hidden in the body politiy of India. The iconography of united India beamed though Doordarshan was perceived by many as lopsided and overwhelming representation of Hindu mythological imagery. The primary target audience was also not the whole of India but mainly north India, Hindi speaking, middle class Hindus. According to Farmer, "the serialization of Ramayana and particularly its treatment as a Hindu , rather than an Indian saga constructed a symbolic lexicon that aided communal mobilization and formed the basis of the imagery used by L.K.Advani in his Rath Yatras". To their credit, the Sangh Parivar including the BJP efficiently manipulated Ram related imagery and euphoria created by the pan-Indian exposure by Doordarshan to forge a sense of Hindu resurgence and unity.[12]

Methods of mobilization

The imagery may by itself create a spirit leading to group consolidation or it may need a mass scale mobilization. The efficacy would lie with the intelligent use of the imagery. It may range from judiciously situating it in a

particular context or making it acceptable and appealing to the maximum number of people. At the grass-roots level, the scale and quality of mobilization and recruitment ultimately charts the course of action for any movement and even the scale of its success. Efforts are given to create a viable community network to introduce recognizable and popular sacred symbols around which individuals can mobilize.

For example, religion has to be situated in the political field as a rallying point, a mobilizational tool and also to emphasize the significance of rituals in consolidating a given religious community. According to Kaur, religion here is categorized as an 'eminently social thing' and not something divine. The rituals slowly deepens the religious beliefs which again draws sustenance from myths, dogmas, legends etc. Creation of such group identity is a source of sustenance for political parties at the time of necessity. The Sangh Parivar during the 1990s could gain so much electorally and politically by drawing support from these social formations who under normal circumstances stay beyond the ken of party politics. Again, the Ramjanmabhoomi movement was popularized through this network as was evident during the 1989 shilanyas movement when Hindus were asked to donate a brick each for the construction of Ram Mandir. Here, Hindus generally not involved in the politics if the Sangh Parivar were mobiised and harnessed by the use of the " Ram Shila", the rath yatra of L. K. Advani, picture of the proposed temple or even the symbolic picture of the Ram Lalla incarcerated in a prison. [13]

An appropriate example of such religious mobilization was seen among Punjabi Hindu in Delhi around the cult and image of Shera Wali Mata (Female Goddess who is fully armed and battle ready atop a tiger). The symbol of the goddess and the publicly celebrated rituals had created wide and powerful social networks in Delhi. This sense of powerlessness and craving for divine power among the Punjabi Hindus (most of them refugees or their progenies from 1947) was used by the women's wing of RSS, the Rashtriya Sevika Samity to consolidate the identity. The militant characteristics of the Goddess along with her slaying powers became popular among the uprooted community who blamed the Muslim of their current misfortune.[14] It was quite natural that the frontline leadership of the Bharatiya Janata Party (BJP) in Delhi and north India mostly belonged to this community including the likes of Madanlal Khurana. Thus, a Hindu

community identity was manufactured or rediscovered among the Punjabi migrants with the mobilizational tool of Shera Wali Goddess.

Here an interesting contrast could be that of West Bengal. Just like the punjabi Hindus, the Bengali Hindus also suffered tremendously during the partition in 1947 and thus it was natural for them to have antagonistic feeling regarding the Muslim. Just like Shera Wali, the Bengali Hindus have been admirers of Maa Kali and Durga. Then what could be the reason for absence of rightist Hindutva current in West Bengal. Is it just because of the presence of a strong Leftist political force in the state or the failure of the rightist Hindu groups to create cult and form social networks which are necessary for religious mobilization. The Sangh Parivar has never been able to create a symbol acceptable enough to the Hindus to mobilise and correspondingly has never been able to situate itself as a major force in West Bengal politics despite having some favourable social condition. Thus, the mobilisational factor is as important as the mere presence of a symbol within a particular context.

Kapferer argues that "nationalism makes the political religious and places the nation above politics. The nation is created as an object of devotion... The religion of nationalism, wherein the political is shrouded in the symbolism of a 'higher' purpose, is vital to the momentum of nationalism".[15] The creation of a "spiritualized nationalism" is generally successful in creating enough public reverence essential to create conditions for group assertion which may lead to the way to nationalism. Religious characteristics dovetailed to ideas about the nation enhance captures public imagination as seen generously in the Ganapati festival in Maharashtra. The collective gatherings and use of the media provided scope to disseminate messages and images that were politically motivated but often garbed in religious allegories. Such smokescreen promulgation of nationalism has had substantial ramifications. Due to the public nature of the festival, it was increasingly used to propagate ideas conducive to a "spiritualized culture of nationalism".[16]

Recalling the past is another mobilisational tool to attract people emotionally to shared ideals. In this scheme, depiction of the past through imagery is a common approach. Shahid Amin states that "master sagas of nationalist struggles are built around the retelling of certain well known and

memorable events". Focusing on the narratives from the nation's halcyon past and contrasting it with the recent decay and threats to the country is part of the agenda of the revivalist forces. National histories are deemed important in recalling a nation's glorious past. [17] To drive home the message, epic and historical events are commonly compared with contemporary scenarios as standard. In Ganapati festival in Maharashtra, sometimes this trend degenerates into open communalism when minority groups are bracketed with anti-national forces like terrorists and portrayed in the form of serpents and demons.

This is part of the effort in the construction of the "Other" against which a national identity is further crystallized is a common mobilizing method. Constructing the *Other* depends on the political realities of the juncture. One may find explicit vilification of *Others* as a threat to the nation's integrity- a term useful for community integration. Indeed without a perceived *Other*, the nationalist project is considerably weakened. Thomas Blom Hansen comments "The basic impulse in any ideological cause and, for that matter, cohesion of any imagined community –in care of the national community- is the search of fullness. This search, in turn, constitutes the community, which can only exist as long as this fullness is not achieved. Once the fullness is achieved-and the Other is eradicated-there can be no cause and hence no community". [18] The presence or conception of the *Other*, whether in the form of British colonialism or the Muslim or Pakistani "infiltrators" is ironically required for the sake of national unity and cohesion. The *Other* acts as an essential foil against which national identity is further crystallized. A fully demonized *Other* is required which can be identified, quarantined and condemned. Thus, the fetishization of icons is as much a prominent and integral a part of festival displays as they are tools of mobilization of the community involved. It enables a process of reification of cultural idioms concerned with the nation. Such symbols instantly strike an emotional chord with the populace.

Conclusion

Debates about nationalism, identity politics and their manifestations have been by nature state-centric concepts. However, with the advent of the new media where territorial boundaries are conspicuous by their feeble presence and changed internal dynamics with nations, the traditional

approach to the issue is deficient. New technologies in the form of more advanced and voluminous printing press, camera, lithography, film, television and the internet are more easily accessible. These changes have led to the emergence of greater self awareness and identity politics. This ensures that the processes of perception, opinion formation, group mobilization and consolidation over any imagery are more fluid. This situation poses a challenge to the elites who seek to mobilise groups into identities to bolster their bargaining power in the national framework.

In case of India also, though issues of nation, nationhood, identity politics and imagery have been part of public discourse for well over a century, the wake of advent of coalitional politics, globalisation and economic liberalization, media connections and changed international politics, nationalist ideas appear to be facing new challenges.

First, the country has to negotiate the preservation of the indigenous culture of the country in face of the massive onslaught of alien culture emanating from external sources and riding on the wave of the new media and economic liberalisation. Creating and preserving an imagery appealing to a captive citizenry is difficult to adhere to. The fluidity of global information, commerce and communication ensures that any imagery or iconography representing the whole nation and steeped in any obscurantism, dogma, myths, legends and call from the past is always under scrutiny and may not be a timeless creation.

Secondly, internally another important challenge is the rise of the regional smaller parties who have become vital stakeholders in the destiny of the whole country. Thus, an attempt to create a pan-Indian identity faces challenge from the smaller identities like never before. A homogenization attempt to create a national identity as in the 1980s is impossible to recreate today. While a pan-Indian identity has always been questioned by the smaller ones, the empowerment of the people of various heterogeneous groups through electoral gains has made this bargaining process more difficult for the national elite to create a homogenized version of nationalism.

These trends are very much visible in the mainstream media and also in the manifestations of social and religious programmes. We no longer find the stridency of the Hindutva brigade or of the other fundamentalist groups as their brand of politics are suffering from principle of diminishing returns.

Even, mascots and symbols of casteism and rabid regionalism are bringing in lesser political mileage than before. This true secularization of the Indian polity is a welcome move. The focus is more on economic well being of the people at all levels of the society and for that the commoners are willing to shed their particularistic identities and the tendency to mill around any particular imagery or cult. However, this paradigm shift is beyond the ken of this discussion.

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Greater Nepal : the Making of a Myth

Budh Bahadur Lama

The notion of "Greater Nepal" formed in the early 1990s in Kathmandu by a group called itself the Greater Nepal Committee. The Committee (early 1990s) wrote a letter to the embassies of India and Nepal stating that "since the Nepali people are now sovereign, it is but natural that they worry about their nation and the perpetual security of its territorial integrity." The Committee demanded that under the 1950 Indo-Nepal Treaty of Peace and Friendship, India must return unconditionally to Nepal the erstwhile territories east of the Machi River and west of the Mahakali. The motive of the Committee was "to create a world wide public opinion in favor of the 'Greater Nepal' and to achieve it." Greater Nepal therefore, is a concept referring to the state of Nepal extending beyond present boundaries to include territories ceded by the British East India Company under the Segowlee Treaty (1815). The idea of a Modern Nepali State covering the same territories motivates some Nepali nationalist groups. One among them is a group headed by Phanindra Nepal, who is considered to be a reservoir of knowledge and a commanding authority as regards the 'Greater Nepal' theory to which he prefers to call a Movement. This paper deals with the notion of "Greater Nepal" as a myth or reality and its importance as a matter of discussion in the context of Indo-Nepal relations.

I

Very recently, a write-up published out in the Daily Local Newspaper (Nepal) entitled by "Greater Nepal – An Expectation of the Nepali Community of South Asia", focusing upon the statements delivered in a

local public meeting by Mr. Phanindra Nepal, the president of the Greater Nepal Patriotic Front of Nepal. This Report has brought the people of Nepal once again to the debating point over the concept of "Greater Nepal". Mr. Nepal is deliberately trying to manipulate the concept linking with the Ancient History of Nepal dominated by the legendry figure, Prithivi Narayan Shah with his strongest Gorkha Soldiers, who tried to integrate the Central Himalayan Regions into Nepali Kingdom.

During 1989, New Delhi imposed the economic blockade on Nepal. Many political commentators and the press in India went to a large extent to describe the Plans for a Greater Nepal being hatched in various Himalayan Regions. This happened again when the Bhutan Government dispossessed the "Lhotshampas" from the Southern Bhutan. The Lhotshampas are a Nepali-speaking people migrated from Nepal and India to Bhutan, and settled by the side of the Bhutan-India border during 1865 and 1930 (Hutt 2003, 24). Their settlement was not resisted by the people of Northern-Bhutan. However, in the 1980s, concerns over demographic changes and fears of a plot to create a "Greater Nepal" dramatized by a violent Gorhaland Movement during 1980s, prompted the Bhutanese Government to push for national identity. This reflected the country's prevailing ethnic groups in Bhutan. The Bhutan government adopted the policy of "one nation, one people" symbolized through the promotion of a national dress and language which were different from the traditional clothing and language of Lhotshampas. In response to this policy, some Lhotshampas protested against the Bhutan Government and formed political groups to defend their right to maintain their distinct cultural and linguistic identity. The Bhutan government suppressed this dissent and the Lhotshampas became refugees in Nepal in the early 1990s. This generated the notion of "Greater Nepal" again as a strategy of uniting together amongst all the Nepali-speaking people residing in South Asia.

In the latest instance, even the flights of Maoists reportedly fleeing from Nepal Army Action and entering India near Siliguri were said by one report to be part of a Plan to push for "Greater Nepal". These suggestions may well be taken with a pinch of salt by some political opportunists. But the fact is that such reports are read and understood to be realistic or deserving recognition by the majority of readers in India who believe that the Nepali-speaking hill people and the nation-state of Nepal have a plan

to establish a super state in the Central Himalaya. But some serious security analysts, diplomats and scholars admit to take the notion of a "Greater Nepal Conspiracy" as realistic. This is how that the discourse of "Greater Nepal" becomes a matter of concerns and deserving for debate and discussion.

II

The Nepali-speaking people form an interesting section of the Community of South Asia which has not been adequately examined on the bases of their totality, identity/identities and a definite territory. They are scattered and settled down across South Asia like Nepali in Nepal, Gorkhas in Darjeeling, Nepali-speaking people in Sikkim, Indian Northeast and some parts of Uttarakhand and Lhotshampa in Southern Bhutan in a heavy density and in other parts of India with least numbers. More than 2 million Nepali-speaking people are settled down in the various parts of India. The elites of this ethnic group are playing a manipulative politics basically to retain their power and position in the mainstream politics in South Asia. They are successful in indulging the common people in the protest politically and psychologically duch of a fear-psychosis and the feeling of exclusion or alienation from the mainstream politics. It is unlikely that this scattered mass will come together politically in a push for "Greater Nepal".

III

However, it has to be kept in mind that there is another process ongoing i.e. Cultural One. It is the gradual spread of Nepali as a "Link Language" across the middle stretch of Himalayan Chain, bridging the varied Linguistic terrain and bringing about a sensibility called as "Nepali", even though the term "Nepali" may mean different things to different people. The past few decades has seen a Consolidation of Nepali Language and its official recognition by New Delhi under the "Eighth Schedule" of the Indian Constitution. In addition, the embrace of Nepali Language by the world of media, communications and advertising are equally helping "Nepali" to achieve the status of Premier Language of the mid-Himalaya and outlying regions. All this would obviously provide scope for the evolution of a "Cultural Greater Nepal". No doubt, there is a significant cultural exchange between the Nepalese of Nepal and Indian Nepalese particularly in the adjoining regions such as Darjeeling, Sikkim, Duars and Indian Northeast. If the Indian Federation becomes progressively more real and as Darjeeling

and Sikkim become more self-governing then there is a possibility of having more interaction between Nepalese of Nepal and Indian Nepalese in the cultural ground. But the fears of Greater Nepal in India have to do with an opportunistic use of the concept like "gameplan" or "conspiracy" by the different political actors who do not understand the nature of Nepali Identity and the Density that it represents.

IV

Jyoti Basu, the former Chief Minister of West Bengal once called the concept of Greater Nepal as a "bogey" and said that those who pushed the concept were merely being opportunistic. Mr. Basu's anger was obviously aimed at Mr. Subhas Ghising, the then supreme of Darjeeling Hills, who was using the concept of Greater Nepal in the 1980s to take political concessions from New Delhi in connection with his demand for a Gorkhaland State. His method of confronting the challenges enforced by the West Bengal Government and the Central Government has raised various issues relating to territory, language and citizenship in connection to the Darjeeling Hills. He has once claimed that Darjeeling is a no-man's land due to lacunae in the 1950 Indo–Nepal Friendship treaty. Kalimpong is a leased-territory belonging to Bhutan. Gorkhali rather than Nepali should have been the officially recognized language in India. Indeed, there exits a conspiracy for a "Greater Nepal". In July 1991 a letter to the Prime Minister, Ghising asserted that "Greater Nepal" Movement was a Communist Plot supported by Indian Leftists and Nar Bahadur Bhandari, the then Chief Minister of Sikkim. In January 1992, Dawa Tshiring, the then Foreign Minister of Bhutan told a Visiting Amnesty International Delegation that Nepali-speaking Southern Bhutanese rebels were backed by "groups and individuals in India and Nepal who support the idea of Greater Nepal, based on the premise that the Himalayas are the natural home of the Nepalese - A Myth, which is not supported by historical facts and findings. This is how that the concept of Grater Nepal is being used in different situating differently - a myth or reality.

V

It is the fact that the neglect of the study of history, politics and sociology of Nepali-speaking people of South Asia by some scholars may not understand the fact about Nepali Nationalism (Nepal) which is today firmly sealed within the territories that lies between the Mechi and Mahakali

Rivers. The concept of Greater Nepal therefore, is no more relevant in the practical sense. It would be more appropriate to say that the concept of Greater Nepal is a Myth heading towards an unrealistic idea. To support it, currently, a Nepalese Parliamentary Committee has proposed the passports be made a requirement for traveling by people of India and Nepal to the other country. It also suggests fencing of the open border between India and Nepal.

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Book Review

Tarun Kumar Banerjee, *The Naxalite Movement : Currents and Cross Currents*, Progressive Publishers, Kolkata, 2010, 508 pages, Rs. 400.

When a researcher decides to publish his doctoral dissertation nearly three decades after its formal submission and the award of Ph.D., one is necessarily persuaded about two things. First, the work must have been on a subject of abiding interest. In this case the episodical phenomenon that is sought to be captured proved its amazing capacity to cast a prolonged spell long after its life cycle was visibly over. Indeed, the Naxalbari movement, a miniscule peasant uprising in a Bengal locality, expanded and elevated itself into a phenomenon of national concern, encompassing in its fold the past, present and, arguably, also the future of an upsurge that must go on reinventing its revolutionary credential.

The other reason for the author to come out with this publication now is not so much a matter of propitious timing just because a large chunk of this country has now to contend with one or the other reincarnation of Maoism. It is, as the present reviewer would like to believe, mainly due to the author's unshaken conviction about the validity and relevance of his analysis of the political-ideological issues surrounding the notions and practices of armed agrarian revolution spawned by disparate radical groups from the mid '60s to the early '80s of the last century.

The work needs to be read with close attention. For, it not only provides a readable narrative of the chequered course of the Naxalite saga [at times heroic but mostly adventurist, committed but unknowingly self-deceiving, belligerent but selectively aggressive], but it lays bare the highly nuanced and mutually excluding ideological, strategic and tactical positions adopted

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by numerous sub-groups holding the 3-lettered M-L-M (Marxist-Leninist-Maoist) credentials. Indeed, no other movement in this country or elsewhere has the distinction of proliferation by fragmentation than this upsurge for armed underground and overground revolt avowedly against the establishment but ultimately causing self-inflicted injuries. The fact is that each group was driven by a small circle's (at times a single personality's) intellectual exercise – often baffling to themselves – to characterize the Indian situation, both national and local, and then bend their received ideological wisdom to rationalize whatever strategies they found to be handy. Inter-personal bickering apart, this intra-movement, group-generated theoretical debates led to the issue of a spate of statements, resolutions, rejoinders and a few 'theses' (an expression usually reserved for highly dogmatic party propositions with purportedly 'scientific' back-up). The problem for the common peruser of these documents is two-fold, viz (a) to get at the true import of lengthy, over-lapping and inordinately sombre formulations directed at multiple targets, and (b) not to be dissuaded by senseless superlatives and uncanny invectives against seen and unseen enemies. The author has done his readers a great service in sifting through this welter of papers and documents, organizing them to place each in its perspective and summarizing the elongated contents in a simple, comprehensible format. One really is struck by the 'take-it-or-leave-it' style running through a lot many propositions one comes across in the text of those naxalite documents, thus, while expounding the ideological basis of the CPI(ML), Charu Mazumdar was emphatic on the point that "we, communists, believe in a single scientific doctrine, known as Marxism – Leninism, the thought of Mao-Tse-tung. If we acknowledge the truth of a science, we must necessarily acknowledge the authority of those who have developed it. Those who had wished to be Marxists without being followers of Lenin were cast eventually into the cesspool of history". Singularly missing from such enunciations is the dialectical plurality which enriches and enhances the momentum of any dynamic thought system.

Of course, a sound theoretical exploration is the *sine qua non* of any ideological commitment and is also a pre-condition as well as a necessary safeguard for a serious revolutionary programme. What is however striking about party-oriented Marxist ideologues is their genetic obsession with the uniqueness of the 'scientific' truth they believe they are pursuing. Hence

also there is the inevitable apprehension of what they would indict as either 'rightist' or 'left sectarian' deviation. Oftener than not the charges are leveled against intra-party dissidents. Failure to distinguish between genuinely objective position and rash or wrong persuasion continues to plague the discriminating faculty of otherwise fine intellectuals of the radical genre. Productive dialogue is therefore dismissed in preference to blind conformity, with the result that splits and fissures start appearing even before revolutionary integration has taken place so as to attract wider allegiance of the masses at large. No wonder, therefore, that the author must conclude at the tail end of his epilogue: "It is true that the naxalite movement betrayed in its ideological domain, 'extremism', 'adventurism', 'left-sectrarianism' etc. It is equally true that the movement had always been bereft of broad mass support or following."

What also cannot escape the discerning mind is the strained efforts that are made by ideologues-cum-commanders of revolution to determine the principal contradiction of a given epoch, the relative menace of feudal oppressors as opposed to the big bourgeoisie, the likely role of the middle class (which itself is multi-layered) in an ensuing struggle, the immediacy of external threats from the imperialist forces and, above all, the promises and performance of the national bourgeoisie in their nation-building endeavours, however much class-determined. As such there is always a degree of indeterminateness woven around politico-ideological assessments handed out by higher echelons of the party establishment. Confusion at the top is all the more confounding, when it comes to action at the cadre-level. The pity is that the guiding intellect conveniently forget that neither Marx, nor Lenin, not also Mao, ever produced any fool-proof recipe of mass struggles leading to revolution proper. Indeed they were not supposed to provide any such cut-and-dried blue print. They had reasonable expectation of successive generations that they would take maximum care and evince great ingenuity in their assessment of revolutionary situation in different parts of the world at different stages of development. It is not easy to steer the right course between 'hyper' and 'hesitant' revolution.

<div align="right">Radharaman Chakrabarti</div>

Des Gasper, *The Ethics of Development.* Vistaar Publications: New Delhi, 2005.

Does the modernist project really denote the 'end of history'? The issue of what is called the 'development gap' – significant differences in terms of the opportunities and life chances between the people of the North and the South – has put the question to the fore. And the question confronts both the protagonists of modernization theory and its critics as well, as they quest for the model of a good society, though differently.

For the former, the widespread social inequality, poverty, malnutrition and the problems like environmental degradation can only be wiped out if the concerned nations follow the path the 'developed' countries have already undergone. The antidote to the backwardness of the 'Other', sometimes designated as the Less Developed Countries (LDCs), is conceived and analyzed by the modernization theorists from such theoretical stance. The prescription of the replication of the Western model – with industrialization and urbanization at its core – has provided in this way a theoretical justification of the dominance of the West over the rest, the core over the periphery.

The antagonists, on the other hand, argue that the modernist project itself is not only intentional but also socially questionable and ethically irresponsible. They opine that the idea of Western developmentalism, the core of modernist project, ignores the social realities of the East and undermines the people's definition of a good society. The viability of the model itself is also questioned, as the capitalist modernization leaves millions of people in poverty at the very heart of modernity. They subsequently unveil the hidden agenda of the project and try to contextualize the problems of the people emphasizing on what is called the 'ethics of development'. Gasper, in this book, has beautifully analyzed the controversies revolved around the question of this kind of development.

Some scholars believe that the colonized countries, like India, prior to the British conquest, were highly 'developed' units – 'developed', obviously not in European sense of the term. These indigenous societies were stable, prosperous and self-sufficient units, but started degenerating only as a consequence of the foreign intervention. What is implicit in this kind of

arguments is the assertion that the people have their own idea of what is desirable. The modernist project simply ignores it. If development, in the common usage of the term, necessarily leads to 'pathological conditions' such as displacement and discrimination, then the alternative must be given primacy – an alternative that is based on local knowledge and attuned to the people's definition. Gasper pointing to the different usages of the term 'development' has shown us how the concept of development is perceived by different stake holders and agencies. And this kind of analysis definitely helps understand the concept of 'development' itself.

Gasper, in this work, has raised a relevant question: Do the people really have the idea about what they really want, on which this kind of participatory model stands? Or, to say the least, is there any consensus among the people regarding the definition of a good society? It requires no explanation that if the population is not absolutely homogeneous there will be diversification of interests and view points. So what in the mind of one group appears as desirable may be viewed as detrimental by others living in the same locality. So this kind of 'open definition' has serious limitations that should be analyzed and mitigated before hand. And Gasper has rightly pointed to this problem, which is taking serious and complicated turns at present in many so called developing countries, including ours, spoiling many development initiatives.

Gasper reminds us that 'how the mind of the people has been formed' (pp. 31) is also at issue. It is a common assumption that people are interested more in short term gains even at the cost of the future. So, even if we assume that the people have the notion of what kind of society they look at, there is no certainty that that model will be scientific in real sense. Gasper is correct when he throws light on the problems of 'possible commonalities in the ends people choose, and possible universally required means for self-determination' (pp. 31).

The book is divided into nine well-written chapters, though the central issue has always been 'the development ethics' – the ethical questions, the value judgments in social development. No doubt, such a work will get appreciation from all interested in development studies.

Soumyajit Patra