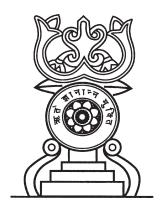
## Akademos 2014

# An Annual Miscellany of Liberal Arts and Scholarship



## KAMALA NEHRU COLLEGE

(University of Delhi)

## **ACKNOWLEDGEMENT**

AKADEMOS enters its ninth successful year as an academic journal. As a community of teachers we thank each other for extending cooperation in every form. We are thankful to our principal, Dr.Minoti Chatterjee for her relentless encouragement in making it a journal of repute. Our sincere thanks go to all the contributors for their excellent articles which have lent quality to this journal.

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#### Team AKADEMOS

## Editor's Note

The first condition of progress is the removal of censorship.

George Bernard Shaw

Recently , the Supreme Court struck down Section 66A of the IT Act which allowed arrests for posting offensive content on social media sites. The controversial provision made posting offensive material on social networking sites an offence punishable by up to three years in jail. With this move the Supreme Court upheld the right of the citizens of our country to express themselves freely on the Internet. The question of free speech can be a thorny one. The line between an opinion and malicious vendetta is a thin one. Section 66 A was used to jail schoolchildren for posting on Facebook, but it is also true that the social media has been used to incite riots in the country.

So where does the answer lie? Do we allow the authorities to judge every post on the internet, knowing that they have their own prejudices and agenda? Or do we choose freedom of speech at all costs, knowing that words are more powerful than swords? It is lamentable that as a nation we have lost our confidence in our own moral compasses. We fear our own opinions, we are threatened by our own ideas, we are alarmed by our own beliefs. If we give up our right to express, we give up our right to dissent. A democracy that suffers from this combination of self-loathing and self-abnegation, will surely die slowly and painfully. It is imperative to fight this malignant urge and take back control of our own opinions.

We live in a world that is changing constantly, at a pace that sometimes seems to be a little too fast. The multiplicity of voices may sometimes seem deafening. However, it is important to remember that change is not always dangerous, multiplicity is not dangerous. Silencing dissent does not remove it, rather it only makes it simmer away unseen, waiting to erupt. That is the real danger of silencing. If we truly want to progress it is important that we become progressive ideologically as well.

#### Namita Paul

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## The Public of Protest: Reading Activism in a Digital Age

The Internet may continue to be a space for democratic practices, but it will be so partly as a form of resistance against overarching powers of the economy and of hierarchical power, rather than the space of unlimited freedom that is part of its romantic representation. The images we need to bring into this representation increasingly need to deal with contestation and resistance to commercial and military interests, rather than simply freedom and interconnectivity.

(Saskia Sassen)

While delineating a sociology of information technology, Saskia Sassen remarks that electronic space remains a crucial force for new forms of civic participation, owing to its publicness, freedom and interconnectivity. Especially in contemporary urban experience, the Internet has emerged as a powerful medium for non-elites to communicate, support each other's struggles and create the equivalent of insider groups at scales ranging from the local to the global. New digital technology and cyberspace can offer an inclusive political scene to accommodate a broad range of social struggles and facilitate the emergence of new types of political subjects. The Internet, and not just the physical World Wide Web but all that it represents, has since long been signalling a revolution in information and as a form of resistance as digital media has become the defining characteristic of our age. This paper will attempt to understand the changing demography of public space as electronic, which is a site and catalyst of resistive action. It will look at mediatised forms of contemporary protest<sup>1</sup> and raise questions about the audience of protest, both as activist and participant. Who is this public that organises, activates and participates and where do we locate this "public of protest"? What kind of issues does this public try to

visibilise? And how do these protests take place, or rather what are the forms it uses, vindicates, condones? It becomes important to interrogate the claim of liberal democracies that pride themselves on participative actions and transparency, and yet make great efforts to control or regulate dissident communities.

The Internet relies on the general assumption that increase in communication improves democratic processes, and greater the capacity to disseminate information the greater the propensity of having a democratically empowered populace. The idea of the "demos" alters; the common populace of a state, the people, are now a perceptibly uncontrollable, anonymous mass. The identity of the political citizen is confounded by cyberspace, where any one individual can take on multiple personas and where anonymous participation makes identification of actions with particular citizens difficult. Physical bodies are hardly necessary to the formation of democratic communities as names and tags suffice, with problems of space, time, access and participation foregone in the interaction of physical and virtual social spaces. The speed with which communications occur over the Internet may undermine participatory democracy, since it does not encourage the serious, deliberative contemplation of political issues, becoming a soft target to populism and totalitarianism. It has been argued that this is due to the "privatised" experience of going online, whereby people become isolated from physical contacts and are susceptible to oneon-one persuasion.<sup>2</sup> Nevertheless, one cannot discount that what happens in electronic space is deeply inflected by the cultures, material practices and imaginaries that take place in the world outside. Technology is not just about the new techniques or mediums of representation, creation and expression, but about the new configurations of power. Any act of protest presupposes a grievance, a conviction of wrong or injustice and the inability to "correct" the condition directly. The protest is intended to draw attention to the grievances (keeping in mind a target group), arouse

sympathy and fear and further provoke ameliorative action on the behalf of the "oppressed". In India the context of protest has largely depended upon the nationalist struggle's primacy to Gandhian nonviolence. The first recorded usage of the term "protest march" is the 1913 civil disobedience movement launched by Gandhi against the restrictions that had been imposed on the Indian population of South Africa.4 The idiom of protests in the digital age has transformed, especially since it can often not be coded in specific political ideology, unlike historical forms of protest that had been socialist, anarchist or anti-racist, but more specifically in terms of space and participation. Yet, the "new" forms of protest continue to use the method and vocabulary of the "older" forms as is evident in marches, bandhs, hartals and demonstrations. Any system of protest that is developed in such a space moves between online and offline activism, both feeding and feeding off each other. For instance, congregations can take place at New Delhi's Jantar Mantar as well as over a Facebook page, and can effect response either way. A protest can take place in physical space and then carried forward in virtual space, which may further engender physical action. Or it can be conceived of and executed in the electronic media before going out on the streets in the presence of physical bodies, and then back again in electronic space to assess and judge actions taken. Or it can be totally virtual because new media technologies offer convenient and comfortable participation. What drives the public to react is the understanding that freedom to dissent is crucial for the health of any democracy, a freedom that is not granted but possessed, and is best articulated through protests, conversations, petitions and writing, pushing to take a stand.

The public sphere has moved beyond the Habermasian understanding to engage with a contemporary critique of political action. In doing so, Partha Chatterjee interrogates how communitarianism and political society negotiate within postcolonial modernity. 5 Chatterjee proposes the notion of "political

society" as one permeated by functions of both civil society and state, while communitarianism exists as another configuration of social structure. He derives this structure out of the Hegelian and Marxian conceptions of bourgeois society where institutions and practices are inhabited by people of identifiable social locations, as citizens who have equal rights. For Chatterjee a better theoretical conceptualisation is to see society in terms of populations, which within territorial jurisdiction of a state have to be looked after and controlled by different governmental agencies, thereby establishing a political relationship with the state. He argues that technologies and elaborate networks gain information about every aspect of the life of the population and are therefore capable of having power over it. Ravi Sundararam argues, however, that Chatterjee suggests a politics "before" media. The strategies that he sees initiated by "politics of the governed" like squatting, regularizing unauthorised colonies, informal infrastructure no longer function in the same way. He sees postcolonial modernity as increasingly becoming "pirate modernity" wherein media proliferation (re)creates or overhauls the idea of community itself. He sees the birth of a new liberalism which uses media as a significant site for new political discourse. The shift is toward middle-class campaigners - neoliberal activists to RWAs and so on - "civic liberalism", where urban becomes the explicit site of discourse. It is a bold, perhaps effective, strategy by globalizing elites to reclaim urban discourse from political representation. And the more the media expands censorship becomes more demanding as it tries to bring in some order and control. This "pirate" space is at the threshold between virtual and real, legitimate and illegitimate, what Sassen calls an "analytic borderland". The use of this space is constructed or constituted in terms of specific cultures and practices through and within which users articulate the experience and/or utility of the electronic medium. Electronic space is inflected by the values, cultures, power systems and institutional orders within which it is

embedded. Even a "local" space such as an office building, a house or an institution in the neighbourhood or city qualifies as a microenvironment, also part of global digital networks with a wider span. Social activists can use the internetworked for non-local transactions as much as for strengthening local communications. The traditional petition or signature campaign in its digital avatar has the kind of outreach that its original paper form could not. The number of people that espouse causes through this format is huge, simply because they have access to the petition and also the debates around it at the click of a button, hence they make an informed participation. For example, in 2010 the Chattisgarh court charged social worker Dr. Binayak Sen with sedition. Communities instantly sprung up on the Internet in support of him, and articles condemning the charge and questioning the power and the legality of the state are abundantly "tagged" on social networks. The public that subscribes to such an event or protest is interested and informed, but because it can more often be located in environments like universities where it is important to "like" these causes as symbols of a subject's politics. Being angry and commentative is actually the politically correct action here.

Giles Deleuze's remarks on control societies can be relevantly invoked here:

It definitely makes sense to look at the various ways individuals and groups constitute themselves as subjects through processes of subjectification: what counts in such processes is the extent to which, as they take shape, they elude both established forms of knowledge and the dominant forms of power. Even if they in turn engender new forms of power or become assimilated into new forms of knowledge. For a while, though, they have a real rebellious spontaneity.<sup>8</sup>

Contemporary forms of protests – petitions, demonstrations, marches etc. – are borne out of an idiom of non-violence, articulated

through the Gandhian notions of satyagraha and ahimsa, which are clearly in vogue in activism in the digital age. The film Lage Raho Munnabhai, for example, popularised "gandhigiri" as a chic urban practice, becoming quite a rage with "get well soon" cards and flowers being sent to "ill" parties. However, there can be other forms that may be violent, directed (like destruction of government property) or self-inflicted (like self-immolation). Lyngdoh Committee report (in reference to student politics and conduct of elections) states: "Gone are the days when the student movement was an integral cog in the Satyagraha machine. A large majority of the universities in India, at present, have become feeder devices for political candidates and party workers, as well as a mechanism for political parties to by-pass conduct norms."9 It suggests that the activism being propagated is material and perhaps not ideological. Another extremely popular film, Rang De Basanti (RDB), has tried to relay the apathy and inactivity of the youth in an attempt to arouse them. After its release in 2006, it provoked an immediate response among middle-class audience members, who were found mimicking the actions of the characters loudly and publicly. This was seen particularly in the Youth For Equality (YFE) protests in New Delhi and other cities against the imposition of reservation for OBCs. Instead of associating passion and revolution with class struggle and resistance, the young (student) groups identify them with suffering and martyrdom. Nandini Chandra situates this within the revolutionary zeal of the "other" nationalist icon, Bhagat Singh, and in the neoliberal turn in the Indian political economy where politics of symbolism have begun to take on a vigorously fetishised character. Candlelight processions, human chains and silent marches à la RDB are identified uncompromisingly as elite praxis now.10 For instance, the YFE embraced the seemingly progressive rhetoric of these films for promoting what was essentially a chauvinistic program. The protest tactic that became synonymous with the anti-Mandal agitation since the early 1990s was selfimmolation, which substituted the mass for the self and self-sacrifice in suicide as the inevitably spontaneous revolutionary act. In other events, members of the group(s) hit the streets, braving police lathic charge and water cannons. The images of heroism that resulted were circulated again and again in media, particularly the English media, generating sympathy and support for the movement from (NRI) student communities across the globe. Outreach through the circulation of images has been surpassed in all forms of agitation with user contribution to the World Wide Web in the form of Web 2.0. In the world of online activism, "video demonstration" will be the order of the day – the need to burn an effigy on the street is surpassed by burning it, making a video and circulating it over the Internet – a sure shot way of capturing focus.

RDB enjoys the status of having helped revitalise citizenship among the youth and brought about an expansion of the public sphere in India, especially by promoting political discussion on Web 2.0 at an epic scale. It has had a direct impact on two long-running cases in New Delhi. As *Tehelka* wrote in 2006:

Justice in the Jessica and Priyadarshini cases has truly been a spontaneous act of citizenship from people normally not given to acts of citizenship. At the India Gate rally for Jessica, for instance, there was no mistaking the anger, the yearning for something purer, the *sarfaroshi ki tamanna*. But a curious theatricality under ran the entire evening. People were acting in unconscious facsimile. Several people who took the mike that day referred to Rang De Basanti: it had not just intuited a latent public mood; in a curious twist, it had become the mood itself.<sup>11</sup>

The infamous Jessica Lal and Priyadarshini Mattoo murder cases, having suffered corruption and mishandling of evidence and witnesses at the trial stage, were reopened in the high court with public support and the furore against the acquittal of the prime accused in both cases. The media orchestrated the protests in the

name of justice for the common man, and the middle classes, angered by the affront to their position in hierarchies of power, jumped in to protest the loss of their honour. In this case the protests proved effective as a significant intervention was made to legally crack the case and book the accused. 12 In another incident, a group of middle-aged women ("mothers") in Manipur in 2004 protested against the alleged rape and murder of a young woman by the army by stripping off their saris and blouses, let loose their hair and walked through the capital city, Imphal, to the army headquarters to stage their dramatic protest. They dared the army to come and rape them, offering their bodies, using them as weapons, not to harm but to shame and humiliate: "Our anger shed our inhibitions that day", said one of the activists. 13 Urvashi Butalia responds to the representation of such protests and the politics about the protest itself by highlighting the insensitivity of the media. The protest would not have grabbed eyeballs if it hadn't been so dramatic; in fact one of the reasons was to generate focus to the issue by creating a scandal for the media to lap up. It is the sensational aspect, the spectacle-making of it that it actually manages to catch the consciousness of the people, taking the event from local to global focus. Photographs published in print may still have to adhere to notions of modesty, but on the Internet the pictures became open and freely accessible, leading to a fetishisation of the naked bodies and a watering down of their political intent. Butalia implores the media to ask questions like

what is it that drives women to take this absolutely desperate step? How humiliated, how violated, how angry must a woman feel to think that this is the only way she can make people listen? And what must those women feel when they see their protest being trivialized, their bodies further violated?<sup>14</sup>

Organised protests, like the aforementioned by Manipuri women or those taken out near Jantar Mantar in New Delhi, are usually not spontaneous acts or "flash mobs", but "smart mobs" where even when participants do not know each other they have a common cause. They come together via the technological media (social networking sites, newspapers, blogs, youtube videos, sms alerts) which assist them to act in concert. The requirement of seeking prior permission for holding protests, and the presence of governmental forces like the police and bureaucracy at close hand maintaining careful watch, may seem to restrict or undermine the right to protest itself and to community formations as it "allows" a safe zone for staging dissent. But the presence of the media television channels, newspapers and bloggers, and also the use of multimedia devices by participants to post pictures, videos, articles on the web – makes the protest visible, known, accountable and in some cases subversive. It is now possible, as Deleuze had suggested, to reduce and divide "a physically embodied human subject" to data representations via the modern technologies of control. The duality of mass and individual is no longer expressly valid as increasingly individuals become "dividuals" and masses "become samples, data, markets or 'banks'". 15 The use of media technologies to produce data and evidence may not be expressly legitimate or illegitimate, leading the protest culture itself to occupy a liminal, "pirate" space which is both transgressive and radical. They give spectators the potential to spectate, survey and author-ise. It is also possible that crowd excitement may lead to a "carnival(e)" atmosphere, a momentary overturning before order or complacence is "restored". The Gay Pride Parade has been accused of being in the carnival mode so much so that its political intent seems to have diluted, particularly after the decriminalisation of homosexuality. In the seesaw judgement between the country's apex court and the Capital's High Court, the LGBTQ community's struggle for "legitimate" status in the socio-cultural realm persists. A protest need not literally be an agitation, but can also be a movement of celebration by a group of like-minded people or by a single individual, or, as it is possible now, by a username. And they may

very well disband after their purpose is achieved and energies are spent. The latter seems to have happened to the Pink Chaddi Campaign, protest that has largely been in electronic space but has moved back and forth between online and offline sites. Spurred to action by attacks on women in pubs in Mangalore by Sri Ram Sene, the Consortium of Pubgoing, Loose and Forward Women decided to peacefully protest by sending pink underwear to Pramod Muthalik's office on the occasion of Valentine's Day. It was publicised and promoted through a blog and page on Facebook and saw supporters from all over the world. 16 The effect was to visibilise and demonstrate public sentiment by deliberately blurring the distinction between the virtual and the real. The underwear becomes a polyvalent signifier for the women, their freedom, their sexuality and their right as citizens in a democracy, and marker of seizing power to articulate their discontent. These people in ordinary circumstances may seem powerless, but they negotiate power by exercising agency in various forms. One of the effects of the campaign was that Muthalik was placed under pre-emptive detention and the Sena and its sainiks were under such intense scrutiny that they could not disrupt Valentine's Day in the name of abuse of Indian culture. Women (and men) from all over the country organised similar projects in their cities to bring about awareness against civic agents like the Sena who mimic state power as "big men" in an effort to intimidate people for not adhering to tradition. As a corollary to this movement, many cities have also conducted "Take back the Night" movements wherein they have paraded across central districts in major cities like Bangalore and New Delhi at night to protest against crime against women. The project is to overturn the notion that they are not safe at night and put the onus of responsibility on governmental agencies like the police.

Just as in street protests, cyberprotests that pose a direct challenge can be much more constrained than those that do not alter the status-quo of the state. The prime minister of the United Kingdom Gordon Brown has commented that the way the Internet has democratised communication has forever changed the way foreign policy can be carried out and even suggested that web-based social networking could have prevented the Rwandan genocide.<sup>18</sup> Guobin Yang's study on online activism in China usefully sees it as a composition of cultural, social, political and nationalistic activism. Cultural activism expresses concern over values, morality, lifestyles and identities. Social activism focuses on problems such as corruption, environmental degradation and the rights of disadvantaged groups. Online political activism focuses on human rights, political reform and other issues that touch directly on how the state is governed, by whom and on what basis, while nationalistic protest involves large-scale online mobilizations and the use of radical tactics such as "hacktivism". 19 For instance, Wikileaks, the whistle-blowing website leading the pack of "civic hackers", posits itself as a group based on broad anarchist ideals of antiauthoritarianism and exposé. It has challenged the contours of secrecy and dissemination of information that the discourse of liberalism prides itself on. Information gathering and distributing is a much bigger and more anonymous enterprise than could ever have been possible with taps, tipoffs and coded documents. It is more sophisticated and yet more dispersed, and therefore more dangerous. Knowledge is power and of course the discourse of sovereignty does not allow power to be deferred over multivarious, invisible sources. With its apt logo - "Intelligence needs counterintelligence" - Wikileaks tries to undermine the decision-making powers that seek to determine who decides what kind of information is relevant to be made public. Wikileaks bases its information gathering techniques on technologies that have traditionally been the prerogative of state systems of surveillance. New media depend upon old media for much of its techniques, and in a competitive environment where they both co-exist, they also co-depend upon

each other's features. Wikileaks then becomes paradigmatic of secrecy and challenge to information accessible in the public domain, so obviously "the state" tries to curtail such blatant appropriation of power by a public entity. However, the problem is that "the state" in this case is not a singular entity but a global one, even though the United States has claimed jurisdiction over the seditious nature of the Wiki "leaks". Its founder Julian Assange was caught on rape charges in 2010 in Switzerland and extradited, and the site itself had been taken down. Protests against his arrest and the clamping down on others like Edward Snowden try to expose the fabricatedness of charges and also reveal the desire to know and keep dissenting voices alive, even as democratic states allow channels of communication between the state and the public to be open, even encouraging debate and demonstration, yet find ways of clamping down upon them.

According to Nancy Fraser, "These two ideas — the normative legitimacy and political efficacy of public opinion — are essential to the concept of the public sphere in democratic theory."20 The public sphere, in its electronic avatar, is a vehicle for marshalling public opinion such that it both expresses the will of the citizenry and makes the state act in accordance with their wishes. The data from "banned" sites can always be made available on mirror sites or other portals such that access is not (in fact cannot be) hindered completely, and also to ensure it does not disappear from the Internet citizen's eye/mind, since the Internet is also a rapidly changing space. The public demands a civic space where citizens talk to each other, rather than to the state, and without obtrusive systems of control. "Civic hacking", therefore, has potential as a means of allowing people to help themselves, their communities, and others who are interested in the same things as them. Hacking in this case does not mean breaking into computer systems, but rather the original idea of hacking, that is "the belief that information-sharing is a powerful positive good, and that it is an

ethical duty of hackers to share their expertise by collaborating to write free software and facilitating access to information and to computing resources wherever possible". 21 The Internet allows new voices to enter the debate by reducing the influence of gatekeepers and by permitting the rise of citizen journalists to engage in previously expensive journalistic, transparency or fact-checking endeavours. In fact, the Internet may be the only avenue left for citizens in authoritarian regimes to influence the government, fight corruption or defend their rights, since local and national officials are often appointed by the central government and more concerned with pleasing. For instance, in 2009 a young Iranian woman was shot dead during the protest against presidential elections in Teheran, a video of which was (apparently) inadvertently shot and then circulated via YouTube. It gripped the world's attention and galvanised demonstrators all over the globe to sit up and take notice. Her martyrdom became symbolic of the socio-political decline of the state of Iran, so much so that hactivists took up Iran's fight as the streets were forced to remain quiet.<sup>22</sup> This has been replicated over and over again during the Arab Spring, attacks in Palestine, and more recently the ISIS killings.

The Internet medium functions so rapidly and diversely that the speed with which causes are espoused, appropriated and exhausted is incredible, such that the need arises to be wary of the routinization of protest itself. Every second new pages could be "liked" new groups "joined", action taken, debated engaged in, to the point where a particular political ideology or commitment does not hold stead. Rather it becomes "politically correct" to show such engagements to be considered a serious aware citizen. Facebook statuses and Twitter updates become strategic spaces, while once considered tactical locations of articulating dissent. It is fashionable to "display" your politics – as photos are put up on blogs or social networking sites to demonstrate involvement or adoption of a cause – because of their virtual, anonymous and indicative nature such protests

can offer a cathartic vent without being engaged. Some sites strategically promote and guide controversial discussions in order to generate traffic. But this "performance" is also a kind of documentation as it records for posterity an "event" that needs to be taken note of. However, politics of an individual or subject cannot be read under these terms anymore. Ethical arguments about integrity are no longer important because we need to read dissident events as disruptive tools for intervention in the public domain, especially exercising the right of the citizen in liberal democracies. As Deleuze has suggested, "control societies are taking over from disciplinary societies". In addition to "the subject" invested with duties, power and knowledge, it may be worthwhile now to

speak of new kinds of event, rather than processes of subjectification: events that can't be explained by the situations that give rise to them, or into which they lead. They appear for a moment, and it's that moment that matters, it's the chance we must seize.<sup>23</sup>

By claiming and reworking important public spaces, and doing so before national and even international audiences, contemporary protests have the capability of occasioning shifts in relations of power. They may become spectacles of dissent, they also "provide insight not only into the uneven distributions of rights and responsibilities, identity and power, but they do so in part by making spatially manifest often-intense disagreements about the nature of legitimate dissent; of who is allowed to do what, where, with what kind of symbolic and political effect and weight".<sup>24</sup>

Thus, the event of protest demands foregrounding and requires careful scrutiny as the claims that we make about the culture of protest are convergent upon it. The public of protest comprising largely the middle class and the educated elite, and just about anyone who can access digital media and has some proficiency in its technologies, is the dissenting, democratic citizenry that questions its own claims to (neo)liberalism. This public is everywhere; it is

not bound to/by physical spaces and prefers to exist virtually in electronic spaces, where it is always "on", available, watching, instigating. Its issues are common, directed against overarching powers of economy and hierarchy, and yet it may not subscribe to an identifiable or distinct ideology. In many ways the self can substitute for the mass and mass for the self, and yet the public of protest interrogates that playing field. Its forms derive out of the older standard forms of control and surveillance, which have in this age been revolutionised through digital media technologies.

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#### Notes

- 1 Protest is both a noun and verb, an activity and a process. Standard protest forms include rallies, marches, vigils, and pickets or leaflets, ceremonies, speeches, displays or lobbying days; legal protest through petitions, boycotts and lawful demonstrations, civil disobedience through strikes, sit-ins and street demonstrations; and violent protests scale from painting slogans and graffiti on walls, damaging property, suicide, bombing and so on.
- 2 Andrea Slane, "Democracy, Social Space, and the Internet", *University of Toronto Law Journal*, 57.1 (2007): 87.
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- 4 Geoffrey Nunberg, "The Syntax of Resistance", http://people.ischool.berkeley.edu/~nunberg/protest.html (last accessed 3 Jan 2011).
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- 6 Ravi Sundaram, "After Media", *Pirate Modernity: Delhi's Media Urbanism*, Abingdon and New York: Routledge, 2010: 1–26.
- 7 Saskia Sassen, "Towards a Sociology of Information Technology", *Current Sociology*, 50.3 (2002): 371.

- 8 Giles Deleuze, "Control and Becoming", *Negotiations*, 1972–1990, Trans. Martin Joughin, New York: Columbia University Press, 1995: 176.
- 9 Lyngdoh Committee report, 23 May 2006, 44,pt. 6.3, www.education.nic.in/higheredu/LyngdohcommitteeReport.pdf.
- 10 Nandini Chandra, "Young Protest: The Idea of Merit in Commercial Hindi Cinema", *Comparative Studies of South Asia*, *Africa and the Middle East*, 30.1 (2010): 122.
- 11 Shoma Chaudhury, "Is this only protest theatre?", *Tehelka*,13 Jan 2007, http://www.tehelka.com/story\_main25.asp?filename=essay01132007\_p14-17PF.asp (last accessed 7 Jan 2011).
- 12 Protest on the same lines is being planned to solve the Aarushi Talwar murder case of 2008 in Noida. http://www.thehindu.com/news/cities/ Delhi/article1045754.ece (last accessed 6 Jan 2011).
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- 14 Butalia, "The Body as Weapon"
- 15 Deleuze, "Postscript on Control Societies", *Negotiations*, 1972–1990, Trans. Martin Joughin, New York: Columbia University Press, 1995: 180.
- 16 Blog: thepinkchaddicampaign.blogspot.com/Facebook: http://www.facebook.com/pages/Consortium-of-Pub-going-Loose-and-Forward-Women/54434846926?ref=ts&v=info (last accessed 6 Jan 2011).
- 17 The reference is from Thomas Blom Hansen's "Sovereign Beyond the State: On Legality and Public Authority in India", *Religion, Violence and Political Mobilisation in South Asia*, ed. Ravinder Kaur, New Delhi: Sage, 2005: 109–144. Hansen contends that the *practices* of sovereignty in the public sphere have not been organised formally, legally or morally but in the name of (1) law, (2) community and (3) the local "big" man.
- 18 Katharine Viner, "Internet has changed foreign policy for ever, says Gordon Brown", *The Guardian* (London), 16 Jun 2009, http://www.guardian.co.uk/politics/2009/jun/19/gordon-brown-internet-foreign-policy (last accessed 22 Dec 2010).
- 19 Guobin Yang, "Online Activism", Journal of Democracy, 20.3 (2009): 33-36.

- 20 Quoted in Chandra, "Youth Protest", 121.
- 21 James Crabtree, "Civic hacking: a new agenda for e-democracy", 12 Jun 2007, http://www.opendemocracy.net/debates/article-8-85-1025.jsp (last accessed 4 Jan 2011).
- 22 Shaya Tayefe Mohaje "'Hacktivists' take up Iran fight as streets quiet", *The Associated Press*, 29 May 2009, http://news.yahoo.com/s/ap/20090627/ap\_on\_re\_mi\_ea/ml\_iran\_hack\_backlash (last accessed 6 Jan 2011). Some portals that spearhead activism in Iran: *Anonymous Iran*, provides several tools to circumvent the regime's censorship to provide covert resources and support to Iranians who are directly protesting. Also, Iranian Support Site http://iran.whyweprotest.net
- 23 Deleuze, "Control and Becoming", 176.
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# Structures of Fantasy: A Study of The Magical Universe of *Harry Potter*

The label *Harry Potter* hardly needs an introduction, bearing in mind the popularity that it has enjoyed over the last two decades. However, one fact about the series that does merit a mention is that it is anything but 'simple' to discuss this popularity. Be it poetics or politics, the examination of any aspect of *Harry Potter* demands serious analysis, assessment and consideration. It would be rather naïve to introduce the enterprise of this article as an attempt to classify or categorize Rowling's creation. Instead of offering a simplistic generic classification, I will locate the text within the established literary category of fantasy literature that it can be seen as part of and also highlight the points of its dis-location from/ within the same.

## The Form of Fantasy

The fantastic is a compensation that man provides for himself, at the level of imagination [l'imaginaire], for what he has lost at the level of faith.

(Maurice Lévy, Le roman gothique anglais)

In the 'Introduction' to her work, Fantasy: The Literature of Subversion (1981), Rosemary Jackson has called fantasy "an enormous and seductive subject" (p.1). She rightly points out that fantasy's association with imagination and desire has rendered it extremely difficult, if not impossible, to define. And it is this difficulty in its definition that makes fantasy so valuable as an area of study. Over the many decades of examination, fantasy has been looked at as a genre as well as a mode of expression. Some have presented their theorizations in terms of formal and thematic concerns in its generic study, while some others have based their observations on the social and political denotations and connotations that fantasy has come to hold in various contexts.

This article will begin with, first, a general overview of some theorists and their respective works on fantasy, in brief. Next, there will be a somewhat more detailed study of a particular work that has helped most on theorization of fantasy. Finally, there will be a discussion of a particular work that I have found to be the most relevant to a categorization, if any, of the *Harry Potter* series.

Fantasy has been an area fairly well acknowledged as well as worked on. However, not all work on fantasy has been analytical in nature in terms of its formal and thematic concerns. Speaking of work that has been done on fantasy, it is of utmost importance to mention Tzvetan Todorov's *The Fantastic: A Structural Approach to a Literary* Genre (1973). This is a seminal work in this area as it involves a critical engagement with a form of literature that had earlier been dismissed as frivolous and irrational. This was not the first attempt of this nature, but definitely the first of such importance. Earlier, French writers like P.G. Castex, Marcel Schneider, Louis Vax and Roger Caillois had tried to define fantasy in terms of recurrent themes and motifs, but these were selected rather randomly from various works. Todorov tried to achieve a more concrete definition and his work has provided the foundation for many later theorists who have privileged a structural approach to fantasy. The primary features of this work will be discussed later, in relation to a structural study of Harry Potter.

Around the same time that Todorov brought out his work, there were two more prominent works on fantasy, namely William R. Irwin's *The Game of the Impossible: A Rhetoric of Fantasy* (1976) and Eric S. Rabkin's *The Fantastic in Literature* (1976)<sup>1</sup>. Both of these tried to work on concrete definitions of fantasy. Irwin defined fantasy in terms of its relation to the real and the possible and claimed that it is based on an overt violation of both. In this sense, he called fantasy "an extended narrative ... [that] plays the game of the impossible" (p.21). On somewhat similar lines, Rabkin claimed that the fantastic occurs in terms of a complete reversal

and contradiction of the prevailing norms and perspectives. According to Rabkin, "the fantastic exists only against a background to which it offers a direct reversal" (p.21). In other words, both Irwin and Rabkin defined fantasy as a discursive practice that stands in opposition to reality or possibility. This position of the fantastic as an "antifact" (Irwin's term) is fairly acceptable; but this is not the only respect in which one must seek to define it. For instance, both these theorists have avoided a thematic/generic classification of the same. While Irwin claims that "in no significant sense does fantasy have a history" (p.13), Rabkin points out to the vastness of the range of works that the fantastic covers, claiming that "[it is] much too large to constitute a single genre" (p.13). On a somewhat similar note, Lucie Armitt accepts fantasy as an interesting object of study in her work Theorizing the Fantastic (1996), but is undecided about the nature and constitution of the category of fantasy, and discusses its role as "an uncertain and ambiguous problematising of the accepted conventions of normal reality".2 My aim is to arrive not only at a definition of the fantastic, but also to place it with respect to thematic concerns.

Besides these works entirely dedicated to fantasy, there have also been numerous articles in literary magazines and journals in the latter half of the twentieth century, the study of fantasy having found favour with a lot of theorists and having also enjoyed a favourable audience during the period. For instance, T.E. Apter, in 1982, wrote an essay "Introduction: Fantasy and Psychoanalysis", in which he explored the role and significance of fantasy in literature, contending that the problematic aspects of fantasy literature could be analyzed through psychoanalytic theory. In 1985, Richard Alan Schwartz commented upon the renewed interest in fantasy in the twentieth century in his essay "The Fantastic in Contemporary Fiction". Mikita Brottmann and David Sterritt made observations on the same phenomenon in their essay "Allegory and Enigma: Fantasy's Enduring Appeal" in 2001. However, these two essays

assigned somewhat different reasons for the same. Schwartz claimed that fantasy was helping modern authors in making sense of a rapidly changing and chaotic world; Brottmann and Sterritt propounded that it provided a welcome escape from the mundane aspects of everyday life. Also common in articles written during this period on the subject were perspectives that dealt with fantasy as a form of writing back from the margins. For example, Theo L. D'Haeu, in "Magical Realism and Postmodernism: Decentering Privileged Centers" (1995), proposed that fantasy is often used by writers who are writing from a non-centric point of view.

Similarly, there have been examinations of fantasy with relation to women's writing by writers like Nancy A. Walker in "Language, Irony and Fantasy" (1990) and Charlotte Spivack in "Fantasy and the Feminine" (1987). Spivack has provided an overview of fantasy literature and theory focussing on the role of women writers in the evolution of the genre, while Walker has looked at the connection that language and fantasy share, through an analysis of several fantasy works by women. Lastly, there have been theorists who have examined fairy tales (as examples of works of fantasy) in terms of the tradition of retelling. In some of these works one finds an examination of the process of the evolution of the oral folktale into the form of the literary fairy tale. Starting from this point, Maria Tatar, in her essay "Rewritten by adults: the inscription of children's literature" (1992), has examined the violence that has been a component in the transformation of fairy tales (especially while passing through the phase of the cautionary and the exemplary tales). Examining the same process of retelling, Laura Tosi has introduced the concept of "intertextuality" in the study of fairy tales, in her essay "Did they live happily ever after? Rewriting fairy tales for a contemporary audience" (2001). Tosi has gone a step further in her study of the retelling tradition, examining the same in the contemporary context by the means of a categoric classification. She has analyzed three different types of fairy tale

rewritings – "morally correct", "postmodernist/ metafictional" and, "feminist rewritings". Thus, the area of research on fantasy writing is currently fairly crowded, with a lot of work being continuously done, but as has been pointed out earlier, there is a need to historically, thematically and structurally ground fantasy, rather than merely examine its elements in various works of fiction, or seeing the recurrent trends in it through a random selection of works.

Having broadly discussed the nature of the work that has been carried out on fantasy writing so far, I would like to provide a historical grounding to fantasy, discussing theorizations on the evolution of the literary fairy tale, which may be treated as a representative of fantasy literature in general. In his essay "Spells of Enchantment", Jack Zipes has conducted a comprehensive study of the history and evolution of the fairy-tale. He begins by stating that the fairy-tale came into being by appropriating the oral folk tale and expanding it. In fact, the fairy-tale is the result of the appropriation of a particular oral storytelling tradition: the wonder folk tale. Zipes refers to Vladmir Propp's classification of the paradigms of the wonder tale and arrives at a long list of recurrent motifs in the tale. According to Zipes, these elements combine in various ways to produce 'wonder', which is the feature that distinguishes these tales from other oral tales like the legend, the fable, the anecdote and the myth. Similarly, it is the element of wonder that marks the literary fairy tale as different from the moral story, novella, sentimental tale, etc.

Zipes cites Apulieus's "Cupid and Psyche" (2 B.C.) as the first major literary fairy tale. The tradition of the literary fairy tale flourished first in Italy and then travelled to England, but could not develop there as well as it should have, because of Puritan hostility towards amusement in the seventeenth century. Subsequently, the genre bloomed in full force in France between 1600 and 1714. A major step forward, after this, was the publication of *The Thousand and* 

One Nights (1704-17) in twelve volumes. With this work, the literary fairy tale became an acceptable social symbolic form through which conventionalized motifs, characters and plots were selected, composed, arranged and rearranged to comment on the civilizing process and to keep alive the possibility of miraculous change and a sense of wonder. In fact, the name of the genre, 'fairy tale', originated during this time. By 1715, a type of 'canon' had been established for this genre. However, the literary fairy tale was popularized among the uneducated lower classes in abridged forms with simplified language, through the publication and distribution of inexpensive volumes called chapbooks so that they became a part of an oral tradition once again. Thus the practice of storytelling developed through governesses, nannies and mothers, who familiarized children with these tales at a very early age through the seventeenth, eighteenth and the nineteenth centuries.

By the end of late eighteenth century, German Romantic writers had brought about a major change in the function of the genre: the fairy tale no longer represented the dominant aristocratic ideology. Rather it was written and deployed as a critique of the worst aspects of the Enlightenment and absolutism. Thus, the fairy tale got converted from a 'civilizing' enterprise to a subversive one. Due to this new function, fairy tales for children remained suspect until the 1820s. However, with the rise of the middle classes (1830-1900), fairy tales for children re-emerged. From 1835 onwards, Hans Christian Andersen began publishing his tales. He combined humour, Christian sentiments and fantastic plots and thus amused and instructed at the same time.

As per Zipes, the fairy tale flowered in Europe and America during the latter half of the nineteenth century mainly because of human alienation from a life that was becoming more and more rationalized and structured. It did not completely abandon its traditional role in the civilizing process as an agent of socialization but at the same time, the end of the nineteenth century saw a movement towards writing parodies of fairy tales that turned the traditional ethic upside down and went on to question the dominant socializing process. The best example of this is Lewis Carroll's *Alice in Wonderland* (1865). Overall, the fairy tale had become institutionalized in Europe and America by the late nineteenth century and had expanded to include drama, poetry, ballet, music and opera.

The early part of the twentieth century saw more explicit politicization of the fairy tale and this trend carried on well until the 1940s and the 1950s. For instance, J.R.R. Tolkien's *The Hobbit* (1937) was written with the First World War in mind. Since the 1970s, fairy tales became more aggressive, aesthetically complex and sophisticated, and more insistent on not distracting readers from social issues. This is ironic considering that fairy tales had started out primarily as *divertissement*. Zipes points out that there has also been a parallel movement of commercialization of the fairy tale since the 1950s. In this case also, the fairy tale plays a representative role, but this time representing a glorification of the capitalist consumer society. However, one cannot view the fairy tale as an institution only with respect to its most visible producers in the mass media and publishing alone.

At the end of this discussion, I would deal with attempts at categorization of fantasy as well as an attempt at classifying and typologising *Harry Potter*. According to David Gooderham, fantasy works primarily through metaphoric substitution. Based on Erik Erikson's analysis of Freudian psychosexual stages as "growth crises", Gooderham has distinguished four basic thematic categories in children's fantasy literature – the fantasy of wish-fulfilment, of control, of venture, and of competence. Based on these four basic categories, he also mentions a fifth derivative category – fantasy of devotion. Out of these, he privileges the fantasy of venture, stating that it can assume an entire narrative form. Gooderham defines the fantasy of venture as one in which "the hero or heroine, beginning in one state, goes out into an alien and difficult, but

discoverable and controllable, world and moves forward, through time and experience, to a new state" (p.189). Interestingly, this definition seems to describe the very nature of the Harry Potter series. The protagonist Harry, an orphan, passes from his childhood in the Muggle (non-magical) world into the magical world all of a sudden when he turns eleven, with his entry into the Hogwarts School of Witchcraft and Wizardry. This world is completely new (and therefore alien) to him. He progresses gradually, discovering little by little as he grows up in the world that had been hitherto unknown to him. This knowledge comes in bits and pieces as the story progresses in each volume. Only in the seventh and final volume is the entire truth of Harry's existence and his parents' lives revealed to him, and Harry is transformed into a new state altogether, partly by this knowledge and partly due to his choice of actions. However, while this theory of fantasy fits Harry Potter well, provides no insight into the components of a fantasy narrative.

For the purpose of a better and a more detailed analysis of fantasy, I will refer to Rosemary Jackson's *Fantasy: The Literature of Subversion*, which seems to me the most suitable in terms of its detailed analysis as well as conceptual clarity. Traditionally, fantasy was always defined in terms of its relation to the 'real', and was understood mostly in terms of its relation to realistic literature. The dialogism of the former was seen only as a contrast to the monologism represented by the realistic fiction of the nineteenth century. Todorov was the first to question this classification that favoured realist literature and attempted the first systematic formulation of the poetics of fantasy. Rather than defining fantasy merely in terms of its history, he formulated a theoretical definition. According to the rigorous definition that he provided, a work of fantasy must fulfil certain conditions:

The fantastic requires the fulfillment of three conditions. First, the text must oblige the reader to consider the world of the character as a world of living persons and to hesitate between a natural and

supernatural explanation of the events described. Second, this hesitation may also be experienced by a character; thus the reader's role is entrusted to a character ... the hesitation is represented, it becomes one of the themes of the work. Third, the reader must adopt a certain attitude with regard to the text: he will reject allegorical as well as 'poetic' interpretations. (Todorov, quoted in Jackson, p.33)

Out of these three criteria, Todorov considers the first and the last mandatory, while the second is optional. According to him, it is of utmost importance that explanations of strangeness be made redundant within the text. The text must reveal a certain hesitation regarding the nature of 'reality', and must foreground the impossibility of certainty in order to qualify as a fantastic text. It must abstain from the objectivity and confidence of an omniscient third-person narrative.

Todorov has also provided a model to represent the various types of fantasy:

PURE	FANTASTIC	FANTASTIC	PURE
UNCANNY	UNCANNY	MARVELLOUS	MARVELLOUS

The pure-marvellous includes narratives like fairy tales, romance and science fiction in which events are supernatural, superhuman and magical. The fantastic-marvellous works present strange and inexplicable events which are finally given supernatural explanations. In the fantastic-uncanny, the fantastic occupies a duration of uncertainty while the reader is left in doubt. As for the pure-uncanny, the strangeness of the events is explained by the deceiving mind of the protagonist. Todorov locates the purely-fantastic exactly on the line that separates the fantastic-uncanny from the fantastic-marvellous. For Todorov, this "frontier between two adjacent realms" represents the very nature of the fantastic most accurately, presenting the locus of what is most purely or quintessentially fantastic.

Rosemary Jackson has observed that Todorov's scheme is useful in distinguishing the types of the fantastic, but that it also has one flaw. It locates the fantastic between the 'marvellous' and the 'uncanny'. The study of the fantastic as a literary form requires its location with respect to literary terms. In this case, the 'marvellous' is a literary form but the 'uncanny' is not, and this poses a slight problem for her. As a solution, Jackson proposes the situation and location of the fantastic as a mode, between the opposite modes of the marvellous and the mimetic. As for how this mode functions, one can study it by examining the elements of the two modes between which it is located. The 'marvellous' includes the world of fairy story, romance, magic and supernaturalism. These narratives are distanced well into the past and thus discourage reader participation, representing events whose effects have lost the power to disturb. Precisely due to this reason, the omniscient narrative voice assumes complete authority, and projects an absolute confidence and certainty towards events. Impersonal and emotionally detached, the narrator merely reports the events that have already happened. On the other hand, the 'mimetic' mode includes narratives which claim to merely represent the external reality. Here too, the narrator's third-person voice is a knowing one, but the process of narration is more open. The reader is welcome to involve himself in the sequence of ongoing events, as these are from everyday life much like the 'real'.

Situated between these two, the fantastic borrows from both, only to problematize their fundamental concepts and assumptions. As Rosemary Jackson points out:

Fantastic narratives confound elements of both the marvellous and the mimetic. They assert that what they are telling is real – relying upon all the conventions of realistic fiction to do so – and then they proceed to break that assumption of realism by introducing what – within those terms – is manifestly unreal. They pull the reader from the apparent familiarity and security of the known

and everyday world into something more strange, into a world whose improbabilities are closer to the realm normally associated with the marvellous ... Between the marvellous and the mimetic, borrowing the extravagance of one and the ordinariness of the other, the fantastic belongs to neither and is without their assumptions of confidence or presentations of authoritative 'truths'. (pp. 34-35)

Jackson privileges fantasy as a mode that can take on the form of various genres. For instance, it took on the novel form in the nineteenth century to undermine it, by questioning the unitary vision and the monologic consciousness that the novel form had become predominantly representative of, by engaging it in a constant interrogation of the 'real'.

Harry Potter lacks the 'hesitation' that Todorov would count as mandatory for it to be considered a work of fantasy at all. The narrative begins when the eleven-year old protagonist, Harry Potter, suddenly discovers that he is a wizard. His initial amazement on receiving his invitation for admission from the Hogwarts School of Witchcraft and Wizardry could be considered a mild form of hesitation but his eagerness for learning every detail of the magical world portrays anything but hesitation. After the first volume of the series, when Harry has completed one year of his formal magical education, he is informed that he has to return to his Muggle (nonmagical) relatives for vacation every year. This ensures that every volume starts with his fresh re-entry from the non-magical world to the magical one. However, there is never a shade of doubt as to which he believes to be his rightful place. Hogwarts becomes his first home and provides him the comfort of being himself, a luxury that he had never enjoyed in the first eleven years of his life. Harry's sudden transportation into the magical world provides more joy and relief than discomfort and nostalgia. Therefore, not only is there no initial hesitation in entering a world of strangeness, there is also no desire to return to the original state. This implies that

Harry Potter certainly lacks one of the two defining criteria of a fantastic work according to Todorov's formulation.

However, the improvement made by Jackson in Todorov's schematization provides a useful platform to examine the Harry Potter series as a fantastic literary text. Using the form of realistic fiction (the novel) and grounding the work firmly within the confines of the 'real' world in the beginning, Rowling gradually transports the readers to a parallel world of imagination. Throughout the introduction of Harry (and the reader) to the new world of magic, the omniscient narrative voice maintains its confidence and betrays no sense of shock or disbelief. Thus, borrowing from the matter-of-fact technique of narration of realist fiction, the reader is introduced to a new world that is unreal beyond doubt. It is easy to see the ordinariness of the mimetic and the extravagance of the marvellous in this case. Also, the narrative abstains from conveying a fixed meaning. Through his entry into the magical world, Harry learns to question the fixed definition of 'reality' that had been fed into his system by Uncle Vernon and Aunt Petunia. He learns to see beyond the limited possibilities that are usually said to constitute objective 'truth'. Most importantly, Harry constructs a parallel reality and learns to see beyond the 'normal'. This coexistence of the elements of the marvellous and the mimetic, and the constant interrogation of the real completely qualifies Harry Potter as a fantastic text according to Jackson's definition of the same. This is as far as Jackson's basic formal definition is concerned; now I move on to her examination of the internal universe of a fantastic literary text.

According to Jackson's analysis, "the topography, themes and myths of the fantastic all work together to suggest [a] movement towards a realm of non-signification, towards a zero point of non-meaning" (p.42). This "realm of non-signification", Jackson points out, is vastly different from the rich imaginary worlds of the marvellous literary texts. Jackson and many theorists before her have pointed

to the gap between signifier and signified in the fantastic. While Bellemin-Noël sees fantasy as a process of 'insignification' where the signified is an in-approximate one, Jean Paul Sartre has defined it as a set of signs that lead nowhere except to a world pregnant with emptiness. In this sense, Harry Potter seems to belong more to the realm of the marvellous than to that of the fantastic. The alternative world of magic that it constructs seems closer to the 'secondary universe' of the marvellous, as Tolkien has termed it, than to the landscape of emptiness that the fantastic creates.<sup>3</sup> However, there are some strong conceptual contrasts that the alternative magical world of Harry Potter represents, with respect to the imaginary universe generally constructed in marvellous literature. Firstly, the secondary worlds of the marvellous hardly relate to the 'real' and never interrogate it in the least. This is not so in the case of Harry Potter, where the magical world is linked to the non-magical world, and is located within it. Disturbances in the former invariably affect the latter, due to which every new Minister for Magic has to be introduced to the officiating Prime Minister of the country, and vice versa. In times of calamity, both the offices cooperate in order to ensure public welfare. Secondly, unlike the alternative worlds in the marvellous, the magical world of Harry Potter is complete with its own values and ideals, just like the real world. It is almost as if the latter has been constructed on the lines of the former, based on similar moral crises and choices. Unlike the world of the marvellous, this space exists outside one cultural order, but is not beyond the concept per se.

As for the structural components that work together to constitute this alternative world constructed in fantastic narratives (which I will refer to as the 'fantastic universe' from here on, for the sake of convenience), Jackson mentions three components — the topography, themes, and myths. I will refer to her analysis of these elements in order to look into the finer structural details of *Harry Potter* and its fantastic universe.

As part of the topography of the fantastic universe, Jackson has discussed four main elements. The first of these is related to the theme of vision and visibility. Many fantasies either include or completely revolve around motifs like mirrors, glasses, reflections, portraits etc. In various ways, these motifs function as devices to carry out the interrogation of objective reality, which is one of the primary features of the fantastic. For instance, these devices act as passages for the protagonist to enter the fantastic universe. The most well known example of this is Lewis Carroll's Alice in Wonderland in which the protagonist Alice moves through the looking glass into another realm. In Harry Potter, the motif of the mirror is used at many points, for different purposes every time. The Mirror of Erised for instance, shows the spectator what he desires most deeply. Harry, who has never seen his parents in his life, sees their reflection in it, while Ron who has always felt overshadowed by his brothers, sees in the mirror, an image of himself with titles like Head Boy of his school and Quidditch Captain of his house team. This points to the gap between desire and reality, whether in the magical world or otherwise. The same mirror proves instrumental to the fictional plot in the climax of the first volume, Harry Potter and the Philosopher's Stone, as Harry faces Lord Voldemort for the first time and saves the Philosopher's Stone from going into the wrong hands. Another mirror that is introduced in the series is the two-way mirror that Harry's godfather Sirius presents to him in the fifth volume, Harry Potter and the Order of the Phoenix. In the final volume of this series, Harry uses this mirror for help in a desperate situation, locked up in the dungeon of the Malfoy Manor, and is not only able to save his own life, but also the lives of several others. Besides mirrors, portraits also exhibit different properties at different times in the magical world of *Harry Potter*. All the portraits of former Headmasters can leave their respective frames and visit other portraits of their own selves, to deliver messages, etc. But in the final volume, The Deathly Hallows, the

portrait of Ariana in the Hog's Head becomes a secret passage that leads directly into Hogwarts. Thus, Rowling borrows from traditional fantastic motifs but uses them in unique and inimitable ways.

The second topographical feature that Jackson mentions is that the conventional unities of space, time and character are completely disregarded in such a narrative. This also holds true for *Harry Potter*. The magical world provides an alternative space but one which is located right in the middle of the real world. The Hogwarts castle and all other magical locations, like places of residence of the magical community, are concealed by various charms so that they remain invisible or disguised to the Muggles. Space in the magical world does not follow the conventions or logic of the real world and can be expanded or concealed at will. For instance, the Weasleys' residence looks rather small from the outside but accommodates all the nine members of the family. Similarly, the tents used by wizards and witches can be modified to suit their needs. Also, there are spaces within the Hogwarts castle which follow a logic of their own; the Chamber of Secrets has been so well concealed that even the Headmaster has no knowledge of it. Another special room, the Room of Requirement, appears when one is in dire need of a room and in the form that the person needs the most. As for time, devices like the time-turner can invert its chronological sequence. Hermione Granger uses one to take up as many extra subjects as she wants. However, such dangerous devices are shown to be regulated by the Ministry and require special caution to deal with. As in the case of space, Rowling has convoluted the unity of character freely. It is not only possible for competent witches and wizards to take the form of different objects (by using Human Transfiguration) or animals (by becoming Animagi), but also of their fellow witches/ wizards (with the help of Polyjuice Potion).

Another frequently encountered feature in the fantastic universe is the hollow world. The fantastic universe either contains, or is in itself, a world of hollowness or non-meaning, as mentioned earlier. This is, in fact, one of the features that distinguishes the fantastic from the marvellous. However, *Harry Potter* does not cater to this feature. The magical world in this case is more like that of the marvellous despite the conceptual differences that have been pointed out earlier. The world of *Harry Potter* is rich and colourful; just as full of meaning and tangible as the real world.

Concerning themes in the fantastic universe, Jackson believes that they all centre on and around the common issue of uncertainty regarding the 'real'. Arising from this concern, all fantastic themes focus on an attempt to erase rigid boundaries like gender and genre. Jackson has clustered them into four main areas - invisibility, transformation, dualism and good versus evil. From these core areas are generated all recurrent motifs - ghosts, shadows, vampires, werewolves, doubles, partial selves, reflections etc. Essentially, all the themes ground the feeling and sentiment of uncertainty. Furthermore, Jackson categorizes these thematic areas according to Todorov's conceptual division of fantasies dealing with themes of the 'I'/'eye' and those dealing with themes of 'not-I', involving problems of the conscious and the unconscious, respectively. As per this classification, the first three areas (invisibility, transformation and dualism) fall under the 'I' narratives, and 'not-I' narratives include the theme of good versus evil. All such themes and premises are found in ample in Harry Potter. Just as in the case of topographical features, Rowling takes traditional fantastic themes and problematizes them on multiple levels, projecting polyphony rather than a single voice; privileging perspectivized knowledge over objective truth. For instance, the theme of invisibility has been dealt with on various levels. If Harry can use his Invisibility cloak to become invisible, wizards and witches who have learnt Disapparition can simply Disapparate. Lord Voldemort, who has mastered the Dark Arts, can easily become invisible at will. To complicate this theme of invisibility and explore it at yet another

level, Rowling has introduced a species of animals called Thestrals which are visible to some and invisible to others. Harry is alarmed when he first witnesses them in the fifth volume. He learns that they had been pulling the school carriages all the previous years as well, but he could not see them as he had never witnessed a person dying. This piece of information is accepted by him fairly well, just like everything else that he has learnt to accept and acknowledge as obvious. However, this unquestionably brings out the issue and problem of uncertainty regarding 'truth', thereby questioning the common belief that 'seeing is believing'.

Based on the two themes of 'I' and 'not-I' in Todorov's analysis, Jackson has identified two kinds of myths in the modern fantasy. The first type is the 'Frankenstein type of myth' (Jackson, p.59) where the source of threat is within the self. This could be due to excessive knowledge or mis-application of the human will. The second type of myth is where the source of threat is external to the self. This could come about through an attack/invasion, causing metamorphosis of any type. Rowling has used the second type of these myths in *Harry Potter* and yet again, has explored it in varying degrees. There are smaller examples of metamorphosis by attack like the conversion of innocents like Remus Lupin and Bill Weasley into werewolves by the werewolf Fenrir Greyback. In the case of the protagonist Harry, the case of metamorphosis is extremely complicated—something that he himself takes seven years to understand. Having used the Killing Curse on Harry and failed, Lord Voldemort has reduced himself to something less than human. However, this transformation appears simple in comparison to what this failed attack has made of Harry. Firstly, Harry has been converted into one of the seven Horcruxes of Lord Voldemort. Secondly, a part of the latter's soul has latched itself onto Harry, giving him many of the latter's unique powers. Thirdly, the only mark that Harry bears as a result of this attack is the scar on his forehead. Through this scar, a unique connection is established

between the two. Harry's scar begins to hurt unbearably when he faces Lord Voldemort for the first time. He slowly realizes that the scar hurts also when Voldemort feels particularly powerful emotions like anger, disappointment and happiness. Thus, the myth of the metamorphosis of the self has been complicated by Rowling, through the blurring of the internal-external binary. This location of the metamorphosed identity within the self is a rather novel way of looking at the premise of metamorphosis itself.

In conclusion, the fantastical universe of *Harry Potter* defies categorization of any one type. However, an analysis of its structural elements reveals a rich and textured universe, which is anything but a zone of 'insignification' or 'non-meaning'.

#### Notes

<sup>1</sup>Due to the inaccessibility of the works of Irwin and Rabkin, the quotations that appear have been taken from Rosemary Jackson, *Fantasy: The Literature of Subversion*, London & New York: Routledge, 1981. Consequently, the page numbers of the citations correspond to Jackson's text.

<sup>2</sup>Lucie Armitt as quoted on <a href="http://www.enotes.com/contemporary-literary-criticism/fantasy-contemporary-literature/lucie-armitt-essay-date-2000">http://www.enotes.com/contemporary-literary-criticism/fantasy-contemporary-literature/lucie-armitt-essay-date-2000>

<sup>3</sup>According to Tolkien, fantasy represents a 'secondary universe', a 'subcreation'. For him, it represents human imagination in its highest form. As Lee D. Rossi has explained in this context, "for Tolkien, fantasy is the highest power of the human imagination...the fantasist creates a whole imaginative world, a world with its own climate, geography, peoples, and languages. It is a power not unlike the divine power of primary creation; it signifies that man is made in the image of God." (*The Politics of Fantasy: C.S. Lewis and J.R.R. Tolkien.* Michigan: UMI Research Press, 1984, p. 2)

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# Voicing dissent through pain: A study of legitimized torture in India

This paper will attempt to examine how representations of torture in Indian prison writing get delineated when considered with respect to the ideas of bare life and the state of exception as mentioned in the work of Giorgio Agamben. As something that necessarily proceeds death in the case of several texts produced in prison, torture within the Indian prison leads to a consideration of death as something that seems to be the means through which the sovereign asserts power in a state. Death is linked here inextricably with the right to kill on the part of the sovereign and this becomes the definition of the sovereign.

Moreover, the question of what constitutes the relationship between the sovereign and the tortured, dying or dead subject within the biopolitical framework also becomes crucial.

Achille Mbembe in his essay titled 'Necropolitics' charts out a trajectory that explores this very relationship. Mbembe posits that the subject that the state engenders also seeks to impose and assert her own sovereignty through resisting death by "staging a fight to death" (Mbembe, 10). In describing the trajectory that the life of the imprisoned criminal undergoes, this analysis becomes important when the assertion of independence by the prisoner comes to the fore and is brutally resisted and clamped down upon by the prison authorities. This process also gives rise to a tension that underlies prison writing. This tension is articulated via the documentations resistance that are constantly encountered by the reader within these prison writings. The manner in which this assertion of independence is described by the writer is tinged with the knowledge that torture shall be the breaking point of any experience of imprisonment that involves wrongful arrest, especially in the case of political prisoners. This assumption is shared by the

imprisoned and the prison authorities alike. I argue this shared information constantly lies in tension with absolute insistence on innocence on the part of the prisoner. The act of writing then becomes one of the means through which these manners of disavowal of any trust in the state and yet an underlying clinging on to loyalty towards the state emerges in these writings.

Furthermore, the descriptions of torture that precede, for example, Afzal Guru's¹ execution induce the knee jerk reaction of sheer helplessness if not burning rage in the reader. There is an accompanying realization that the culmination of interrogation through torture is the extraction of a confession that satisfies the state's reasons for arrest. It is this manufacturing of a state sponsored reality that also forms part of the process that goes into the makeup of the imprisoned writer's claim to innocence. For in these writings what comes through in a most lucid manner is the state's callous and brutal approach in the extraction of a confession that fits with the reality that the state seeks to construct.

However, in this fight for sovereignty between the state and the subject, the breaking point for the subject will come with the always already established brutality that interrogation through torture signifies. What then comes through in these writings of the imprisoned author is the injured consciousness that the experience of torture generates. It is this development of the injured consciousness that becomes one of the markers of prison literature. How this engendering of a fractured, broken and yet a non surrendered consciousness takes place during the act of being tortured becomes a crucial question for exploring these writings.

Furthermore, the dynamics of torturing and being tortured begin to play themselves out in the space of the torture chamber. One of the most compelling factors that determines the absolute disintegration of the writer's consciousness is the presence of pain that is inflicted on the body of the tortured. The idea of the physically pained, tortured body of the imprisoned writer then gains special significance in clarifying the relationship that develops between the tortured and the torturing body.

According to Elaine Scarry, who has a nuanced commentary on the act of physical torture within confined spaces, being intensely tortured engenders an amount of pain that is language destroying. She writes, "as the content of one's world disintegrates, so the content of one's language disintegrates. As the self disintegrates, so that which would express and project the self is robbed of its source and subject" (Scarry, 35)

Placed within the context of Agamben's analysis in *Homo Sacer* where he contends that the entry of the Zoe into the Bios takes place precisely through language and so does the subject become political, this destruction of language then results in a withdrawal from the political. What it also establishes is a divide between the language and the voice of the tortured subject. It is only through excavating this non-political voice of the subject that the state is able to continue the project of manufacturing a reality. Considering Scarry and Agamben together then begins to reveal aspects that shed light in torture for what it is. It is an oppression of the consciousness, a destruction of language and a disintegration of the self.

This process, where the presence of intense bodily pain has a crucial part to play to the extent that it is the medium of torture, also sheds light on the reality of the confession. The confession, which results after a loss of the self, the world and language, is not the reason for such a loss, says Scarry, as it is made out to be. The reason, she contends, is sheer physical pain. Having tapped into the resource of inflicting sheer pain, the torturer capitalizes on the value that intense pain yields; the value that makes the extraction of a confession possible.

The relationship that then develops between the tortured and the torturing bodies begins to emerge here. The gradual loss of the prisoner's consciousness and language becomes an impetus for the torturer to realize their objective. Scarry further writes, "

"To assent to words that through the thick agony of the body can be barely heard, or to reach aimlessly for the name of a person or a place that has barely enough cohesion to hold its shape as a word and move to bond it to its worldly referent, is a way of saying yes, all is almost gone now, there is almost nothing left now, even this voice, the sounds I am making, no longer form my words but the words of another." (Scarry, 36)

The contention that it is the words of another that are being uttered by the prisoner during confession is more than clear in the case of Afzal Guru. According to Arundhati Roy,

"The day after his 'media' confession, Afzal's 'official' confession was extracted from him. The flawlessly structured, perfectly fluent narrative, dictated in articulate English to DCP Ashok Chand, (in the DCP's words, 'he kept on narrating and I kept on writing') was delivered in a sealed envelope to a judicial magistrate. In this confession, Afzal, now the sheet anchor of the prosecution's case, weaves a masterful narrative that connected...the five dead terrorists, their equipment, arms and ammunition,...detailed lists of exactly how many kilos of chemical he bought from where...Each point of the 'confession' corresponded perfectly with the evidence that the police had already gathered. In other words, Afzal's confessional statement slipped perfectly into the version that the police had already offered the press days ago, like Cinderella's foot into the glass slipper." (Roy, 109)

This manner of extracting a confession is precisely what Scarry is elaborating upon, including the machinations adopted by the torturing body for the purposes of extraction. Coming back to the where torture is carried out, while we do not see in the writings

that I have considered an extremely systematic representation of the torture chamber, there is nevertheless a representation of torture in spaces that imply absolute police authority, and sometimes even in spaces that are least expected to be the sites of torture. These spaces of interrogation are neither the police interrogation chamber not the courtrooms. Their mysterious status also contributes in the manufacture of flawless, perfectly sculpted confessions.

Nandita Haksar, S.A.R.Geelani's<sup>2</sup> lawyer, in her book called *Framing Geelani*, *Hanging Afzal*, writes about how Geelani was tortured in the gardens of an unnamed yet clearly official residence in Central Delhi.

"Image Two: the men of the special cell making Geelani take his clothes off in the verandah of a beautiful villa with green lawn and Ashok trees. Hung upside down, the soles of his feet beaten and a constant volley of filthy abuse hurled at him. Then Geelani being taken down and put on a slab of ice in a drawing room and again beaten till he is nearly unconscious. Half dressed, he is then dumped into a jeep and taken to the Lodhi Road Police Station" (Haksar,51-52)

It is in the occupation of these seemingly innocuous spaces that torture is perpetuated. The questions that these incidents raise is whether there necessarily needs to be a designated torture chamber, where torture is carried out as a secret affair, or are all official spaces potential torture chambers. As the definition of official spaces expands to encompass a large part of the public space, what emerges is a callous and untouchable disregard for any boundaries between public spaces and torture chambers. Notwithstanding the objections to the existence of torture chambers in the first place, it is also clear that the boundaries of these spaces are forever expanding. In most of the writings I have considered they seem to stretch to the actual residences of the accused as well. For these spaces then become, again, a continuance of, or fuel to, the 'exceptional' state of affairs which the state is seeking to normalize. These spaces then signify

the state's absolute complicity in senselessly legitimizing acts of torture. That torture can be carried out in the environs of an allegedly official residence becomes testimony of the state turning a blind eye toward physical torture. By extension, the nature of torture that prisoners like Geelani then undergo within the confines of the prison is left to the readers' imagination.

Coming back to the relationship that develops between the bodies of the torturer and the tortured, there exists in these writings a description that carries forward the difference in the physically healthy bodies of the prison authorities and the imprisoned, to the point where the stark contrast between the two are elegantly elaborated upon by the writing prisoner. This is especially apparent in the manner in which Joya Mitra describes some of the female prison guards in her jail. When considered with respect to the suffering imprisoned bodies, this relationship takes on dimensions that are so unconsciously constructed by the writer that they are almost imperceptible. Elaine Scarry in her book writes about how the experience of the pain of torture helps to bring forth complete destruction of language, and in doing so point towards what forms one of the subtexts of prison writing.

When considered with respect to the general state of the consciousness, the act of torture achieves a level of efficacy that Scarry says can perhaps be compared to the prolonged pain of a near fatal accident or disease. Beginning the analysis by acknowledging the senselessly brutal pain caused by torture, I would like to then consider the ramifications that this prolonged experiential aspect that pain has on the state of the consciousness of the tortured. (Scarry,153)

Joya Mitra in her book *Killing Days: Prison Memoirs*, writes about this experiential aspect repeatedly. Her writing demonstrates the intense "world destroying" phenomenon that Scarry mentions in her analysis and how this destruction is what we can term as a side

effect of being tortured. This side effect is an intense manifestation of destruction that characterizes the endemic nature of torture within prison.

Having suffered multiple injuries to her back with the result that it was broken in several places, Mitra manages to convey a sense of perpetual combat with this destruction of her world and consequently her consciousness. She writes,

"It's ten in the night. We can faintly hear broken conversation as the guard changes near the back wall. Suddenly the near silence of the night is shattered to pieces by a dreadful, inhuman scream. Once...twice...and then it just continues. At first sheer terror makes me stand up. Then I understand. I keep standing...No, this is not just ordinary labour pains. To punish her for resisting in the evening, the matron has ordered the girl to be shackled. So she is lying on the ground, with her shackled leg tied to the bar about a foot above the ground. In that position the baby can't come out. The mother's deathly screams only rend the silence of the night. The sky doesn't break asunder over this prison where human beings live in cages...only our palms become bloodless, or hands become bloodless as we continue to grip the bars of our cells. Much later the screams turn into groans before stopping altogether...Long after, that the doctor comes and leaves again. The silent corpse, no longer in shackles, is carried out on a stretcher...And people still ask me: "Did they torture you?"" (Mitra,143)

I quote this particular aspect of torture in order to demonstrate the following.

The pain of the tortured in Mitra's writing always extends beyond the body of just the one tortured victim. There are multiple instances in the memoir where she chronicles standing helplessly gripping the bars of her cell while she is the aural witness to other women being tortured within the prison. This aspect of her writing highlights that apart from Mitra's own encounter with systematic

torture within the prison, which includes solitary confinement, it becomes apparent that the constriction of the world of the prisoner, the suppression of consciousness, is facilitated also though structural penal violence against women. Therefore the questions that arise here need to address how the boundaries of the state's definition of torture are always exceeded, what constitutes torture as a process and not an event and these acts constantly spill out of the arena of torture that the state seeks to function within.

With respect to the infliction of pain, the repulsive nature of the act manages to transcend all moral and ethical considerations on the part of the torturers. Scarry writes about how easy it is for the readers to invest sympathy with one side and feel revulsion from the other. Nevertheless this process manages to survive precisely because this loyalty begins to waver once the act of verbal interrogation also begins to be considered. Does this enable the torturers to be justified and credited? Is only the physical act of torture absolutely repulsive and does the verbal aspect redeem the absolute infliction of pain? What enables the torturer to carry on inflicting pain, indulging in physical torture?

This potential reversal of the moral outrage then becomes one of the main reasons why physical torture continues. The redirection of this basic moral reflex becomes a facilitator for torture to be sustained. What it also signals towards is that the dynamic between the body and the voice of the prisoner is constantly in flux. Having established the breakdown of the language and subsequently what it projects, that is the self, the relationship between the pained body and the voice is all that is left to be taken advantage of through torture now.

What then motivates the torture to continue is the distance at which the two bodies stand- the unimaginably different worlds that both occupy? However close to the proximity of the prisoner the torturer stands, there will always be an unbridgeable gap

between their physical realities. While the prisoner is engulfed within the overwhelmingly paralyzing pain originating within her own body, the torturer is completely and utterly without pain-exempt from any consciousness of the pain being experienced by the body so close to him.

It is this absolute experiential unawareness that lets the torturer continue in his act- not just to bear the presence of paralyzing pain within his vicinity but also to continuously repeat this infliction of pain- to constantly bring it into the present and sustain it hour after hour, as Scarry says.

The loss of worlds, as Scarry puts it, then becomes only an occurrence on the part of the prisoner- there is a shredding of the prisoner's relation to the world that begins to take place. With reference to the interrogatory questions, answers to which are demanded by and insisted upon by the interrogator, there is an attempt to bridge the unbridgeable distance that lies between the two bodies by converting this physical reality to a verbal one. The series of verbal questions immediately following the act of torture then, more than mere convenience, is a move on the part of the torturer to convert the economy of pain into that of power- to project to the outside the prisoner's shredded conscience and turn it into a tattered (yet desired by the state) form of self extension.

The extension of this self of the prisoner contrasts greatly with the coherent, bounded, cruel self of the torturer. The answers that the interrogatory questions then receive, apart from other things, signify a result of the juxtaposition between the complete self of the interrogator and the rapidly disintegrating self of the prisoner. What it also brings into sharp focus is how the ever deprecating sense of self of the prisoner that is caused due to this shredding of consciousness and the world precisely becomes the cause for the increasingly swelling sense of territory, both conceptual and political, being gained by the torturer.

What this clearly and starkly differing manifestation of selves and worlds also produces is a riveting difference in the voices that belong to both the interrogator and the imprisoned. Is there an assertion, a dominance of one voice over the other? There definitely is. Is this absolute dominance over the imprisoned voice the sole objective of torture? This is a question that needs further exploration. Nandita Haksar further writes,

"Image Three: Geelani lying on the cold floor of the police station with chains on his feet tied to the table, and cold iron handcuffs on his hands. Blood coming out of his eyes, legs and hands. His children made to see their father and police threaten to rape his wife if he did not give a false confession that he was involved in the conspiracy to attack the parliament.

Image Four: Geelani kicked, beaten and spat upon. The police continuously abuse him for being a Kashmiri, a Muslim and a Pakistani agent and being responsible for all the problems in India. They beat him continuously for nine long days and nights, trying to break the brave and courageous man who held on to his dignity and to his humanity.

Image Five: Policemen urinating into the mouths of Shaukat and Afzal. One policeman has his arm around another and asks him: "are yaar tum nein kyon nahin kiya?" (why didn't you do it as well?)" (Haksar, 58)

This excerpt clearly highlights is what can perhaps at the first instance be considered a true example of bestiality on the part of the police and the state authorities. However on further exploration what this display of bestiality also brings into focus is how the radical disintegration of the self and the world of the prisoner is brought about. Haksar further comments upon how Geelani was threatened with the lives of his entire family in order to drive home the fact that he confessing was the only means of saving them.

Establishing how crucial the interrogation is to the regime that the state wants to maintain, these writings highlight a sense of artificiality that characterizes the entire process of torture and interrogation. Even as the language of pain is transformed into the language of power before the readers, there emerges a process through which "the torturer uses the prisoner's aliveness to crush the things that he lives for" (Scarry, 38.)

The above quoted excerpt justifies Scarry's claims through demonstrating blackmail and open threats on the part of the police to force Geelani to make a confession.

In the case of Afzal Guru, Arundhati Roy deftly illustrates how the country was brought to the brink of a nuclear war with Pakistan based on falsely extracted confession. That the confession was also ruled out as having been procured under extreme duress by the courts is cause for no redemption at this point in the analysis, since the blurry line between judicial objectivity and the state's backhanded and violent procedures has already been erased. Roy writes,

"Eventually the supreme court set aside Afzal's confession citing 'lapses and violations of procedural safeguards'. But Afzal's confession somehow survives as the phantom keystone in the prosecution's case...

On the basis of this illegal confession extracted under torture, hundreds of thousands of soldiers were moved to the Pakistan border at huge cost to the public exchequer, and the subcontinent devolved into a game of nuclear brinkmanship in which the whole world was held hostage.

Big Whispered Question: Could it have been the other way round? Did the confession precipitate the war, or did the need for a war precipitate the need for the confession?" (Roy,47)

The nature and the task of the confession with respect to political prisoners are much more massive than they appear. In the case of extracting a confession that essentially seeks to perpetuate the supremacy of one regime over another, as in the case of Afzal Guru, there also exists something more than a mere showcasing of one state's power status to another. What it brings out most importantly is the reiteration of bare life as Agamben posits it- a reinforcement of the state's ability to execute as many Kashmiri prisoners as it requires in order to establish supremacy through the state of exception. In doing so, what also comes to the fore is how the voice of the 'Homo Sacer', as it withdraws from the political world and language devolves into mere echoing of the "words of another", as mentioned before.

Therefore we are witness to demonstration of the state's desperate need for normalizing the exception to the extent that it resorts to actions that are not sophisticated or subtle in being violent. Furthermore, all the prison writings that I consider imply this not so subtle exercise of violence that is being normalized on an everyday basis. The framework for considering these prison writings is an analysis of state sponsored violence towards prisoners, political or otherwise. Coming back to the Agambenian analysis that the founding basis of law originates in violence, the conclusions that can be drawn from the argument that has been made in this paper points towards the constant deployment of a particular brand of violence that displays complete disregard for human right and individual liberty.

It also reiterates the disturbing argument that the citizen subject is not the central concern of the Indian democratic state. With respect to torture, the state's position remains conveniently unambiguousit displays lack of accountability when it comes to holding the repressive state apparatus responsible for any lapse in democratic procedure. In fact, as demonstrated previously, these state apparatuses continue to exist in a realm that is beyond the legal. It

is thus that the continued sustenance of the state of exception is made possible.

The tensions and the underlying implications in the above mentioned prison writing also reaffirms their position with respect to the voice that these writings in spite of sustained torture in every form continue to raise. These voices, whether of the prisoners themselves or of writers on their behalf, constitute a rupture in the state sponsored reality that leads to the perpetuation of a violently 'democratic' state itself. As the following quote by Arundhati Roy illustrates, these writings cause the farcical nature of the Indian state to be revealed in a manner through which language of the state is in combat with the voice of the 'Homo Sacer' and how these writings manage to achieve a level of intrusion into the not so neatly tailored vocabulary of the state.

"...Afzal's story is being performed like a piece of medieval theatre on the national stage, in the clear light of day, with the legal sanction of a 'fair trial', the hollow benefits of a 'free press' and all the pomp and ceremony of a so called democracy" (Roy,12)

Within the contested reality that is the Indian state, coming to terms with the state's propensity to constantly behave in an exceptional manner requires recognition of how the human rights of the citizen subject occupy an extremely fragile territory as well.

I would like to conclude my paper with an interrogation of the category of the rights bearing citizen as she exists within the Indian state. This citizen becomes a repository of the state's investment in the citizen's body in a manner that throws into question the very foundation of human rights itself. What I want to further illustrate is how this rights bearing citizen is always caught in a double bind. According to Agamben, the emergence of human rights signalled a victory for many marginalized groups of the world but at the same time these groups only gained entry, through having claimed these rights, into what can be labelled a larger structure of

domination. He writes that through having gained human rights,

"...they sim-ul-tan-eously pre-pared a tacit but increasing inscription of indi-vidu-als' lives within the state order, thus offer-ing a new and more dread-ful found-a-tion for the very sov-er-eign power from which they wanted to lib-er-ate them-selves." (Agamben, 121).

This double bind in which the notion of the rights bearing citizen inserts the body of the citizen then becomes one of the major contradictions of universal human rights. And it is precisely this contradiction that is exploited through the machinations of the Indian state as well with respect to the body of the imprisoned citizen. This demand for respecting human rights only originates when the state violates this structure. Thus what is starkly revealed is the instability of the structure of human rights and the notion that the state can afford to be completely dismissive of these human rights as in the case of the violation of the bodies of the Indian political prisoners. This possibility exists precisely because the political regime into which claiming human rights inserts the citizen displays a caliber that affords it the liberty of overlooking these rights altogether.

It is through these ideas that my work tries to bring into sharper focus the skewed relationship of the law with the citizen as well as the contradictions that emerge out of prison writing. In the form of this commentary about the complex and problematic nature of the state the issue of universal human rights can be placed within a framework of justice.

Costas Douzinas in his article titled 'Seven Theses on Human Rights: (5) Depoliticization' speaks about how the human rights claims serve to bring to the surface the gross injustice and arbitrariness of the political realm. He also stresses that at the same time they also dissolute the possibility of a mass resistance against oppressive political structures by serving individual ends. This

contradiction begins to stand apart from the writings of Indian political prisoners because in this scenario the idea of appealing to human rights is suppressed to such a great extent that in none of the writings that I have considered is there a direct reference by the author to rage and indignation at the violation of her/his human rights. However, this is not to imply that there exists no awareness of human rights, it is rather a highlighting of the fact that the nature of human rights is so complicated that on the one hand it hinders the process of mass resistance by proving to be too individualistic and on the other hand, as in the case of the Indian political prisoners, it falls short of coming to their rescue in their uniquely and peculiarly complex problem scenarios by proving too standardized and universal.

As these political prison writings lay bare the problematic in the political structure of the state, they also elicit from the reader an aforementioned sense of rage and rushes of sympathy that nevertheless tend to get dissolved in conflicting ideologies of patriotism, loyalty, demands for the satisfaction of the nation's collective conscience etc. This is not to imply that these writings do not carve out a decisive niche for themselves, on the contrary, this points us in the direction of concluding that these writings ground themselves very firmly in the uncomfortable domain that exists somewhere between the questionable existence of democratic procedure and the ordinary citizen's very often misplaced faith in this procedure.

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## Notes

- 1 Afzal Guru was an Indian citizen sentenced to death by hanging by the Supreme Court of India. Guru was convicted for his alleged role in the 2001 attack on the Indian Parliament. He was hanged in secrecy inside the Tihar Jail in New Delhi on 9th February, 2013, after having endured harsh and chronic torture. His body is buried inside the jail in an unmarked grave and the remains are denied to his family members.
- 2 S.A.R. Geelani was also charged with the same offences as Afzal Guru, but was acquitted after having spent time in custody and having undergone intense torture.

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# Engendering text: Representing popular traditions in the Adi parva of the Mahabharata.

Religion in its aspect has been subject to numerous investigations. The major dimensions of the religious phenomenon are the beliefs in gods, deities, demons, ancestors, spirits, nature or many other such aspects by the humans. The people rely on them or even have its understanding is a simplest way to define religion. Religion also incorporates the medium through which such ideas are generated, like worship, sacrifice, gatherings, festivals, paintings, places of worship. It has been correctly said by Durkheim with regard to religious ideas "religion does not merely rest upon an illusion rather on a basic fact of experience."

A history of religion is usually constructed on the basis of framework provided by texts, which do not directly reflect popular practices. Apart from their elite authorship and normative nature, some of these texts are difficult to date. The beliefs and practices they mention often have earlier beginning. Many important Sanskrit texts were compiled during first millennium CE. The mythical tradition was expanding and permeated the entire content of the epics and puranas lending a more popular base incorporating diversified tribal and folk traditions. The horizon and popular base was widening from brahmanism to Hinduism by incorporating sectarian pluralism.

These few thoughts appear as a convenient starting point to formulate all ideas on the popular beliefs or traditions. To understand the layers of Mahabharata the 'great' and 'little' traditions needs to be understood. We will see several religious ideas that were not specifically associated with a specific religious tradition but were an enduring feature of popular religion over many centuries. At the same time, the relationship between beliefs

could also take the form of competition and conflict. We cannot rule out the fact that various cultic traditions were part of an interactive milieu.

To incorporate gender within any discipline, it does mark some recognition in the field of study. In such a religious structure we need to identify crucial elements and work out their gendered nature. The gender relations have still not made their way into mainstream history. In context of mother goddess in early India there are complicated problems. Popular cults or traditions are perceived through social roles, some are considered malevolent and others benevolent in this religious tradition. They are merely nomenclatures. In Adi Parva i.e. the first book of Mahabharata there are examples of water deities who can impose conditions. They are even symbolic of womb and motherhood. They even reflect the caste base of society in their forms either as spouse or as devi. They are indeed gendered symbols.

Manifestations in beliefs of semi -celestial beings, ghosts, spirits, demons which are in sociological and anthropological terms associated with tribal religion are found in plenty in Adi Parva. The choice of the text is not altogether arbitrary. The text has plethora of evidence of incarnations, births, motherhood and popular beliefs. Malevolent deities are referred to as raksasis, yakshis, nagis residing in trees and water resorts are some manifestations of tradition at the popular level. Popular tradition needs to be viewed rationally. They are not merely minor deities of Indian religious tradition rather major in their own stand.

These popular cults will be reviewed with the identity of their own as well as their parallel relationships with other cults through the myths. The underlying fact of the text is that it passed through very many hands and got tampered. Its origin from oral tradition to written, witnessed numerous manuscripts that belong to different versions. The last of it was the text agglomeration by critical Poona

edition.<sup>1</sup> The text originated as a simple epic narrative and got inflated over the centuries. The impact of such interpretations can be seen on the popular beliefs as they are made the mouth piece by the bhrigus to spread certain ideas.<sup>2</sup> The epics were recited in popular gatherings and were generally projected as the scriptures for the masses. Some extra ordinary exigent circumstances compelled the brahmanical ideologies to give up their elitist stance and take notice of sub-strata of society and also seek to win them over through such literature.

The literature can be considered a stereotyped product of the poetic imagination or ignoring this fact it can be given importance as historical source material, extracting empirical data from it. Here is also an approach towards historical textual analysis of Sanskrit text along with social history placing the relationship of men and women centre-stage. A lot has been written about the text but merely trying to evolve a meeting point between the text and archaeology to understand its origin is inappropriate in context of Mahabharata. We also need to view this text as a source of religious expansion. To a historian, culture cannot be a given structure. The dynamics of the change over time should be evaluated. The archetypes are rich in meaning. It is relevant to keep in mind that the text in question is in Sanskrit and the language is even used for narratives of the popular traditions. The audience for the text was much wider. The text contains some clues that suggest that how it may have been transmitted to the people unfamiliar with the language. Here is an attempt in terms of interface between myths and history from gender perspective. It is a male playwright but the narratives can embletemise in identity formation and articulation. In this tradition there is discursive space for explorations of writers predicament as a man in a patriarchal set up.

The epics are narratives but the care with which they are compiled and transmitted points to their significance as vehicle for dissemination of knowledge of norms. They are less systematically brahmanized. Mahabharata is for a popular base and is synonymous with popular or folk narratives in early historical period . The focus is not so much on unraveling the complexities of the narrative rather elements can be used to construct various spaces. Within broad spatial and chronological limits we can examine domains that are not in a water tight compartments but exist as over lapping spheres. Tension within brahmanical framework is often exposed through such texts.

The popular traditions like apsaras, raksasas, raksasis, gandharvas,nagas, nagis and tirthas are certain beliefs that were popularized through the Mahabharata. Such means of common man began to be recommended for all breaking caste barriers and were supposed to yield greater spiritual merit. A question is to be raised if the male and the female popular beings operated within defined norms maintaining regulation of gender interaction or they were more challenging and had potential to get absorbed in wider beliefs. Myths ignite interest as they encapsulate hidden assumptions of a society. They even provide clue as to how a community disguises the breaking of the norms . They help us to look at various perspectives of the character. In terms of apsara she contradicts the behaviour of the ideal human woman, for that she is not condemned. On the one hand she personified freedom on the other she makes us think if she represented aspirations of those women who wanted freedom or even of the upper caste men? She differs from the women of the household .It could also be that some of these popular cults like Hidimba rakshasi could be saddened by her inability to enter into the inner apartments of domesticity. 4Such semi celestial beings could be claimed an ancestress by families of considerable status. The apsaras are most visible in the Mahabharata. In these narratives women appear more independent socially and sexually, something that is denied by the patriarchal and caste ideology.5 The legend of Hidimba can be represented through forms of patriarchy.

Mahabharata states that sages and gods have always worshipped linga. Nevertheless cult of mother goddess has been part of tradition for many years. Some such popular goddesses are deliberately ignored in the texts whereas others are added as part of integrative assimilation into Hinduism, which has evolved from tribal beliefs to highest philosophy. The goddesses are to be seen in historical context and not outside it. It is the feminine theology that makes the religious ideology expansive. The mother goddess could be symbolic to matriarchy, motherhood but it is not a uniform pattern. Some cults evolve from obscurity to visibility where as the others go unrecorded.

Women were a-historical beings but have lacked some kind of historical existence. We intend to look at them with a different perspective. We need to contextualize their positions as of same class as men. Gender is not just about women but it is a conceptual tool to understand many issues. It is used to understand social relations at large. Gender also looks into socially constructed differences between men and women. Gender and caste structures are also interlinked.

There are certain questions which need to be raised before the specificities of such popular beliefs are taken up. Is the ideology subservient to the interests of dominant groups? We say that the ideas of the dominated do not constitute an ideology since they do not legitimize the existing social order. Nevertheless these beliefs are part of wider religious spectrum though never really separated from it. The traffic of ideas between different communities either brahmanas or tribals is a two way process. The role of religion in society, as an ideology ought to be seen in its potentialities to sway masses. It is to look at religious ideas as part of cultures at large to evolve a change in society. We look at popular cults through the shift in their status as part of larger processes. There are large gaps in research of such ideas which needs to be filled and the silence to be broken.

There are dimensions of complex relationship between traditions and gender. The contexts of the text are diverse. Nevertheless, the complex two-way relationship where religious meanings and symbols are gendered, and gender relations get expressed through such symbolism are talked about. Gendered history should look beyond the separate story of girls and women or merely looking at women as stereotypes. We should rather pick up large issues to see the processes as gendered. The paper argues for coming together of some historical arguments and for using Literature imaginatively. Indian society presents evidence of highly empowered womanhood with simultaneous evidence of her commoditization. Sanskrit texts of the brahmanical tradition are used as main sources of myths. The osmosis that takes place between popular tradition and high religion leaves neither untouched. As the process takes its course some elements remain local the others become pan Indian. In the absence of the linear development from animism to monotheism the popular, elite, folk, oral and scriptural traditions all exist simultaneously in Hinduism.6

The idea that unilinear development is the correct progression of thought has begotten other ideas. The brahmanical tradition has been shaped by alternative traditions. Along with the male popular deity there is constant mention of female deities. In the mythology of Adi parva there are arguments, cultic conflicts among them. These popular deities are allowed space. They like women in the Mahabharata or goddesses are not made subservient wives in accordance with the conception of proper connubial conduct in a patriarchal society. The girls today might not relate to Menaka or other apsaras as they are not symbols of household. The apsara Urvasi, a one with slender waist reappears in many myths. Tulasi, a plant considered pious is also an epithet for apsara Urvasi who is never brought inside the house. It is a symbol of widowhood and remarriage. In our narrative the apsaras do change their attributes but are also rigid to force their ideas.<sup>7</sup>

The popular female cults, myths that deal with explicit relationship of women represent not only sexuality but other social traits. This is an aspect especially associated with demonic women or even apsaras. While demonic women pose threat to men and their rituals, apsaras are free from their control and even set condition for cohabitation with men.8 They are rarely subject to suppression. For upper caste women the patriarchal family had established control as is evident through their denigrating tales. In the epics women could participate in some indoor and outdoor utsavas, but not all of them. Such cultic beliefs offer stiff resistance, to be erased from the minds of the people. The nymphs even today survive as fairies in the folk tales. They have identity of their own. These invisibles are perceived as certain beings in the myths and have images. In the narrative tradition apsaras overtly deflate the patriarchal mythic imagination. Women's inner subjectivity and experiential realities often get subsumed into male concerns like controlling women's desire. The text reveals oppressive power structures that keep women subservient and marginalized. There is association between oral tradition and women. The narrative voice of the play constitutes a compelling device for creating female context in man oriented tales. 9 Apsaras represent women's understanding of the reality. Sakuntala and many like her are talking in Sanskrit about themselves which is being heard and even accepted. For women whose stories for centuries have been erased or appropriated by patriarchal structures speech becomes power.

There are other water deities who are carriers of patriarchy. Ganga the supremely revered river is described as Shiva second love but in the Adi parva she is the consort of Shantanu. She had voiced her doubts. The myth is significant as it brings celestial, life giving waters to the human world. As human interpretation of the myth she is sacredly worshipped.<sup>10</sup> In Adi parva she is reluctant to save her own child. One who is close to godliness is expected to show less concern for the genders. Ganga rejects the world and denies

sexuality, gives up household and takes up death. <sup>11</sup>The Adi parva gives many examples of motherhood. The text reveals the tradition of patriarchy and the father tradition is to continue through sons and so the family is to survive. In the text there is an attempt to hierarcize sons, there is complex patriliny, relevance of marriage for the son. The ideal kind of social reproduction is envisaged within normative brahmanical tradition was a patriarchal household. In Adi parva reference of women who married on their own however is represented. Symbiotic harmony can be seen among such manifestations. The act of killing her sons reflects power that Ganga held. The conflict between two contrary modes of life does yield a vision of reconciliation. The idea is, the text is the mouth piece of brahmanical tradition where deliberately certain myths are woven. It shows the social construct as well as the manifest ideas.

With the decline of the clan societies importance of apsaras declined and in later period the goddesses emerged as more powerful figures. At later date there was evolution of courtesans as part of the urban space. 12 Women choosing such professions in the domain of men thus were breaking caste barriers. They had economic independence and resisted all that patriarchy prevented them through its control over women. The courtesan had opted out of such caste barriers as well as social norms to which a household woman was tied. One also needs to look into nature of control of the patriarchy or the patriarchies as some historians feel. Women are not a homogeneous group in terms of socio economic perspective. A space can have a specific meaning for man and woman. Various spaces could provide men and women both an opportunity of mobility. 13 The gender relations are not fixed and likewise men and women are found in the historical processes. Mahabharata as part of bardic lore was transmitted by sutas whose traditions were brahmanized over a period of time.

There are various ways in which patriarchy has exercised itself in narrative and normative literature thus including various ways in which women were exchanged and acquired. Within Mahabharata there are various legends in terms of this aspect of exchange or marriage. Besides the normative forms of marriage there is reference to polyandry in case of Draupadi and a kind of marriage between cousins like Arjuna and Subhadra. They simplified and disseminated values embedded in brahmanical ritual. Epics do focus on conjugal ties, relationship among kinsfolk. The social codes otherwise are about caste boundaries though there are contradictions within the texts. In case of Sakuntala and Dushyanta it was a gandharva marriage. 14 This form of marriage indeed had mutual consent. The women's caste was of less concern and the woman in such marriages is invariably an apsara or a celestial being. In terms of lineage such marriages give status to a new lineage.<sup>15</sup> On the other hand it can be interpreted that an apsara was a liberated woman, pursuing her own will. Whereas Kunti is the patriarch of the pandavas in terms of their birth as well as in their marriage to Draupadi.

The myths of the raksasis reflect the process of interaction between different cultures. The yakshas have weird bodily structures but were worshipped for their qualities. Most deities are wrapped in layers of myths. Apsaras are also referred to the essence of ocean water ,fertility rites as well as the symbols of motherhood. The apsaras in Adi parva did share varied qualities. Such popular cultic ideas survive for long in the thought processes of the people. In this parva a number of apsaras are mentioned along with their origin. From among these Menaka is the best as she is born from Brahma, rather many of them have human origin. 16 Sakuntala was half-apsara being daughter of Menaka and sage Vishwamitra. 17 She has moved over centuries through historical and socio-cultural contexts. In Mahabharata she is confident and self-convincing, a liberated woman demanding to be justly treated. Where as in other versions she is timid and submissive. In Kalidasa courtly production she is disempowered, a woman waiting patiently for recognition of her virtues. 18

Apsaras and Gandharvas in myths and traditions are represented as companions in the court of Indra as dancers and musicians. Like yaksis and raksasis, apsaras ad quality of changing forms. Such ideas evolve with time. In the Adi parva they originated from Pradha, daughter of Daksa.<sup>19</sup> Menaka, Urvasi and four other are referred as main apsaras.. The text faces impact of interpolations by bhrigus a brahmana clan. The apsaras are even linked to birth giving to bhrigus (a brahmana clan) who themselves were redactors of this text. They were using apsaras in the construction of the myths making them part of wider religious tradition. Many of bhrigus are born of apsaras.<sup>20</sup> Menaka bore two daughters, one through gandharvaraj and the other through sage Vishvamitra. She left both of her daughters behind in an asrama.<sup>21</sup> Probably they were free to make such decisions. In a verse Sakuntala said to Dushyanta,"Menaka lived with celestials and was of superior birth"22 Some cultic changes can be elucidated pertaining to apsara who is considered of superior birth compared to humans.

Are these symbols representing gender sensitivity? This needs to be evaluated. They are not bereft of womanhood, sexuality, reproduction but are also symbols of changing women. There is diversity in reflection of women. Women like Kunti are forced to bear children/sons due to patrilineal conditions. There are well defined limits to the maneuvres made towards reproduction of the lineage and inheritance. The emphasis was on purity of groups and women were responsible for it. Semi celestials like Menaka are symbols of sexual desire and are also women who can make their own choice. Even today such women are important to break stereotypes. Apsaras the in one of the legend are reincarnated on earth as goddesses marrying Krsna. 23. The apsaras even get converted into water deities and their residing spots were termed nari tirthas or sacred spots. These spots were converted into places of worship and they represented five apsaras. If the goddesses in the religious structure are spouses, the apsaras on the other hand are self dependent and self desirous and have potential to illustrate varied belief systems and cultural values. Here is an ideological richness in popular tradition. The reference to many apsaras would reinforce our understanding that the author was attempting at multiple perspectives on their position which might have implications. Apsaras are portrayed as powerful, self willed.<sup>24</sup>In the legend of Sakuntala in the Adi parva there are not many obstacles and complications in her union with Dushyant. Such texts do not provide direct reflection of reality as information but there are contending representations of social relations. There were strategies to shape social relations in all complexity. There were various ways or plurality of conceptualizing popular beliefs as well as their world. Even though they were seductress or practical women.

Gandharvas also originated from Pradha the mother of apsaras.<sup>25</sup> They become symbols of warriors and guardian deities of sacred places. A gandharva Angarapana is also identified on tirtha as his new domain of residence. He even insisted on institution of marriage. They along with raksasas were free to move at night as compared to humans. They are free to move in their space. Besides them there were other cults as nagas born of Kadru and their sibling garuda from Vinata who are daughters of Prajapati Daksa<sup>26.</sup>They symbolize motherhood. They get engaged in a conflict and the sons have to indulge in a tussle for them."Females are very rigid" is the statement for mother made by the nagas.<sup>27</sup>The tussle led to Sarpa sattra -a snake sacrifice which was to destroy snakes. Agni was there to burn them all, an enemy of these cults. The mother became the cause of naga destruction as per this myth.

The female nagi Ulupin resided in water and was like a nymph. Physical attributes are portrayal of these beings. She is in relationship with Arjuna. <sup>28</sup>In these cults Nara-Narayana is the destroyer of nagas, raksasas, yakshas and asura. Such cults survive with us through nagapanchami and other popular festivals. Female nagi Ulupin is termed as Jalacharini an epithet even used for Apsaras. The idea of

beautification at times led to subjugation of such beliefs in the myths. Tilottama a damsel is send to kill asura Sunda and upasunda is herself a subject of gaze.

A rakshasi Hidimba bore the same name as her brother, and was asked to go human hunting by him.<sup>29</sup> This is a good example of reversal of gender roles, but this is located within relatively safe place of domesticity and is thus contained rather leading to conflict of interests. She falls in love with Bhimsena and wanted to marry him. She said, "a woman's love for her husband is stronger than her affection for her brother".<sup>30</sup> As a saviour she is welcomed by Kunti mother of the pandavas. Her relationship with the pandava son is symbolic of matrilineal society as she stays back in her own space after marriage .Also there is a shift from monstrosity to womanhood and fertility. She along with her son Ghatotkacha resided at places that are known as chaityas in the text. Such cults are symbolic of assimilation even though they are malevolent but have a major role in the evolution of certain ideas pertaining to society. Such stories do not follow unilinear patterns.

The number of such popular cults is small in their gender but they play a role in changing gender stereotypes. There is mention of utsavas and tirthas in the Adi parva. Utsavas or Samaja were events where people gathered with their spouses which included sounds of trumpets, drums, chariot riding, etc. Wife was a necessity in the religious services and accompanied men as and when required. Draupadi's swayamwara is also mentioned as utsava.<sup>31</sup> This act of self choosing groom was another important aspect of womanhood. It was attended by people from all walks of life along with gandharvas, apsaras, nagas and others. Indeed a process of integration of traditions.

There are other evidences of caste divisions in context of disadvantaged womanhood. The idea is to control women into gendered roles. Here is an attempt to break some stereotypes with the help of popular tradition. In the celestial and earthly space the apsaras are free to pursue ideas as their counter parts gandharvas. Not all fit in the traditional role model of motherhood. Such cultural symbols evoke multiple representations. We further need to examine varied ways in context of gender. We can take up a comparative study of high born women as to what their priorities were? Do they fulfill their desires or fulfill their dharma, is the question needs to be answered.

Here is an attempt to look at certain popular cults in their context of engendering a text and the idea is to look at various forms of womanhood in the whole text. It is not mainly about oppression of women but their existence in the structures that keep expressing their identity. Also evidence of how women perceive their men to be. An alternative space for female energy emerges in terms of issues of marriage, sex, etc. Women voices are evident when they speak and are not silenced. The symbols of patrilineal society at times are not very strong among these cults. To sum up, the popular cults appear in a strong way in the text. It can be argued the representations of apsaras and gandharvas indicate an independent behaviour an ingenious response to sex which is not part of marriage thus symbolizing free space for men and women something traditionally denied in patriarchy. They are symbolic of pleasure in their individual domain. Such cults are part of interactive Indian culture and symbols of marginal identities which can construct new historical identities.

All the references to the Mahabharata are from the critical edition of the Adi Parva.

#### **End Notes**

<sup>1</sup>.G.V.Simon, 'Text Layers in the Mahabharata', ed.R.N.Dandekar, *The Mahabharata Revisited*, p. 37.

- <sup>2</sup>.R,P.Goldman, *Gods, Priests and warriors*. New York, Columbia University Press, p.2.
- <sup>3</sup>.R.Thapar, *The past as present:Forging contemporary identities Through History*. New Delhi: Aleph Book Company, 2014, p. 271.
- <sup>4</sup>.Mbh I.143.36.
- <sup>5</sup>.U.Singh and N.Lahiri,ed., *Ancient India New Research*. New Delhi:Oxford University Press, 2009, p. 272
- <sup>6</sup>.N. Books Chitgopekar, Rudra the Idea of Shiva. India: Penguin Books, 2007.
- <sup>7</sup>.D.D.Kosambi, *Myth and Reality*. Bombay: Popular Prakashan, 1962.p. 57.
- 8. Mbh I. 66, 7.
- <sup>9</sup>.Arjun, Appadaroi, ed., A.K.Ramanujam, "Gender, Genre and Power in South Asian Expressive Traditions". University of Pennsylvannia Press, 1991, p. 33-34.
- 10.Mbh I.92.44.
- <sup>11</sup>Mbh I.92.46-47.
- 12.R. Thapar,op.cit,p.273
- <sup>13</sup>.K.Roy, *The Power of Gender and the Gender of power*. New Delhi :Oxford University Press, 2010, p107.
- <sup>14</sup>.*Mbh* I.67.14.
- <sup>15</sup>.Mbh I.67.17.
- <sup>16</sup>I.68.67.
- <sup>17</sup>I.65.21.
- <sup>18</sup>.R. Thapar. *Readings in Early Indian History*. New Delhi: Oxford University Press, 2013, p.444
- 19 I.59.44-56.
- <sup>20</sup> I.8.1-7.
- <sup>21</sup>I.66.7
- <sup>22</sup>1.68.83.
- <sup>23</sup>1.61.93.

<sup>24</sup>.I.69.27.

<sup>25</sup>I.59.44.

<sup>26</sup>I.14.56.

<sup>27</sup>I.34.6

<sup>28</sup>I.216.20

<sup>29</sup>I. 139.9

<sup>30</sup>I.139.15

<sup>31</sup>I.176.17-18.

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# Democracy, Media and the Question of National Security: The Case of Indian Newspapers

Reporting of conflicts by the media has received a lot of attention of scholars and writers working on peace and conflict studies. The media has the potential of influencing people's opinion about conflicts, and thus the parties to the conflict try to control the media for their own propaganda. This article looks into the issue of the coverage of issues related to national security by the Indian media and how some of these issues have been portrayed in the newspapers in India.

It is said that the goal of free and fair media in a democracy is to provide an objective and unbiased reporting of facts and ample space for discussion on various policies and events. However, it has been noted that an objective reporting of interstate and intra-state conflicts is far from free and fair and the media are forced to take sides in such cases where the question of national security is involved. During conflicts the states attempt to tightly control their media so as to mobilize their populations behind their endeavours. Susan L. Carruthers (2000) suggests that the states, in order to maintain their legitimacy resort to means like PSYOPS (Psychological Operations), thereby censoring, manipulating and regulating the media. Carruthers deals with the role of media in creating a bellicose public which favours the war efforts of the state under the rubric of patriotism and chauvinism. A huge amount of literature put the spotlight on how the media toed the statist line in the case of Iraq War (Rampton and Stauber 2003; Nikolaev and Hakanen (eds.) 2006). It has also been pointed out how war and conflict become spectator sports in media (Carruthers 2000). The media give sensational coverage of war for a public which gets a distant experience of the war. People are expected to be mere

spectators, like audience watching an action-packed movie, unmoved by the plight of people affected by war and its catastrophe.

This raises questions on the theories which posit that the media in an authoritarian state is dictated by the state while the media in a democracy is free and fair. For instance, in studying the transition of autocratic states to democracies, Katrin Voltmer encapsulates the change in the role of media, "... the media alter their role from an instrument of autocratic power to an independent voice in the political debate" (Voltmer 2006: 2). It is averred that, in totalitarian and authoritarian regimes the media, "are characterized by strict censorship, repression of journalistic liberty, and heavy-handed efforts to structure highly selective flows of information to the general public" while in democracies, "the media, through the information they convey to the mass public, serve as key guarantors of elite accountability and popular control of government in democracies" (Mughan and Gunther 2000: 4).

Media in Autocracies	Media in Democracies		
Tightly controlled by the regime in Power	Free and Fair		
Fully censored, no criticism of the government tolerated	Watchdog and critic of the government		
Media as a tool for the propaganda of the regime in power	Media enables a vibrant public sphere-a forum for debates and discussions		

Table 1. The popular distinction between media in democracies and autocracies

The media in a democracy is often called the fourth estate. It is so called as it provides information to the people to make informed choices about their representatives in order to enable them to monitor their representatives and critique the policies. The media

thus is critical for the functioning of a healthy democracy. Scholars point out that a democratic media carries all sides of the debate and thus helps the citizens in making an informed choice. This is the concept of "marketplace of ideas" which shows how the media in a democracy contain diverse points of view, "…the media provide for a free 'marketplace of ideas' where contradicting voices compete for public recognition without the interference of state" (Voltmer 2006: 3).

The role of media in a democracy is often discussed with reference to the importance of public sphere in keeping the state in check by the informed public. Jurgen Habermas (1991) discussed this concept in *The Structural Transformation of the Public Sphere*. The public sphere was based on the idea of the use of rational-critical debate by the public and its function of keeping the authorities in check. This debate took place within the reading public. The press was integral to this critical debate. However, Habermas observed that the development of the mass media led to their colonization by business interests who diluted this critical debate for profitability and manipulated public opinion for furtherance of their interests.

It has been observed that in practice democracies degenerate into rule of elites and the media deviate from these ideal standards and practices playing into the hands of these elites. Theorists have pointed out how democracies degenerate into rule of elite who control power while maintaining the system of formal elections:

The paradox of the demise of dictatorships, 'democratic transitions' and the spread of 'democracy' around the world is explained by new forms of social control, and the misuse of the concept of democracy, the original meaning of which, the power (cratos) of the people (demos), has been disconfigured beyond recognition. What the transnational elite calls democracy is more accurately termed polyarchy, to borrow a concept from academia. Polyarchy is neither dictatorship nor democracy. It refers to a system in which

a small group actually rules, on behalf of capital, and participation in decision-making by the majority is confined to choosing among competing elites in tightly controlled electoral processes. This 'low intensity democracy' is a form of consensual domination... It is based less on outright repression than on diverse forms of ideological cooptation and political disempowerment made possible by the structural domination and 'veto power' of global capital. (Robinson 1996:20-21)

Many analysts point out the multiple constraints on media in a democracy and show how its independence is sacrificed at the altar of political and business interests. Recent studies have pointed out that while in a dictatorship, the media is directly controlled by the state, in a democracy also the media adheres to the statist line, ensuring the interests of its elites, though in a much more subtle form. This is ensured not only through coercion, which is but one component in the entire spectrum of factors, but more significantly through a kind of 'self-censorship'. In liberal democracies, the appearance of consent is important for the elite to continue their rule. This consent is manufactured, among other means, through the media. Therefore, the state does not regulate the media directly, though in some cases the censorship is much too evident like in case of wars and conflicts. The states seek to manipulate the media through a number of subtle means. This has been explained lucidly by Herman and Chomsky in their propaganda model.

Herman and Chomsky (2008) give their propaganda model in order to understand the political economy of mass media in the US. Their theory, in a nut shell, is about how "the media serve, and propagandize on behalf of, the powerful societal interests that control and finance them" (Herman and Chomsky 2008: xi). The authors show through a nuanced analysis that the powerful vested interests influence the process in a variety of ways, often not through direct intervention but through the creation of an entire system which works in their favour. There are various "incentives, pressures

and constraints" which structure the news in a manner which suits the vested interests, "the selection of right-thinking personnel and by the editors' and working journalists' internalization of priorities and definitions of newsworthiness that confirm to the institution's policy" (Herman and Chomsky 2008: xi). The authors concede that some dissent might appear occasionally, but this dissent is never allowed to overshadow the official agenda and is kept within limits though various ways (called 'filters'). The media work not only by giving direct political messages but also by favouring a culture which promotes neo-liberalism and the market. This system of news production operates through five filters which shape and structure the news to favour the official agenda so much so that,

The elite domination of the media and marginalization of dissidents that results from the operation of these filters occurs so naturally that media news people, frequently operating with the complete integrity and goodwill are able to convince themselves that they choose and interpret the news 'objectively' and on the basis of professional news values. (2008: 2)

#### These five filters are:

- Size, ownership, and profit orientation of the mass media.
- Advertising as the primary income source of the mass media.
- The reliance of the media on information provided by government, business, and 'experts' funded and approved by these agents of power.
- 'Flak' as a means of disciplining the media.
- Ideological factors like anti-communism or neo-liberalism. (Herman and Chomsky 2008)

Herman and Chomsky aver that the media are owned by corporate houses, which run it as a profitable business and therefore things antithetical to the interests of the corporate houses do not find favour with the newspapers. Similarly advertising constitutes a major share of media revenues and therefore a priority is given to the interests of the advertisers. Furthermore, mass media depend on various official and powerful sources for news which reduces the cost of collecting news. Because of this, large government and corporate agencies influence the news content. Mass media also face criticisms, pressure or threats if they give too much space to news and views which upset the interest of the political and economic elite. All this ensures that a neo-liberal line is followed by the newspapers.

The censorship of media is most evident during wars and conflicts. The media in democracies propagandize on behalf of their states during wars and conflicts, deliberately camouflaging state excesses or facts which might lead the people to an opposition to the war efforts of the nation. In the name of national security all debates related to war are sought to be suppressed. The media become forums for "manufacturing consent" for the policy of that state. This kind of censorship favours a fascistic policy of blind nationalism with disastrous consequences for world peace. The next section would examine the manner in which the Indian media was used to gain legitimacy for the statist policies during wars and conflicts.

#### The Indian Media

The Indian media works in a democratic setup but there are various constraints working on the Indian media. While Ken Auleta (2012) records how concerns for profit have overwhelmed the Indian media through his remarkable study of *The Times of India*, media critics like Thakurta (2012) comment on how the corporate houses have reduced media to a profitable business. As a result of this, the concerns for professional standards in journalism have taken a back seat. Political interference also shapes the content of news to a large extent. The manipulation of the media by the state is spelt out by

Rajdeep Sardesai wherein he enlists the various ways in which the media is disciplined, "The first is state manipulation, which is this large body that surrounds us, particularly in Delhi. Two ministries use this manipulation very well – the Ministry of Defence and the Ministry of External Affairs. If you cover these two ministries for whatever media, you often have to bear the national badge" (Sardesai 2006: 166). He adds:

Increasingly, the polarized nature of India is such that the divide is now between being nationalistic and anti-national. Nationalistic is the case of a political party means that you have to back it when it is in power; if you attack it, then you are anti-national. As far as the defence ministry is concerned, so long as you take the line given by it you are fine and if you don't, you are anti-national. (Sardesai 2006: 167)

This section examines some such cases where the space for debate in the Indian media shrunk and the statist policy dominated the content of the newspapers. Some glaring examples of manipulation of the media have been selected – the first is the coverage by the media of the Kargil war. Another recent issue pertaining to national security was the trail of people alleged of having been involved in terrorist attacks on India. The S.A.R. Geelani trail is a case in point. Thirdly, this article discusses the coverage of the Kashmir conflict by the Indian media. All these cases are important examples of the way in which the media choose to write on official lines instead of sticking to professional standards in journalism.

1. The Kargil War: Many peace activists criticize the states for fomenting wars for profiting certain vested interests. They posit that the enemy image of another state is required for diverting the attention of people from the failings of one's own state. Scholars aver that war is an instrument of state policy which the elites use either for distracting the attention of the people from domestic issues or for satisfying the huge military-industrial complex. Critics

point out that the increased demands for security help the military-industrial complex as the state finds justification for maintaining a hefty defence budget. Manisha Sethi (2014) makes a similar argument in *Kafkaland: Prejudice, Law and Counterterrorism in India*. Thus, while the corporate houses benefit from the wars, the common people become victims, and suffer the most from bombings – they are killed and maimed, their livelihood is destroyed, their health is at risk and they become homeless and refugees. However, the people have to be shown that war is in the 'national interest'. Sheldon Rampton and John Stauber (2003) show how fear is used by governments by citing Herman Goering, the Nazi officer accused of war crimes. Goering had spoken in course of the Nuremberg Tribunals when psychologist Gustave Gilbert visited him:

Of course the people don't want war... But after all, it is the leaders of the country who determine the policy, and it is always a simple matter to drag the people along whether it is a democracy or a fascist dictatorship or a Parliament or a Communist dictatorship. (cited in Rampton and Stauber 2003: 136-137)

When pointed out by Gilbert that the American people had a voice and could influence the decision through elected representatives, Goering had replied:

Voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism, and exposing the country to greater danger. (cited in Rampton and Stauber 2003: 136-137)

Thus, for convincing the people that war is in their interest and that they should be prepared to make heroic sacrifices for their nation's security, nationalistic fervor is evoked by governments. The media thus become indispensable for the states in such times:

Thus in times of trauma not only are the mainstream media not in fact as objective as they claim to be, but also they tend to internalize the official line. Michael Schudson has noted that there are three conditions under which dissent and the ideal of objectivity are suspended: Tragedy, danger, and a threat to national security. (Navasky 2002: xv)

Dissent during troubled times is muffled in the name of patriotism. Many scholars in India have criticized the Indian media for its uncritical adherence to the official line during wars and conflicts which leaves no room for introspection on the policies of the Indian state. According to Nandita Haksar:

The problem is well stated by an American professor of journalism: "The media's choice of patriotism has terribly important consequences for democratic life. When they opt for a 'love of country' that quickly transmogrifies into chauvinism, they prepare the cultural ground for violence and do a disservice to national and global democracy. Journalism needs to resist the temptation to dance to the tune of deafening nationalism often found in public opinion. (Haksar 2004: 164)

More than any of the enlisted or codified rules, the concept of self censorship often becomes deleterious for the freedom of expression. The media is expected to exercise self-censorship during wars and conflicts which often leads to the silencing of important criticism of the state. At no time is it more evident that the Indian media toes the statist line, than during the time of wars and conflicts. All the coverage unfavourable to the statist position is virtually blacked out and the media fanatically gives the government version of the story. Nationalist sentiments are evoked by the media through jingoistic coverage of the war time stories as rendered by official sources. No attempts are made to cross-check the facts, and with the limited resources available to the journalists they do not have much option but to give the official versions. Censorship, in the name of official secrets and national security applies to news.

The South Asia Forum for Human Rights (SAFHR) in its study of the media coverage of the Kargil War, done by Chaudhury and Fiaz (eds.) (2000) contains telling excerpts from the coverage given to the war by the print media in India. Rita Manchanda (2000) and Rashed Rehman (2000) discuss how the media packaged the events in a patriotic discourse and fanned jingoism. The mainstream media uncritically supported the stand of the government, hardly questioning the rationale and consequences of the war. The Kargil war of 1999, fought between India and Pakistan, was an occasion where the media was lauded for being "a force multiplier" so much so that, "If there is a difference between a journalist and patriots, the media quickly pushed it aside. This was India's war, and India's press decided to wrap itself in the tricolor" (Shukla 2006: 226). Rita Manchand describes how all the dissenting voices were silenced:

As the conflict deepened, the demand grew for a suspension of critical comments on the Kargil crisis for the sake of "credibility of our nation" and the morale of the fighting force. Editorials in leading national dailies, called for a moratorium on questions. In the name of not hurting morale, 'opposition parties and others' were urged that this was no time for finger pointing and politicking. (2000: 14)

Ajai Shukla shows the stark reality of the coverage of the Kargil war and points out that the journalists were, "rarely able to go closer to actual battle than the place from where artillery fire support was being delivered to the troops in combat" (Shukla 2006: 227). The media was not allowed to move to the war zone for a couple of weeks, and when it finally was allowed, it proved incapable of doing much of independent reporting and analysis:

But without the expertise or experience to ask hard military questions of the army, journalists reported exactly what the army told them. There was rarely any questioning, even when the official position oscillated wildly. Putting aside awkward questions about intelligence failures, delays in reporting, and high casualties due to exhausted units being thrown back into battle, the media concentrated instead on colour stories glorifying the Indian soldier. Hometown funerals of soldiers killed in battle turned into full-fledged media circuses, with local politicians jostling each other to salute the martyrs in front of cameras. (2006: 227)

The war zone is a zone where the journalists need protection, however if they accept the embedded position offered by armies for their protection then they are reduced to mere official mouth organs for the "PSYOPS" (Psychological Operations) of the armies. Ajai Shukla thus comments:

And for a journalist in a war zone, where mobility is fraught with danger and communications are often disrupted, getting information from different areas and different sources is never easy; 'local isolation' is a serious pitfall. But even so, an independent journalist can obtain information from a range of sources; one embedded in a military unit is almost exclusively dependent on military handouts. (2006: 224)

This kind of uncritical adherence to the statist position raises a pertinent question – do the media strengthen democracy by this kind of reporting? A scrutiny of the statist policies can restrain a state from war mongering or irresponsible use of public money for forwarding the agenda of its elite. This is supposed to be the role of media in a democracy – keeping the authorities in check by responsible reporting. The Indian media, on the contrary, remains content to be an organ of statist policies in such times.

2. S.A.R. Geelani Trial: The 'media trial' of S.A.R. Geelani came in criticism by Nandita Haksar (2004) who reproduced various reporting items in newspapers to show how the media decided upon the culpability of the Arabic teacher who was finally acquitted by the High Court due to lack of evidence. After a terrorist attack, the police is under pressure to demonstrate its efficiency in cracking

the case and arresting the suspects. The newspapers report the information given by the official sources about people suspected of being terrorists unquestioningly. The suspects are paraded before the media cameras with information which is often raw and yet to be established, and is reported as such by an eager media. The professor, S.A.R. Geelani, arrested in connection with the Parliament attack<sup>1</sup> had been later acquitted by the court due to lack of evidence but the newspapers, immediately after his arrest and before his proper trial, branded him a 'don' - the media found it easy to demonize the professor through spiced up narratives, before the charges had been proved, in news items and slanderous propaganda like "Don lectured on terror in free time" (Hindustan Times 2001). This is an instance of "trial by media" of terror suspects, they are pronounced guilty by the media before their actual trial by the judiciary. Parading the accused before the camera before the charges are established also violates the right of people to privacy and living with dignity in the society till the charges are proven. The media carries out a public trial of these people, which might even caste its shadow on the verdict and right to fair trial by the suspects. As articulated by Sevanti Ninan:

In 2002, in an open letter to the Law Minister of India, Amnesty International (AI) expressed its concern over the conduct of the Indian media, and the 'absolute inaction by the Government of India to put a halt to it'. It expressed AI's concern that the media coverage of the arrests and concerning the person Abdul Rehman Geelani during the pre-trial period has been extremely prejudicial to his case. The media coverage which largely presented Geelani as guilty before the trial had even begun, 'must be presumed to impact negatively on Abdul Rehman Geelani's right to be presumed innocent as required by Article 14(2) of the ICCPR<sup>2</sup> and on the impartiality of the POTA<sup>3</sup> court which is to hear the case from 8 July 2002,' the organization said.' (Ninan 2013: 29)

3. Conflict in Kashmir: In intrastate conflicts as well, the media often shies away from an accurate reporting of the actual situations on ground. From places like Kashmir, Assam or Manipur, while the reports of security forces fighting the terrorists often appear, the human rights violations by security forces is by and large ignored. The Indian state has tried to manage conflicts in its territory often through the use of measures which are considered unjust. For instance the Armed Forces (Special Powers) Act (AFSPA), a special law for handling conflicts in areas of insurgency like Kashmir and North East was criticized by civil liberties groups like People's union for Civil Liberties (PUCL) and academicians like Sanjib Baruah (2010) for its human rights abuses. It is alleged that these reports of state excesses – torture, false arrests and fake encounters are not reported by the media, or are camouflaged. The point of view of the people, mostly minorities, affected by these conflicts is sidelined while the pride of place is occupied by the statist approach. To quote Arundhati Roy:

On a more everyday basis, would anybody who depends on the Indian mass media for information know that 80,000 people have been killed in Kashmir since 1989, most of them Muslim, most of them by Indian security forces? Most Indians would be outraged if it were suggested to them that the killings and 'disappearances' in the Kashmir valley put India on par with any Banana Republic. (Roy 2004: 10)

Reporting from an area ridden with conflict is far from free and fair. Muzamil Jaleel (2004) discusses how truth becomes a casuality for the media in Kashmir where the reporters are pressurized into silence. Criticizing the security forces could give them the tag of being 'anti-national' while criticizing the militants could incur the wrath of the militants themselves for the reporters.

Various provisions in India like the Indian Penal Code (IPC), Criminal Procedure Code (CrPC) and Official Secrets Act (OSA) have a potential for misuse if they are used by public authorities to arbitrarily impose restrictions on a person or organization not amenable to their propaganda. A case in point is that of Iftikhar Geelani, the Delhi Bureau Chief of *Kashmir Times*. It was alleged by the Delhi Police that Geelani had provided documents prejudicial to the security and integrity of the country to Pakistan about the deployment of Indian troops and para-military forces in Jammu and Kashmir. He was charge sheeted under Sections 3 and 9 of the Official Secrets Act and Sections 120-B (criminal conspiracy) and 292 (obscenity) of IPC. The charges could not be proved and he was subsequently released by a special court, but only after his arrest highlighted the potential of this act to be misused for curtailing freedom of expression.

The reporting on the conflict in Kashmir seldom attempts at finding the root cause of violence. Important failings of the Indian state are camouflaged and the reports focus on a 'single most important cause of conflict' – Pakistan. The writers writing with an alternative perspective in India question the repression of the minorities and marginalized by the Indian state and how it prepares ground for terrorism as a response to it (see for instance Roy 2008). The Kashmir problem is seen as a culmination of the decades of repression of the aspirations of the Kashmiri people, as witnessed in the systematic infringement of the rights granted through article 370, curtailment of civil liberties through draconian laws like AFSPA, and denial of free and fair elections for selecting their representatives. For example Asghar Ali Engineer (2002) wrote:

To begin with we must admit that the Kashmir turmoil is not entirely of Pakistan's making. Our treatment of Kashmir and Kashmiri people has been less than fair. Not only that elections were rigged but also over the period of time we made serious inroads into Kashmir autonomy. The Article 370 in our Constitution was incorporated to assure the people of Kashmir that India was serious to guarantee full autonomy... But the Article 370 though incorporated in the Constitution, it remained mere formality.

However, newspapers refrain from making such comments on the root cause of terrorism in India. The dominant voice in the newspapers is the statist voice which consists of declarations by governments of their resolutions of wiping out terrorism and asserting the unity and integrity of India against foreign aggression.

Conclusion: The media in democracies work under various political and business compulsions and therefore falter on the question of objective reporting. They are influenced by the state and often pressurized into uncritically adhering to the government line. However, in most if the cases, the media internalize the official line and report on these lines without actual threat or pressure. Dissent is not altogether absent, but is pushed to the margins and the dominant voice of the newspapers remains the statist line. In India also, the media adheres to the statist line, particularly on matters concerning national security. The manner in which the Indian media reported the Kargil war, the arrest of S.A.R. Geelani and the Kashmir conflict shows how the official line dominates the agenda of news. The Indian media has a long and tough road to cover before it can stay true to its claim of independent and objective reporting.

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#### Notes

- 1. The terrorist attack on Indian Parliament on December 13, 2001.
- 2. International Covenant on Civil and Political Rights
- 3. Prevention of Terrorism Act, 2002

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# Print, Politics and Public Sphere: Understanding Indian Popular Press

The alternative groups such as literary circles, theatre groups and little publications after change occurred in the post 1970s in India, engaged themselves in an ideological debate to question the process of turning citizens merely into 'consumption units' in a media industrial world. The consequence of this for the culture and identity of a 'minorised' group was a continuation of the erosion of what Habermas calls the public sphere or as C Wright Mills says 'the community of publics'. This paper also deals with the political implications in the form of popular journalism which emerged during the period and became an institution of political control and enabled to 'imagine' a political community.

The print medium which underpinned the concept of the *public sphere* in European modern societies in the late eighteenth and early ninteenth centuries was the product of a relatively mature print culture, which according to Marshal McLuhan, shaped the entire experience of Western civilization (Barker,H. Burrows, S: 2004). And the impact of invention of movable type printing as McLuhan suggests, was not restricted to technological advantages but it also restructured the modes of communication, social and cultural practices. Evolution of these new forms of political and social organization was primarily founded upon a national community of identity expressed through the medium of print (Eisenstein, E).

In Indian nation-states print provided an arena where mass could participate widely for political debate during the colonial rule. So, the growth of Indian press was based on two processes, the provision of useful information, (mainly commercial and financial intelligence to interested parties) and political controversy, which Bourdieu calls a national 'social space'.

After independence of India, in the sixties, a very few owners/editors of Indian media expressed grief over the social responsibility of newspapers which have been witnessed the loss of the sense of "mission" that was characterized language press during freedom movement. As a result of capitalism and the technological change in the form of personal computer and offset press in the late seventies Indian media especially language media business as Robin Jeffery observes 'underwent a crucial change than anywhere else' (Jeffery, R.2000) (See Table. 0.1)

The structural changes in the Indian language media business including newspaper content which bounded to have a profound effect on the organization and content of forms of intellectual work led to constitute an "alternative" in every sphere of society. The alternative groups after change occurred in the post emergency period engaged themselves in an ideological debate to question the process of turning citizens merely into 'consumption units' in a media industrial world. By looking at the divergent press practices and the debates of the seventies in India this part of the study would be discussing the factors for the emerege of popular journalism in different formats and kind of *public* it was addressing. It is also part of this study to know the nature of the popular press, public sphere and the rise of radical politics via sensational journalism and the subsequent transformation into distinctively tabloid formats in terms of style and content.

Table: 0.1 Comparative Newspaper Circulation in India

Languages	1966 circulation ('000)		% share in national Circulation: dailies		% change in Comparable circulation*	
	Dailies	Total	1964	1965	1966	1965 to 1966
English	1, 651	5, 559	24.9	24.4	25.3	+3.4
Hindi	813	3,913	14.1	14.6	13.0	+2.4
Assamese	15	63	0.3	0.4	0.3	-16.4
Bengali	496	1,243	5.4	6.3	7.9	+10.1
Gujarati	498	1,447	7.6	7.8	7.9	+2.9
Kannada	221	604	3.8	3.6	3.5	+6.9
Malayalam	708	1,698	11.4	11.3	11.3	+4.3
Marathi	589	1,369	9.5	9.8	9.4	-1.7
Oriya	66	128	1.1	1.1	1.0	+5.4
Tamil	688	2,707	11.6	10.1	11.0	+1.6
Telugu	189	945	3.0	3.1	3.0	+1.1
Urdu	308	931	5.1	5.4	5.0	+0.9

Note: \* includes circulation data of newspapers and periodicals common to 1965 and 1966.

Source: Press in India, 1967, pp.5, 39, and 47 in Jyotirindra Das Gupta, Language Conflict and National development, p.64, Oxford University Press 1970.

# Crisis of bourgeois political system: Public, publicity and 'publication' of mass

The characteristics of Indian public sphere are primarily shaped by the dominant ideas of power elites. The origin and evolution of public sphere or *public arena* in India has the hindutva national elements 'which were partly a result of nationalist response to colonial rule' (Ali, 2001). In other words the private sphere of petty rulers and dominant castes has become the 'public' which has no space for 'other' marginalized communities as it was defined by the ideas of native elites. Thus, for the mass gatherings and collective activities like public protests, these elite groups used *bhajanas*, *puranas*, *kavi sammelanas* other traditional religious rituals and literary meets as ways and means to create public opinion.

The first was participation in collective rituals informed by an ideological framework that came to equate 'community' and 'nation'. Secondly, the creation of a public sphere in which citizens of the nation helped to shape it through the exercise of public opinion. This shift in the organization of community around the local community to one in which individuals identified with the nation was accompanied by the creation of a public sphere, which was fully elaborated and institutionalized in the 19<sup>th</sup> century.

And in the post-independence period Indian state tried to convert and institutionalize this private sphere to which 'colonial state was reluctant to encroach' by using the 'multicultural' tokenism dominated by majoritarian values and norms. So, this influence continued to shape the structure of postcolonial Indian public sphere through the 'representatinal mode of government' that guaranteed all representatives of native elites as the stake holders of the state and privilege of shaping public sphere.

However, the question of 'creating' a civil society remained unanswered as the power had taken over by the elite groups (Chandhoke, N: 1998). With a differentiated ideological base several political parties, progressive/interest groups have developed; especially many have been organized on the basis of language, religion, region and caste. And this was articulated through different formts of print.

The transfer of control from colonial interests to the new authoritarian government and national business stands as one of the greatest changes in newspapers-industry clearly witnessed for the emergence of print capitalism. Due to the economic growth and the surge of computer computer/satellite digital communication, particularly regional and international and electronic networks had shaken the socio-political and cultural structures and created a new context for Indian media.

Another most important change that occurred was the emerge of new educated middle class and availability of novel form of literature which has had opened up the possibility of reading habit among newly educated/marginalized groups and housewives helped to produce an "individuality" or individual subjects in a consumer society. For buyers-libraries, clubs, households, shops, literary groups-a weekly newspaper became a reasonable investment because it was kept and read for days. Availability of printing presses and emerges of little magazines and literary journals made citizens aware about their voting capacity and accommodate them in active politics. For instance, publication of magazines -Katha, Vaam, Samarambh and Samayik was not just accident. These magazines addressed the conflict that was sharperned between democratic forces and ruling forces. So, the issues raised by these magazines had become essential for the readers and writers to show their social and political responsibilities. These magazines had also provided a space to discuss the 'New writinig' which was defined as a "device used by the writers who were committed to 'certain' ideology to create an artificial consciousness through loud-mouthed talk about "struggle', 'rebellion' 'attack', etc."

It is equally important to see the establishment of publication houses and public libraries as books continued to remain as an effective means of communication and a sign of giving knowledge. According to the Directory of Indian Publishers, during the seventies India has over 11,000 large, medium and small publishers in all languages.

And the printing and publication of books/journals was either under the control of government or under big newspaper organizations. So, the Government of India has set up various academies/ organizations to 'publish' the diverse aspects of 'national life, culture and teachings of national leaders'. And it also institutionalized the different channels of 'public communication' as initially it started using press for the purpose of state administration. Since the beginning it was a part of the journalism reporting about political speeches, gatherings, inaugurations and on visiting of ministers which can be understood as an obeying character of the press that represented the new form of 'bourgeois public sphere'.

But whereas the private publication houses/printing presses were mostly busy in publishing their newspapers/magazines and concentrating on mass circulation. So, gradually print capital helped these private houses to sell books, periodicals, newspapers, pamphlets, fliers and other such material to people. Due to availability of consumers these private printers/publishers survived as 'advertisers paid even more money to reach the people reading them' (Vanita, K: 2007).

Commoditization of printed material has dimmed the 'social space' of the newspapers in spite of a 'large number of literate people (mostly newly educated middle class), politically interested and able to either to buy or see a newspaper' and to receive it as a 'mass medium' (Jeffery, R. 2000) 'in spite of governments attempts to choke newsprint supplies, to cut off power to newspapers or to censor them outright'.

However the 'mainstream' press that was reaching to the newly educated middle class "consumer public" (Habermas: 1991) was systematically made to serve the interests of the state administration. But the class which state addressing was 'educated class' not the 'common man'. The social mobility of these classes and along with the apparatus of the modern state, a new section of "bourgeois"

groups was emerged and they occupied the 'social space' within the public. To counter the hegemonic claims of the state the left and democratic social groups such as Communist Party of India (M), the Communist Party of India, (CPI) the Janata Party (JP), the Lok Dal, the Revolutionary Socialist Party (RSP) and other secular non-party personalities had had been engaged in mobilization to create an alternative public against weak organizational structure of Congress party which was completely turned as a faction blindly following Indira Gandhi and supporting her regime. Using Hindutva national sentiments for its political project the Sangha parivar succeeded in organizing the middle-class Hindus and spreading the Hindu nationalism through jathas, cultural activities and rallies within the sphere of civil society. So, the upper and middle classes assumed the leadership of these mass movements and their hopes and ideals found expression in the literature and media of this period.

A "public sphere" (was) based on such "public"- ity, and the fact that such publicity became more common and accessible changed the nature of Indian politics. Other capitalist societies have passed down a similar path: capitalism needs newspapers; newspapers spread to respond to capitalism; and in doing so, they help to make people into both consumers and citizens.

Interestingly, at the end of the emergency many newspaper owners, (as Jeffery calls a transition from traders to capitalists) embraced the capitalism not only to survive but also to identify themselves with the regions as well. These regional communication 'channels' had provided an "amphitheatre of mind the "public sphere" to actively partake in the process of deepening the democracy by 'fragmentig' the production (Nair, T.S: 2003). And technology enabled the language publications to reach their new-regional reader/s through mass-production. By the 1980s there was boom in political magazines/supplements and literary journals publishing which was estimated to be a Rs. 1.5 billion industry. <sup>9</sup> The clever

mixture of a strictly limited amount of current affairs write-ups in an easy style and quite a few human interest stories with mixture of sex, a gossip about private life of the notable figures and couple of short stories, a serialized novel, photographs, humour, sports and all this was the formula behind the success of these magazines was simple.

## Silence of mainstream media; emerge of popular press

In order to prove their loyality mostly some urban mainstream English dailies which by the time turned into commercial and fixed to profit making strove hard to applaud governments policies and gave more newsspace for publicity mostly because of manipulation of newsprint quota and licenses for import of printing machinery. Adapting themselves to the new conditions the press then developed a new editorial technique and most of the mainstream capitalist newspapers the very first day of the emergency called upon the employees to obey the emergency. Interestingly, in contrast to performance of *mainstream* daily press the editors of the periodical/ magazines of different regions displayed remarkable guts and dragged the wrongdoings of the state before the High Court/s. Minoo Masani, the editor of Freedom first journal from Mumbai challeneged the censor order in the high court. Editors of Seminar (Romesh Thapar), Mainstream (Nikhil Chakravarty), Opinion (A.D. Gorwala), Quest, Himmat (Rajmohan Gandhi), Sadhana, Maanus, Sobat (Marathi weeklies) and Bhumiputra (C. Vaidya) either had to stop the printing of the magazines or to kept up a running battle with the government.

On the other hand the phenomenon of mass killings of dalits, farmers and suppression of students' voices that took place in the decade gave rise to several questions related to caste, class and continuation of feudal rule in the public sphere. Not only these provided a context to have doubts but also paved way for launching literary and small magazines/tabloids which could address these





Image: 1

Image: 2

# Cover pages of Urdu and Tamil pulp novels from 1960s and 70s.

issues that were not been published by the then mainstream newspapers. Legacy of *Little Magazine Movement* continued just as it did in the west, in the early part of the ninteenthth century.

According to the annual report of the Registrar of Newspapers for 1982 there was an increase in the number and circulation of newspapers and periodical that raised from 18,140 to 19,144 in 1981 and the circulation from 5, 09, 21,000 to 5, 11, and 02,000. Since All India radio, DAVP and press council were under government control and state agencies and that could control the collective behavior of masses but language press had a great propaganda potential to raise the range of debates and protest in the public sphere of democratic setup.

Apart from these factors there are three major developments which characterized the changing media scene during the eighties. The (a) 'growing strength of the new newspapers, (b) the southern media boom and (c) the emergence of journalists as stars, on par with filmstars or cricketers' (Malavika, Vir Sanghvi: 1985). For in statnce Telugu daily, *Eenadu* (launched in 1974 by Ramoji Rao), Kannada weekly, *Lankesh Patrike* (launched in 1980 by P.Lankesh,), became

most controversial papers because of the daring stands taken by the editors. As the the corruption of the Congress establishment in both states reached its worst level, they devoted their energy to building up a credible alternative in the form of actor N T Rama Rao(Founder of Telugu Desam Party) and Janata Party respectively. *Nakkheeran*, a popular Tamil biweekly being edited by R.R. Gopal has been published several investigative stories and gave voice to the underprivileged though they 'don't get the due credit' or recognized as part of standard journalism.





Image: 3 Image:4

Cover pages of Kannada tabloid *Lankesh Patrike*, (1980) and Tamil tabloid *Nakkheeran*.

At the national level, the impact of the Hindi press was beginning to rival that of the major English language weeklies. In the cowbelt states of Haryana, Bihar, UP and Madhya Pradesh, *Ravivar* had at least as much influence as the betterknown *Sunday* and, Rusi Karanjia, found to his surprise, that the circulation of *Hindi Blitz*, was about to overtake that of its English language parent.

In Bengal, despite the national eminence of the editors of *The Statesman* and *The Telegraph*, it was the language journalists, men like Barun Sengupta and Gaur Kumar Ghosh, who really moved the people (Malavika, Vir Sanghvi: 1985). Print culture had widened the audience for a written vernacular and developed regional/local languages to enhance the feeling that each linguistic community had its own specific attributes and political interests, which were directly linked to the communicative power of these languages to draw in a wider community of speakers and listeners as active participants in the nation. As people started reading about them in their own language newspapers there was a growing awareness among the language newspaper readers. And this was supported by the literacy level between 1970's and 80s, at all Indian level rose from 34.45 percent to 43.57 per cent marking a rise of 9.12 per cent.

State-wise Literacy Rates (1970-1980, in Per cent)

Sl.No	States	Year 1970	Year 1980
1	Andhra Pradesh	24.57	35.66
2	Assam	33.94	1
3	Bihar	23.17	32.32
4	Chattisgarh	24.08	32.63
5	Delhi	65.08	71.94
6	Goa	51.96	65.71
7	Gujarat	36.95	44.92
8	Jammu & Kashmir	21.71	30.64
9	Karnataka	36.83	46.21
10	Kerala	69.75	78.85
11	Madhya Pradesh	27.27	38.63
12	Maharashtra	45.77	57.24

13	Nagaland	33.78	50.28
14	Orissa	26.18	33.62
15	TamilNadu	45.40	54.39
16	Uttar Pradesh	23.99	32.65
17	West Bengal	38.86	48.65
	All India	34.45	43.57

**Source**: Economic Survey, 2011-12; Office of the Registarar General: 2011, India; M/Home Affairs.

The post-Emergency years began to witness an unprecedented "newspaper revolution" and there were new formats of journalism emerged. A number of political and literary magazines were started in all major Indian languages. 'Indian Today (-in Hindi-the English version was started in 1975), Sunday, The week and Outhlook emerged across the country'. Newly educated middle class generation of journalists who emerged as young, self-assured, forceful and disdainful of politicians exposed them in their writings. Sensational violence, crime and dirty politics became the main issue of even the serious newspapers. And a new style of writing also came into journalistic practice. Collective protest against the state by the men of literature, theatre and journalists become as a new site of public sphere. Interestingly, in northern India the 'split public' had influence of Hindu fundamentalism which shaped their political interest and largely result of Hindi language publications. And few political parties had started their own mouthpieces though they did not succeed in their effort were publishing directly financed by the party. The CPI has started *People's Age*, an Englkish weekly, the BJP has strong supporters in the Organiser, an English tabloid size weekly, and the well circulated Hindi weekly Panchjanya. Congress had a number of periodicals bearing the same name published in different Indian languages.

Many factors account for this expontial growth in newspapers.

It was also, at this precise moment that the press in India decided to rediscover its role. To reaffirm its faith in the ideals of democracy, at the cost of risking the wrath of the government in power. Nothing was sacred any more, except truth. No person, no institution, no issue was beyond inquiry or investigation.

First, the experience of government repression had created an increased interest in political matters and news, which could support more and more newspapers. Second, with an average population increase of 23 percent each decade, the actual numbers of Indians had nearly doubled from around 450 million at the time of independence to nearly 800 million by the 1980s. The increase in population signaled an increase in readers, whose demands could be met with more newspapers and greater circulations. Third, the increase in population was accompanied by an increase in literacy rates, which had risen from 19 percent in 1951 to nearly 44 percent by 1981 (*India 2004*).

The consumption of newspapers also fueled advertising boom that drove the growth of newspapers and particularly magazines. Fifth, road transport and infrastructure also played a role in the distribution of the print media. From the early years of the twentieth century until soon after independence, railway and postal deliveries were the principal means of transportation for newspapers and magazines. With the growth of road transport, the distribution contractors arranged for local vans and bicycles to deliver farther into the hinterland not accessed by the railway (Bhatt 1997).

In addition, as Robin Jeffery points out the other crucial features such as advances in technology, offset printing and computer typesetting led to the increase in both the number of vernacular newspapers and periodicals and in the circulation figures for these newspapers during the 1980s. Telephone modems also liberated the vernacular newspapers from the handicaps of distance, allowing for the successful establishment of more and more regional-language

newspapers away from the big metropolises. Magazines such as *Stardust* even espoused the cause of "*Hinglish*" (a mixture of Hindi and English), making the reading of English simpler and more fun, particularly for those command of English was weak. Since the eighties, all magazines, including political journals, write easy-to-digest *Hinglish*, bringing to the practice a certain ethnic-urban chic. The new regional newspapers focused on local news, local events, births, marriages, and deaths, all of which was important information in the local communities.

# Magazine boom and sensationalism: Understanding the popularity of magazines

The practice of sensational journalism could be traced out in the early history of Indian journalism. The founders of the then newspapers had the practice of publishing the gossips and the personal or secret relations of British offices and their misdeeds. The growth of magazines continued over the decades, with several eminent literary figures lending their names to literary periodicals. Several publishing houses, such as the Times of India group of newspapers, offered magazines devoted to cinema (Filmfare), women (Femina), or general interest (The Illustrated Weekly of *India*). The gradual increase in magazines reached its peak in the eighties. Most of the new magazines of the decade were the consequence of greater advertising budgets from manufacturers of consumer goods. Most of the film magazines targeted an elite readership and used to promote the star persona. Soon there was proliferation of glossy film magazines that focused on the stars and their lifestyles. In addition to the growth of political magazines mentioned above, the 1980s saw the sudden rise in society, lifestyle, home decoration, and women's magazines. Society, Debonair, Gentleman, Inside Outside, Interiors, Savvy, and Women's Era began to compete with the older publications such as *Eve's Weekly*, The Illustrated Weekly of India, and Femina. In the face of such

intense competition, both *Eve's Weekly* and the *Illustrated Weekly* of *India* eventually ceased publication.

And in the regional languages, the most important women's magazines were Manorama Weekly (Malayalam), Sudha, Taranga, (Kannada), *Grihashobha* (in several regional languages), and *Ghar* Shringaar (Punjabi). They covered a range of subjects of interest to many women: cooking, home care, fashion, films, and gossip. In the 1980s film magazines began to comprise a very important sector of the magazine trade. The magazine with the biggest circulation was Filmfare, followed by its closest rivals, Cine Blitz and Screen. The more sensational Stardust, belonging to the Magna Publications, transfixed the public with its scoops on stars. In addition, scores of film magazines were published in Hindi and the regional languages, particularly the four southern languages of Malayalam, Tamil, Telugu, and Kannada. Filmi Duniya and Filmi Kaliyan, both Hindi film monthlies, boasted the biggest circulations. Manohar Kahaniyan, Maya, Apradh Katha and Satykatha were the some popular best-selling Hindi magazines of the deacade used to be published from Allahabad-based publishing house. Typical of this genre of magazines are Film City and Aar Paar from Mumbai, and Kingstyle and Filmi Duniya from Delhi, and they generally have low circulation figures (Dwyer 2001). Sports magazines include Sports Weekly and Sport World (from Ananda Bazaar Patrika group), and Sportstar (from The Hindu group). One of the many specialized cricket magazines is Cricket Samrat, a monthly in Hindi, one of the top-selling magazines.

As Mumbai, Kolkata, Chennai (then Bombay, Calcutta, Madras) and Bangalore cities which are largely colonial constructions turned as main capitalist centres and gained post-independent identities. The regional culture dominated these cities cultural and social life, whereas 'Delhi remained in the popular imagination as a sleepy bureaucratic power center with nothing to offer but red ruins of history'.

So the 'public space' that these cities had in the 1970s and 80s was mainly provided by these magazines that kept social interaction 'visible'. And typically, readers confront their public world in reports on politics and economics, descriptions of social engagements, crime stories, announcements of job vacancies and tender notices, advertisements of products and entertainment, film and theater reviews, and accounts of sporting events. In other words newspapers in this historical phase were addressing the 'consuming units' rather than politically awared readers. Because no longer this visible social space represented the 'representative publicness' (Habermas: 1991). And these publications usually did not reach the "common reader" but at the best "educated new middle class".

Table: 1.2 Share in National Circulation (of Newspapers) By Selected States

State	1964	1978	1991	1997
Maharashtra	20.08	17.17	14.70	12.62
Tamil Nadu	17.04	9.31	6.49	3.88
West Bengal	11.28	11.73	5.72	5.20
Kerala	10.82	10.95	6.52	5.53
Uttar Pradesh	5.22	6.66	16.32	16.17
Gujarat	5.10	6.52	7.34	6.16
Karnataka	4.47	6.23	4.84	3.66
Andhra Pradesh	3.34	5.24	4.40	4.20
Madhya Pradesh	2.59	3.85	6.73	9.33
Punjab	2.44	3.21	4.50	3.59
Bihar	2.39	3.27	8.81	4.64
Rajasthan	0.37	2.57	3.64	6.19
Orissa	0.37	1.30	3.20	3.86
Assam	0.37	0.88	0.28	1.48

Source: RNI, various years in Tara S. Nair, *Growth and Structural Transformation of Newspaper Industry in India: An Empirical Investigation*, EPW, Vol.38, No. 39(Sep.27-oct.3 2003), pp. 4182-4189.

Though there is no long history of *tabloid press* in India and still an evolving concept but there were considerable number of *popular* magazines in English and most of regional languages which used to play the role of tabloids in terms of content, tone and editorial style. By proclaiming *Our Blitz, India's Blitz against Hitler!* a tabloid called *Blitz* was started by Russy Karanjia on February 1, 1941. It was in English and then branched out with Hindi, Marathi and Urdu versions. It was popular for spunky loud and screaming captions and telling photographs. The paper's quality was coarse and the pictures grainy, but there was visual drama on *Blitz's* pages.

Blitz both inhabited this milieu and gave it a characteristic definition. As a newsweekly, it drew on Bombay's highly developed bourgeois public sphere. A key element of this sphere was the city's newspapers in which Bombay's public life appeared as news and photographs... The editor's ideology and personality defined the tabloid. Throughout its existence under its flamboyant editor, Blitz's signature was its muckraking, over-the top stories calculated to provoke and enrage. It thrived on controversy, and Karanjia was frequently embroiled in defamation suits, which the tabloid wore as a badge of honour and showcased on its pages even when it lost.

Blitz appeared in an effort to break open the elite public life with a radical ideology and spunky writing. Accepting the notion of public life as the key arena of politics, the tabloid mined it for its radical potential, believing that hard-hitting, two-fisted reports could make a political difference. As a tabloid, then, Blitz dispensed with the convention of dispassionate observation and balanced opinion, and adopted a charged tone from the very beginning. It took on the role of a social investigator that dug beneath the surface of everyday

life to ferret out the hidden truth that it announced loudly on its pages. Then there was a weekly tabloid called *Shankar's Weekly* founded by Kesava Shankara Pillai, a well know political cartoonist in 1948. In his farewell editorial as weekly shut down on 31 August 1975, Shankar Pillai writes about the censorship imposed by the government when the very year Indira Gandhi declared Emergency.





Image: 5

Image: 6

Cover pages of *Blitz*, October 17, 1959 and *Shankar's Weekly*, 1974.

By mocking at the political system a group of cartoonists used to write the stories along with the cartoons with some gossip, titillation and amusement that used attract the readers' attention. *Shankar's Weekly* was perhaps the only magazine in India fully devoted to cartoons and humorous articles which were much appreciated. The weekly was popular because of comic drawings and reports on politicians that made a household name and a synonym for humor.

The Illustrated Weekly of India was another important English language weekly tabloid started publication in 1880 and stopped in 1993. It was known as Weekly by its readership and considered

to be an important English language publication in India for over a century. The tabloid tone of the weekly influenced other publications for its adoption of popular address and content. The weekly which was edited by A.S. Raman, Khushwant Singh, M. V. Kamath, and Pritish Nandy was arguably illustrative of the Indian style of tabloid journalism of the period.

The distinguishing features of the tabloid newspaper included not only its content and tone (e.g. sensation, human interest and sentimentality) but also the coverpage design, defined the reading habits of young English readers during seven ties and eighties. *Weekly* featured well researched articles, cartoons by Mario and R.K. Laxman, party jokes, western cartoons like Phantom, and semi-nude models. A series "The India You Do Not Know" on different states of India and another on different communities of India became very authentic sources of reference during this period.





Image: 7

Image: 8

Coverpages of *Filmfare*, 1966 and *The Illustrated Weekly of India*, April 21-27 1985

In the mid sixties Rajinder Puri, a cartoonist, columnist and political activist launched a new-look tabloid called *Lok*, which was closed down as financiars lost interest and so there was no real chance to test it's test. Thoguh news presented in these newspapers primarily for entertainment but they allowed the readers to have fun and still be informed.

The decade has also witnessed the boom of *pulp* novels that assorted various themes and was considered as major source of pass-time and entertainment. The publications with lurid cover pages and provocative content that were considered too vulgar for urban middle-class consumption and was never considered as part of mainstream literature. And they were cheap, sensational fiction aimed at working-class adolescents- and given a regional context, usually featuring a cast of loose women, thieves and detectives. Not only through magazines and movies there was also a trend during the decade that several bands and individuals from the punkrelated straightedge subculture took interest in the doctrines, leading to a number of prominent straightedger's becoming official members of the movement. And films like *Hare Rama Hare Krishna* (1971), centered on the hippie invasion had reflected the time and counterculture of the early seventies.

Though pulp fiction was considered as 'cheap and trash' and mostly relegated to the realm of mere 'railway platform pe bikne wale' (that which is sold on railway platforms) for 20-50 rupees on pavements and were never advertised as 'bestsellers' but the same pulp was received and acclaimed in its cinematic transformation by the general public-at-large. Hindi pulp has to rest content with shoddy prints, published in few hundreds and being (Gagan Rism: 2011).

To exploit the time and the trend in 1974 Russy Karanjia's daughter Rita Mehta started the *CineBlitz* magazine which was basically a film and gossip magazine published in English and Hindi. Unlike other popular film magazines *Cine Blitz* was based out of Mumbai

and was famous for its star attractions. The magazine came into limelight when it triggered the controversy of pulishing the nude photos of Protima Bedi, in Mumbai.

The streaking was meant to be a liberated, progressive statement endorsing the view that one is free to express oneself how one wants. But when Protima saw that her freedom of expression was looking like a publicity stunt for a magazine, she probably backtracked and gave the version that the picture was taken when she was part of a nudist camp in Goa and later the image was superimposed on a backdrop of a beach in Bombay.

Within few years magazine became one of the favorites and India's leading glamour and gossip magazines. The catchy tagline overwhelming popularity of Amitabh Bachchan, "C to Z of Hindi Films- Everyone covers AB" made magazine even more famous in Indian popular media. Compared to other magazines of the period the Cine Blitz used publish the variety of articles, news events, interviews of the leading actors, directors, producers and other people of the film film industry. The emergence of tabloid practices in Indian language journalism which changed the media landscape in post-independence period should be understood against the changed socio-political context in the country. And as counterperspectives from cultural studies, scholars have included arguments that 'tabloids undermine the high culture and low culture hierarchy, provide a voice to marginalized publics and serves a site for resistance against cultural hegemony' (Fiske, J: 1989).

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# Public Policy on the Role of Private Sector in Higher Education: A Global View

#### Introduction

The rapidly growing private institutions now hold about a third of the world's student enrollment. The strongest presence lies in Asia and the Americas, but around the world there now remain very few countries without private sectors (Levy 2009, 2010). This global growth in private higher education has been an integral part of a multifaceted privatization in various policy issues. The present study identifies key policy realities and issues, empirical and prescriptive (sectoral size, private—public shape and distinctiveness, differential or common policy treatment, etc.).

The bulk of the paper centers around three principal private types (identity; elite/semi-elite; and demand-absorbing). For each type it identifies causes of growth and gives an overview of the category's size and shape, using both country and world regional examples. It proceeds to identify the key financial and regulatory policies in practice as well as in public policy debates for each type.

# Private Higher Education by Public Policy?

One public policy – legal authorization – was crucial wherever private higher education had been explicitly prohibited and public monopoly assured. The specter of such legal change could stimulate fierce political conflict. Yet in some countries the law had not explicitly dealt with the possibility of private higher education (Bernasconi, 2010). A lack of legal and other public policy frameworks was common even where governments spelled out laws for privatization policies, including business regulation.

US private roots were evident from the colonial outset, different religious denominations founding their own colleges (e.g. Harvard, Yale), though with notable participation by state legislatures (Whitehead 1973). Only decades into the new republic did government found public institutions. The American "exceptionalism" is striking here: it is difficult to identify any other country in which large private higher education preceded public. But in another respect, US experience was to serve as precedent, for private higher education has usually emerged without a kindling government decision or plan.

At the middle of the twentieth century, Latin America began to set a powerful modern pattern (Levy 1986). Governments and others were caught unprepared as entrepreneurs founded private higher education institutions. Less commonly for Latin America at the time (but more commonly now and quite commonly in other global regions), government restriction of public growth (e.g. Brazil) led to a proliferation of private institutions aiming at snapping up massive new demand for higher education. Leftist governments tolerated the private surge whereas other governments were happy about it, though they would not say so publicly.

Ambivalence and lack of preparation then became characteristic of African governments' responses to initial private higher education growth in the 1990s. The needs of expansion coupled with the felt inability of the State to finance made private growth seem inevitable even to many who bemoaned the fact. The same can be said for post-Communist Europe.

Yet rarely in Africa or Europe did governments anticipate or initially attempt to plan the growth. Asian countries have been much more varied in this regard. Some (e.g. India) have also seen non-government initiative, others less so. China has led the way for authoritarian, market-oriented countries to promote private higher education, though even in China the government was astonished by the initial private explosion, which it had permitted but not planned. Only recently has a region, the Middle East, developed notable cases of private higher education by government initiative,

as seen in both more and less authoritarian regimes. In any event, the era of private higher education with government on the sidelines is passing. Even where governments were initially uninvolved in planning private sectors, they now have increased awareness and policymaking, sometimes including goals for the private share of total enrollment.

The passing of comparatively laissez-faire policy has often involved delayed regulation (Levy 2006). As private higher education grows largely on its own, often sharply, it becomes crucial to access policy. Public universities' attitude is often yet more negative as longstanding values about the rightful share of higher education couple with a false self-pride when competition becomes a threat. All this produces pressure on the government, even on some dictatorships.

# Identity Institutions: Religious and Beyond

#### Size and Causes

Religious institutions are often the pioneers in private non-profit sector (Powell 1987). This is strikingly the case in higher education. Protestant colleges dotted the map in the colonial United States. Starting in the late nineteenth century, Catholic universities arose as Latin America's first private higher education institutions. In Africa and elsewhere religious institutions often provided the preindependence precursors and then the post-independence private pioneers.

Contemporary China is a very rare case in which religious higher education is governed by law. Religious higher education often has historically arisen partly as existing institutions secularize, limiting religious "voice" and in effect pushing religion toward "choice" (Levy 1986).

Although religious higher education has often declined along with the decline of religion in modern society. The frequent Catholic decline is often balanced by a rise of Protestant and Islamic universities, as in Nigeria and Kenya. This, as well as non-religious ethnic emergence (Suspitsin 2007), is unsurprising given contemporary world politics. Identity institutions, both the religious and the ethnic, reflect private purposes and niches rarely planned by government but rather representing self-interested pluralism. The larger private/total shares that Pachuashvili (2011) finds in Estonia and Latvia as opposed to Lithuania reflect ethnic-based pluralism. The niche dynamic is also prominent in women's colleges, almost always private, prominent in Asia as well as other regions, another case of US tradition ascending globally.

# Government Funding and Regulation

Like most private higher education cousins, religious and other identity institutions have usually not received major public funding. There is, however, growth in funding through indirect means, including where top Catholic universities compete for evaluation-based research funds.

Privately funded private sectors are consistent with pluralist-market models but a mix of private and public money is not generally inconsistent. Because our discussion of policy debates on funding (and regulation) for private higher education starts with the identity institutions, we must here include some of the general arguments that apply overall to the private higher education sector, coupling those with arguments particular to the identity sub-sector. A common case against public funding for most or all private higher education is that there is no public responsibility; or at least there is much less responsibility than for public institutions. The general case against public funding often takes on extra passion when it comes to identity institutions, as with opposition to undermining separation of Church and State. Some believe that identity institutions hurt national unity; one person's happy pluralism is another's divisiveness. If such institutions are allowed, they are

particularly controversial when it comes to government financial support.

Yet, the pro-subsidization case for identity institutions is also multifaceted. There is the classic policy argument that the public saves money by financing part of the cost for private institutions in a decentralized and pluralist system (allowing identity institutions), rather than paying all the cost for public institutions in a more centralized, single-sector system. More particularly to the identity sub-sector, religious private higher education is almost always truly non-profit. Additionally, many longstanding religious institutions have established credibility and academic quality along with sound management. They may be less controversial, in less divided societies. Now more like their public counterparts, why should they not get some of the same funding? On the other hand, to the extent they remain distinctive, private identity institutions may merit public funds for contributing on the social value of diversity, pluralism, and choice. The extreme but rare examples in higher education practice have long been Belgium and the Netherlands with their regular public subsidization of religious institutions (Geiger 1986).

For private higher education overall, regulation is a more common public policy instrument than funding, a point developed in the Pachuashvili (2011) and reflected also in the Zumeta (2011). There may be more regulation of religious than other private higher education as the religious institutions are older and regulation has more often grown than diminished.

Nonetheless, if we can so generalize, autonomy is weightier than regulation. Scant regulation is easily associated with pluralist, market models. But more regulation may not contradict such models as long as it falls far short of outright control, allows private initiative, and is more reactive than commanding. Additionally, regulation is promoted as needed to counter societies' contemporary religious

or ethnic fracturing. Paradoxically, increased inter-sectoral homogeneity also becomes a rationale for regulation, for instance, if Catholic institutions have become similar to public ones in matters such as curriculum, rules apt for public places may be apt for Catholic places too.

Finally, where government funding for private institutions is on the rise, accountability is increasingly warranted. The case against regulation overlaps the case against funding. Much of the case holds for private higher education overall, though with variation by subsector. Additionally, as a practical matter, religious and other groups sometimes have political power to make heavier regulation difficult to impose.

#### Elite/Semi-Elite

#### Size and Causes

Surprisingly to many, elite private higher education is quite rare – outside the United States. The two best known rankings of the world's 100 leading universities show no non-US private university and only five to seven in the next 100. Japan is unusual for having several private universities near its national top ranks and the Republic of Korea may be unique outside the United States as most of its top ten are private.

Given the global rarity of elite private higher education, little attention has been devoted here to the arguments over public funding and regulation of it. Suffice to say that advocates of public funding note that elite education is expensive as well as important to national development, whereas opponents note that much of the clientele can pay high tuition. Advocates of regulation point to the importance of the institutions, opponents to not strangling the golden goose.

Much more common, and expanding, is semi-elite private higher education (Levy, 2005). By definition the category lies between

elite and non-elite. Some semi-elite institutions come close to the top in one or a few fields. The quintessential niche is the MBA. Common semi-elite characteristics include an entrepreneurial and market-oriented profile, with considerable emphasis on order and efficiency in internal operations and student behavior. The semi-elite form is conspicuously suggestive of pluralist, competitive, market modes. Already competing with good second-tier public institutions, semi-elite institutions often have high aspirations. Those aspirations sometimes include transforming from niche leadership to broader excellence. Often, semi-elite private prominence appears already in probably every region, including Western Europe, business schools in Germany and elsewhere. Semi-elite institutions often pride themselves on their quality student-centered teaching, even when they cannot match the highest ranked public universities in research.

#### Government Funding and Regulation

Government funding is rare for semi-elite private higher education, as the sub-sector lacks much academic research or doctoral education, acts with clear self-interest in the marketplace, has a rather privileged student body, and can get its income from high tuition and some contracts. Furthermore, as international institutions, they are sometimes seen as comparatively non-national.

More than for other private types, for semi-elite institutions there is weight in the argument that "you choose, you pay", since these are students who have access to the public sector. Despite all this, there is a plausible case for public funding. For one thing, semi-elite institutions earn a credible reputation. Some could be incentivized to broaden academically to meet public needs cost-effectively, and they could provide for healthily increased private—public competition. They may also escape the political conflicts undercutting academic tasks at public institutions, as in many South Asian, African, and Latin American countries.

As with subsidies, regulations are limited for the semi-elite subsector. Here the arguments are about not jeopardizing entrepreneurial thrust, instead on market accountability. Government, particularly where politicized and inefficient, could be ill-suited here, threatening pluralist experimentation, innovation, autonomy, and choice (Castro and Levy 2000). All this still leaves rationale for regulation to curb market excesses and ensure that "universities" are academic institutions (e.g. compelling them to mix full-time academic professionals with part-timers from business and other professional practictioners as their faculties).

## Demand-Absorbing and Non-Elite

# Size, Causes, and Types

The largest private type by far is demand-absorbing. It may well provide the only ongoing way for many systems to grow rapidly. The key is that the supply of higher education, mostly public, though growing, cannot match the surging demand for higher education.

Although increased private financing within public institutions is likely to continue, the major solution to the conundrum has been expansion of low-cost private higher education. Already, the demand-absorbing sub-sector accounts for the majority of private enrollment, at least in the developing world. Infact, it sometimes carries the majority of higher education enrollment overall. This is most striking in Asia with a large majority of its systems private (e.g. Indonesia, Philippines). At the same time, other Asian countries (China, Vietnam) still have only smaller private/ total shares as well as small overall enrollment but are now growing spectacularly and will continue to do so with demand-absorbing privates playing a major role. India, with its giant population, still has an enrollment rate of only about 11 per cent (Agarwal 2007).

More than in any other private sub-sector there is a huge intratype variation that demands our attention. On one side are

institutions called fly-by-night, diploma mill, garage, or other suitably disparaging names. They thrive on an easy market in which demand far outstrips supply and where low tuition provides greater revenue than the institution may have spent in legitimate ways, sometimes leaving surpluses for owners or administrators. Non-transparency and weak accountability are hallmarks of such institutions. Many of them are run like family operations.

But there are also many serious institutions that lack high academic status. Even when fitting the demand-absorbing dynamic, some can only unfairly be labeled diploma mills. There is real attention to curriculum, staff etc. Many students and their families, as well as employers, praise the job links of these institutions (Cao 2007). At the top, some institutions credibly aspire to semi-elite status.

One reason for associating for-profits with demand-absorption is exclusion: no religious institutions are for-profit and no elite institutions are for-profit, though some of the leading for-profits are semi-elite. A second reason is many, perhaps most of the diploma mills are functionally for-profit even though legally not.

But, suddenly, even legal for-profit institutions are blossoming. This is the fastest growing higher education dynamic in the United States, reaching 8 per cent of total enrollment (Kinser 2009). Some countries have decided to allow an explicit for-profit sub-sector, though most do not. Brazil's for-profits capture 19 per cent of total enrollment. South Africa illustrates a pattern in which a large business conglomerate finds higher education increasingly profitable, it's a longstanding reality in the Philippines. In 2011, China made the for-profit form legal, at least for a period of national experimentation.

Whereas most of the world's for-profit institutions are domestic, notable also is the rise of international operations. Laureate is the most prominent (largely in Latin America and Europe, increasingly in Asia), followed by the Apollo Group (owner of the University of

Phoenix, the US's single largest higher education institution). Some of these international and other for-profit places are atleast on the serious side of the demand-absorbing sub-sector, occasionally on the semi-elite border, as Lane (2011) suggests in connection with the budding international branch phenomenon.

# Government Funding and Regulation

Demand-absorbing private higher education is the least common recipient of government funding. More than any other sub-sector this one is vulnerable to a widespread perception outside the United States that "private" means "business" or "profit" and to the fact that there is little tradition of a vibrant nonprofit sector (Salamon and Anheier 1992). Likewise, philanthropy is least common in this private sub-sector. The major exception to the no public funding rule is US student assistance, especially at the federal level. As long as an institution – even for-profit – is accredited by an agency recognized by the federal government, its students qualify for assistance. This is thus a facilitative public policy role for the for-profit institutions.

The policy case against government funding of demand-absorbing private higher education is multifaceted. It includes all the points against at least the diploma mills. Why publicly fund weak and even fraudulent institutions? Expanded access might be preferable through public sector expansion. Even for these distinctly low status private institutions, a widespread perception is that private students tend to be from more privileged backgrounds than public ones. Beyond all this, giving public funds to institutions that make their own profits strikes as particularly unreasonable. A further weighty argument against public funding is that the demanding-absorbing component is so large that funding would be quite costly, undermining the prime service this sub-sector provides — access without a heavy burden on public funds.

In contrast, arguments for public funding are fundamentally about access. They focus on accommodation of those otherwise not privileged enough yet to be in the higher education system. The earlier argument about subsidizing private students rather than paying in full for an increased number of public students has particular importance when it comes to access of non-elite institutions. With such factors in mind, why not endeavor to identify serious and truly nonprofit private institutions and support their students, while improving pertinent tax incentives, allowing private institutions to be protected from certain kinds of taxes, and allowing potential donors to get tax exemptions.

The case against extensive regulation highlights the market-oriented arguments already laid out. They include the characterization of such regulation as inefficient, often with a decided bias against private policymaking, sometimes leading to more stringent regulations in matters like curriculum than seen in the public "autonomous" universities. Moreover, while the temptation to regulate may be strongest when it comes to dubious demandabsorbing institutions, there is danger that much that is new or different would get prematurely damned.

Furthermore, regulation stemming from legitimate concerns about the weakest subsector risks a slippery slope toward regulation of the whole sector, one size fits all, insensitive to the sector's large diversity. Yet detailed regulations addressing all this intra-sectoral diversity are infeasible. Moreover, even effective regulation has the disadvantage of being costly because it requires enforcement. In any event, for the demand-absorbing sub-sector, regulation is increasing in more cases than it is decreasing. Whereas government funding of this sub-sector is rare, regulation is not.

#### International Branch Campus: Development and Regulation

Universities have operated campuses in other, mostly developed, nations since the mid-1950s for providing study abroad

opportunities, offering specialized graduate programs, or to provide options for foreign-based military personnel (Verbik and Merkley 2006). However, the growth in the number of these institutions was initially slow and largely idiosyncratic. Nevertheless, in the last 15 years, changes in the policy environments of many countries aimed at attracting IBCs has led to a relatively rapid increase in this type of venture.

Unlike most of their predecessors, many of the recently developing IBCs are designed to serve students in the host country and local region, operating alongside domestic providers. No exhaustive list of these institutions exists; but, according to the OBHE, institutions in 22 countries are operating more than 160 IBCs in 51 countries (Becker 2009). They originated mostly from the exporting countries of Australia, United Kingdom, and the United States.

One aspect of the nature of cross-border higher education is that, regardless of whether a home campus is considered public or private, the IBC operates in the private sector of the host country (Lane and Kinser 2011)). While there is yet to emerge one agreed upon definition of an IBC, there seems to be an agreement that an IBC must have a physical presence on foreign soil, the students at the IBC must be able to earn a degree from the home campus, and that it be fully or jointly owned by the institution from which the degree is awarded (Verbik and Merkley 2006; McBurnie and Zyguris 2007). As such, regardless of whether an IBC is regulated under the same provisions as apply to the public or private higher education sector, the academic enterprise is neither owned nor completely controlled by the host government. In some places, such as Qatar and Abu Dhabi the private-public distinction becomes blurred because of the amount of financial support the government is providing to some of the IBCS within their borders; however, from a legal perspective, the home campus retains the academic authority and ownership over the degree and curricular provisions (Lane and Kinser 2011). In both Malaysia and Dubai, the government considers IBCs part of the private sector.

Beyond these definitional assessments, the characteristics of IBCs can, in part, be explored through the relationship of these entities with the host government and comparison with other types of private higher education. First, the regulation of IBCs stems from a reversal in the relationship between developed and developing nations. For decades, students from developing nations, many supported by their home country, sought education abroad; leaving their home country to study at institutions in the developed world. Such study abroad initiatives did not always necessitate regulations by the students' home country; although some did impose rules on students who wanted to study abroad. The creation of IBCs fosters a small reversal of these flows. Instead of students travelling abroad, institutions based in developed countries send resources abroad to provide educational opportunities to foreign students in their home country.

This reversal results in expanding educational capacity within the developing nation and allowing students to pursue a degree from a foreign provider without leaving their home country. The advent of IBCs has also brought foreign control to parts of the developing nation's education system, raising concerns about quality assurance. As Lane and Kinser (2008) have noted, "IBCs can fall through the cracks of quality-assurance regulations, with both governments assuming the other (or some entity within the country) is providing oversight, but neither actively engaging in such a way". Studies such as those published by the International Institute for Educational Planning (Martin 2007) better illuminate quality assurance issues in cross-border higher education. Existing work (Verbik and Jokivirta, 2005a, 2005b; McBurnie and Zyguris 2007; Guruz 2008) suggests that regulation of IBCs by the importing nations has been limited and rapidly changing.

As IBCs are relatively new enterprises, government regulations often change as the entities and government expectations for them evolve. Like the expansion of much of private higher education (Levy 2006), the current expansion of IBCs started as more limited regulation made it, in some ways, easier for institutions to expand outside of their own nation than within it. Limited regulation and the ability of successful and prestigious universities to begin operating globally led some to fear that such developments would threaten existing local public systems and allow "the giants" to dominate the world education system (McBurnie and Zyguris 2007).

However, like so many aspects of globalization the end game is not yet known. Some early expansion efforts were not as successful as many had hoped and resulted in a few causalities such as Royal Melbourne Institute of Technology (Australia) closing a campus in Malaysia due to their financial partner going bankrupt; Monash University (Australia) losing millions in its South Africa campus; Sylvan (United States) closing a campus in India after not receiving accreditation from the Indian government; George Mason University (United States) closing its campus in the United Arab Emirates over disagreements with its local partner; and the University of New South Wales closing its Singapore campus after only a few months due to a lack of student enrollments (Auditor General Victoria 2002, 2005; Verbik and Merkley 2006; Becker 2009; Lewin 2009; Lane 2010b).

The two governments that are prominent in the education and popular media; vary in economic conditions and policy regimes; and are among the largest importers of IBCs in the world. Malaysia and Dubai both have developing economies, extensive involvement in cross-border tertiary education, and foreign universities have been operating IBCs in these states since 1998 and 1993, respectively (Verbik and Merkley 2006; Guruz 2008; Lane 2010a, 2010b).

#### Dubai

Dubai is one of seven emirates that comprise the United Arab Emirates (UAE), which is located in the Southeast region of the Arabian Peninsula and was founded in 1971. The Emirate of Dubai is a constitutional monarchy, governed by the Al Maktoum family since 1833 (Abdullah 1978). While it is part of a broader confederation, Dubai "has ensured that it retains a distinct national identity, controls its own natural resources, and maintains command of its largely independent development path" (Davidson 2008). Thus, its innovation in the development of IBCs warrants attention separate from the rest of the Emirates.

Over the past two decades, Dubai began moving toward building a post-petroleum economy. By investing its oil wealth from the 1970s and 1980s in areas such as finance, luxury tourism and commercial infrastructure, Dubai has overcome centuries of an underdeveloped economic infrastructure by developing an economy in which less than 6 per cent of its \$37 billion (2006) economy is derived from petroleum (Kuran 2004; Sheik-Miller 2007; Davidson 2008). Now, the emirate has begun to invest in a knowledge-based economy, seeking to improve and expand research & development as well as educational opportunities. The latter is primarily, through the growth of IBCs with the desire of becoming a regional education hub.

Historically, access to post-secondary education throughout the UAE has been very limited and was primarily the responsibility of the federal government. Further, public colleges and universities are accessible only to UAE nationals. The first public university in the UAE was created in 1976 (in the city of Al-Ain in the Abu Dhabi emirate), and access to higher education within Dubai was essentially non-existent until the late 1980s when the Islamic and Arabic Studies College (a private institution) began operating (Lane 2010). In fact, most of the colleges and universities in Dubai opened

after 2000. The innovations in private higher education witnessed in Dubai have been primarily facilitated by adaptations of the emirate's economic development policy.

While Dubai has largely set its own developmental path, its participation in the UAE confederation requires it to be subject to regulations set forth by the federal government in Abu Dhabi. For example, the 1984 Commercial Companies Law required all companies registered in the nation to be at least 51 per cent owned by a UAE firm (Davidson 2008). However, Dubai has found ways to work around such a requirement in order to attract more foreign investment. Dubai has created many "Free Zones" managed by special legal authorities. The Zones proved quite successful as companies were attracted by "tax-free trading, minimal regulation, well-developed infrastructure, and the availability of reasonably priced skilled labour" (Wilkins 2001: 12). The success of the Free Zones spurred more specialized zones such as the Dubai Media City and Dubai Flower City.

Further, the "free zones" also exempted institutions from existing federal quality assurance "Importing Private Higher Education" mechanisms in the UAE; instead the University Quality Assurance International Board (UQAIB) was created by the Dubai Knowledge and Human Development Authority to ensure that programs offered at the branch campus are comparable in quality to those provided on the home campus of the IBC. Although the first outpost of a foreign campus (University of Wollongong) opened in 1993, the number of IBCs did not grow rapidly until after free zones began to target them about a decade later. Now, half of the postsecondary educational institutions in Dubai are IBCs. As of January 2010, the education system in Dubai was comprised of three campuses of federal public institutions (Zayed University, Dubai Men's College and Dubai Women's College) and 47 private (i.e. non-federal) colleges or universities. Thirty of the 47 private higher education campuses are located in four free zones and 25 of the free zone institutions are IBCs. The IBCs in Dubai include extensions of Rochester Institute of Technology (RIT) (United States), Herriot-Watt University (UK), and Manipal University (India).

The desire to bolster the private higher education sector is linked to the desire to improve economic development and recruit and retain highly skilled workers (Muysken and Nour 2006). Although data about non-nationals is not readily available; expatriates are reported to comprise approximately 90 per cent of the UAE workforce (Economist 2008), with a large proportion supporting Dubai's economic expansion efforts. And, this factor is playing a key role in the story of the development of private higher education. The Development of IBCs provides prestige that would not be as readily available by investing in the domestic private higher education system and access that would not be available by feasible levels of investment in the public higher education system.

#### Malaysia

Malaysia is located in the South China Sea, is primarily divided between a peninsula below Thailand and part of the island of Borneo, and had approximately 25 million people according to the 2000 census. The country is governed by a federal government that includes a bicameral legislature and an elected monarchy. Since its creation in 1963, Malaysia has worked to develop its economy, transforming it from one based on agriculture and mining to manufacturing (Ang and McKibbon 2005).

Over the course of the last decade, the government has begun transition of the nation to seek to be a leader in the knowledge economy (Evers 2003). Earlier this decade, the government adopted the Knowledge-Based Economy Master Plan (Malaysia Economic Planning Unit 2002), which included a multi-billion dollar higher education strategy to meet enrollment goals of decreasing the number of students studying abroad and increasing the number of

foreign students studying in Malaysia. The plan also targeted the further development of the private higher education sector, which has been deemed crucial for achieving Malaysia's enrollment and economic goals. Even if the physical capacity existed in the public sector, foreign undergraduate enrollments in this sector are capped at 5 per cent (Morshidi 2008) and participation by ethnic minorities has been heavily influenced by government-mandated quotas designed to ensure access for indigenous groups (Lee 2001). Still, the public sector does not have the capacity to meet the demand for higher education from its own citizens (Middlehurst and Woodfield 2004).

The desire to be globally competitive in the knowledge economy and the goal of becoming a regional hub for higher education have led Malaysia to target the development of IBCs. Although Malaysia has been involved with various forms of transnational educational arrangements since the 1980s (McBurnie and Ziguris 2007), new laws implemented in the mid-1990s allowed foreign providers to open IBCs. These institutions are subject to the same regulations as other institutions operating in the private sector, but the campus has to be run by an organization incorporated in Malaysia and is subject to various joint ownership requirements. For example, University of Nottingham Malaysia Campus is an incorporated partnership of Boustead Holdings Berhad, YTL Corporation Berhad, and University of Nottingham UK (Mordishi 2005). Boustead and YTL are held by Malaysian investors and focus on a wide range of interests including plantations, property, services (including education), and infrastructure building.

These arrangements can restrict institutional autonomy, but also serve to protect the home campus from some financial risks, particularly if the endeavor proves unsuccessful (Lane 2010). As of this writing, five IBCs operate in Malaysia; three are Australian based, while the other two are based in the United Kingdom. Unlike the situation in Dubai, these campuses comprise a relatively small

portion of the private higher education system. However, like Dubai, these campuses seem to be a way for the country to signal its growing modernity to the outside world.

Government efforts include building domestic capacity in information communication and technology (ICT), research and development, and the higher education system, including fostering partnerships with foreign providers to develop IBCs (Evers 2003; Morshidi 2005). All of the IBCs offer courses of study in high skill areas such as engineering, law, medicine, architecture in addition to areas such as business and social sciences. In fact, some of the IBCs provide PhD level training and engage in research funded by the Malaysian government, which is meant to benefit the local region. Finally, these institutions provide a much desired product in the form of credentials from recognized universities in developed nations and expose students to English, which is increasingly recognized as the language of the global marketplace.

# Further Scope of Research

As this is an exploratory investigation, further study is needed to address an array of questions, including the extent to which the conclusions of this study apply to different nations, IBCs (where, for example, the regulatory environments, economies, or government relationships may be different). How will IBCs affect the future development of private higher education in the host nations? How will the involvement of the host government in the development of IBCs affect the growth of the nation's public academic sector? How will regulation of IBCs evolve? What does it mean for a public institution in one country to be operating a campus in the private sector of another country? Is such an arrangement sustainable over a long period? Relative to the total number of private higher education institutions worldwide, the number of IBCs is still minuscule; but, their potential to affect the evolution of higher education in developing nations is substantial.

As such, much more research is needed about this type of institution and the public policy dynamics involved.

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# Do Trade institutions promote international competition? An Analysis of WTO Commitments on Domestic Support Programmes as a part of Agreement on Agriculture (AOA) and Their Implications:

#### Introduction

The popular classical theories of international trade taught us that if countries get involve in free trade according to their comparative advantage then trade would be mutually beneficial to the countries concerned. Obviously the question arises then where is the need for a multilateral institutional framework like the WTO with mutually agreed and enforceable rules? The simple argument given in favor of institutions like WTO to exist is that they minimize the benefits or costs arising out of differences in the level of development of the developed and the developing countries thus to ensure a level playing field. In many poor countries, agriculture not only accounts for a large share of gross domestic product (GDP), but is also the primary source of employment, food and livelihood for the majority of the population. This is in contrast to the situation in the world's two biggest agricultural exporters, the European Union (EU) and the United States (US), where agriculture employs a tiny percentage of the population and makes only a small contribution to the economy. Yet it is the EU and US that give most protection to agriculture, using high tariffs and huge subsidies to shield their producers from competition. In 1995, the year that the WTO was established, the first effective rules governing international trade in agriculture and food were introduced. Following the Uruguay Round negotiations, all agricultural products were brought under multilateral trade rules by the WTO's

Agreement on Agriculture. The Agreement is made up of three 'pillars': market access, export competition and domestic support.

Before going into the core analysis let us first briefly mention the concept of institutions in general and their functions:

The notion of an institution embodies several elements: formal and informal rules of behavior, ways and means of enforcing these rules, procedures for mediation of conflicts, sanctions in the case of breach of the rules, and organizations supporting market transactions. Institutions are more or less developed depending on how well these different features operate.

The quality of institutions has long been recognized as an important component of a well-functioning market. Market activities involve the interaction of human beings, and institutions exist to reduce the uncertain ties that arise from incomplete information concerning the behavior of other individuals in this process of human interaction. Institutions can act through a number of channels:

- They decrease information asymmetries as they channel information about market conditions, goods and participants;
- They reduce risk as they define and enforce property rights and contracts, determining who gets what and when;
- They restrict the actions of politicians and interest groups, making them accountable to citizens.

#### A brief history of the WTO:

The previous most important innovation of institutions regarding international economic relations was the development of the Bretton Woods institutions, starting with the 1944 Bretton Woods Conference, and running through to the end of the 1940s. The 1944 Conference created the World Bank and the International Monetary Fund, and the negotiations for a similar organization

for trade (the third leg of the tripod of Bretton Woods Institutions) continued through 1948. But as is commonly known, the potential International Trade Organization, or ITO (of the Havana Charter of March 1948) never came into effect, largely because of objections in the US Congress. However, the General Agreement on Tariffs and Trade (GATT) was in place for some very special diplomatic and national constitutional reasons (particularly the structure of the United States Constitution and its authorities delegated to the President). The GATT continued, therefore, to play a role that gradually became enhanced, as it filled the vacuum left by the failure of a trade organization to come into being. This role became increasingly important as decades wore on, but it also became clear, with the passage of time, that the GATT had substantial institutional defects\$ that made it harder and harder for it to cope with some of the new issues being thrust upon it. But as is commonly known, the potential International Trade Organization, or ITO (of the Havana Charter of March 1948) never came into effect, largely because of objections in the US Congress. However, the General Agreement on Tariffs and Trade (GATT) was in place for some very special diplomatic and national constitutional reasons (particularly the structure of the United States Constitution and its authorities delegated to the President). The GATT continued, therefore, to play a role that gradually became enhanced, as it filled the vacuum left by the failure of a trade organization to come into being. This role became increasingly important as decades wore on, but it also became clear, with the passage of time, that the GATT had substantial institutional defects\$ that made it harder and harder for it to cope with some of the new issues being thrust upon it.

Thus, in the Uruguay Round, which added several huge new subjects to the trade to the trade system competence (especially intellectual property and services), it was considered necessary to create a new organization, the WTO. All of this is familiar ground.

An important objective of the Uruguay Round Agreement on Agriculture is to reduce domestic measures of support that distort international trade and production in agriculture. But all kind of domestic support measures are not supposed to be trade distorting. Some domestic support programmes have minimum or no trade distorting effects are exempted from reduction commitments and can even be increased without any financial limitations under the WTO. Countries differ from in other not only in regards to comparative advantage of producing goods but also in terms of level playing field. The principle of comparative advantage is based on the differences in the cost of production of goods and services across countries. The classical theory of international trade based on comparative advantage assumes a world of free trade where no interventions are allowed. It is only the relative costs of different factors of production that determines commodity prices and trade takes place among nations on the basis of commodity price differences which are, thus, exclusively determined by factor costs. However in real world, in almost all the countries there are interventions on the part of the Government in the form of taxes or subsidies which plays an important role in determining commodity prices. Therefore, natural comparative advantages arising out of technological factors or availability of inputs can easily get distorted through imposition of import tariff, quotas and subsidies. In a hypothetical world of free trade, market is sufficient alone to ensure efficient allocation of goods and services, there is as such no need for a regulatory institution to exist. Once we allow for the possibility of Government interventions, immediately many other factors such as the ability of the Government of a particular country to finance a subsidy on a certain product, relative bargaining power of the domestic producers and importer's lobby in deciding tariff rate play a crucial role in deciding commodity prices. Now if a rich country, because of their better ability to finance an agricultural subsidy manages to keep the prices of agricultural

products lower than a genuinely efficient and low cost producer then the outcome of trade will be inefficient and reach countries will gain at the cost of the poor one which is undesirable. In the same line, developing countries, in a deliberate attempt to industrialization, has a tendency to discriminate against their agricultural sector by protecting their industrial sectors with heavy tariff which also distort trade to follow the principle of comparative advantage. Also this is a case when playing field is quite uneven.

#### WTO Domestic Support Programmes: Different Subsidy Boxes

The WTO classifies subsidies into three categories:

#### Amber Box:

It includes all domestic subsidies – such as market price support - that are considered to distort production and trade. Subsidies in this category are expressed in terms of a "Total Aggregate Measurement of Support" (Total AMS) which includes all supports in one single figure. Amber Box subsidies are subject to WTO reduction commitments.

#### Blue Box:

Subsidy payments that are directly linked to acreage or animal numbers but under schemes which also limit production by imposing production quotas or requiring farmers to set-aside part of their land come under it. These are deemed by WTO rules to be 'partially decoupled' from production and are not subject to WTO reduction commitments. In the EU, they are commonly known as direct payments.

#### Green Box:

Subsidies that are deemed not to distort trade, or at most cause minimal distortion and are not subject to WTO reduction commitments come under it. For the EU and US one of the most important allowable subsidies in this category is decoupled support paid directly to producers. Such support should not relate to current production levels or prices. It can also be given on condition that no production shall be required in order to receive such payments.

## Green Box measures in certain Developing countries: The case of US, EU and Japan:

After the Uruguay Round Agricultural Agreement (URAA) many WTO members have gradually shifted their agricultural support to Green Box category through readjustment in their domestic policies. US, EU and Japan, among the WTO members have highest Green Box expenditure. In contrast, developing countries incur very low expenditure on Green Box. In this context, an analysis of the structure of domestic support in terms of the different boxes mentioned above will help to understand the trend in shift in subsidies between different boxes in these countries and their implications on agricultural trade.

Among these three members, US have the highest "Green Box" subsidy expenditure followed by Japan and EU respectively. Also US are having the largest share of Green Box support in overall domestic support. All the three countries showed similar trend in terms of reduction in Amber Box subsidy and increase in the share of Green Box subsidy since the inception of WTO.

Table1: Amount and share of different components of domestic support in three developed countries

Year	1995		1998		1999		2000		2001
United States (Million US Dollors)	Amount	% of total domestic support	Amount	% of total domestic support	Amount	% of total domestic support	Amount	% of total domestic support	Amount
Green Box	46,033	88%	49824	83%	49794	74%	50,057	74%	50,672
Blue Box	0	0	0	0	0	0	0	0	0
Total AMS	6213	12	10,391	17%	16,862.20	25	16,802.58	25	14,413.05
Total	52,246		60,215	100	66,611	100	66,860	100	65,085

European Union (Million Euro)									
Green Box	18,718.00	20%	19,168	22%	19,930.50	23%	21,844.50	25%	20,661.20
Total AMS	47,526.40	52%	46,683	54%	47,885.70	55%	43,654	50%	39,281.30
Blue Box	25412.306	28%	20503.5	24%	19,792.10	23%	22,222.70	25%	23,725.90
Total	91,656.71	100%	86,355	100%	87,608.30	100%	87,721.20	100%	83,668.40
Japan (Billio	nYen)								
Green Box	3169	47%	3001.6	79%	2685.9	76%	2595.3	76%	2546.9
Blue Box	3,507.50	53%	766.5	20%	747.8	21%	708.5	21%	666.7
Total AMS	0	0%	50.2	1%	92.7	3%	92.7	3%	91.1
Total	6,676.50	100%	3818.3	100%	3526.4	100%	3396.5	100%	3304.7

Source: Green Box Subsidies: A Theoretical and Empirical Assessment by UNCTAD India team. Figures are taken from WTO notifications.

The figures in the table 1 tell us that US have more than 80% share of green box expenditure but it had a decreasing trend. EU has the least share of Green Box subsidy which is increasing over time. For Japan there is steep rise in the share of Green Box expenditures. Table 2 presents the amount spent on different subsidy boxes for the time period mentioned. If we compare the values, it is clear that share of green box subsidies developing is quite negligible.

	Year	AMS	Blue Box	Green Box
Brazil	1997-98	74	0	298
India	1997-98	0	0	75
Pakistan	1999-00	0	0	5

Source: Green Box Subsidies: A Theoretical and Empirical Assessment by UNCTAD India team. Figures are taken from WTO notifications.

## Different categories of Green Box spending by the US, EU and Japan:

There are several types of expenditures which come under Green Box in these countries such as-General services, public stock holding for food security purposes, Domestic Food Aid, Decoupled income support, Income insurance and income safety net programmes, payment for relief from natural disasters etc. The trend in different types of expenditures under Green Box is discussed in this section.

#### 1. General Subsidies:

Expenditure in relation to services or benefits provided to agriculture or rural communities are included in general Subsidies under Green Box expenditure. Other than meeting the general criteria, General services also include categories such as general research, pest and disease control, training services, extension and advisory services, inspection services, marketing and promotion services and infrastructural services.

Table 3: General subsidies

General Services								
	1998		1999		2000		2001	
	Amount	%	Amount	%	Amount	%	Amount	%
United States	7,146	14	7,694	15	8,554	17	9,214	18
EU	5,587.12	26.18	5,621.99	24.08	4,370.18	21.71	5,043.75	27.28
Japan	19,817.42	86.43	20,264.78	85.94	20,096.51	86.43	17,234.57	82.24

Source: Green Box Subsidies: A Theoretical and Empirical Assessment by UNCTAD India team. Figures are taken from WTO notifications

The figures in the above table indicate that the General Services expenditures constitute a significant proportion of Green Box expenditures. Japan has a overwhelmingly large share (more than 86%) of General Services expenditure. There share in total Green Box expenditure has continuously risen in US while it maintained more or less same share in other two countries.

#### 2. Public Stockholding for Food Security Purposes:

Accumulation and stock of commodities for the purpose of food security are included in these types of expenditures. The volume of such expenditure are subject to pre decided targeted level of food security. It was found that US didn't spent anything for food security purpose while japan and EU spends a tiny fraction (close to 2%) for this particular purpose.

#### 3. Domestic Food Aid:

Domestic Food Aid expenditure under the Green Box policy is targeted to the poorer section of the population who are in need of such kind of assistance.

Table 4: Domestic Food Aid:

Domestic Food Aid									
	1998		1999		2000		2001		
	Amount	%	Amount	%	Amount	%	Amount	%	
United States	33,487	67	33,050	66	32,377	65	33,916	67	
EU	306.98	1.44	295.97	1.27	248.94	1.24	217.27	1.18	
Japan	105.42	0.46	81.65	0.34	50	0.21	4	0.2	

Source: Green Box Subsidies: A Theoretical and Empirical Assessment by UNCTAD India team. Figures are taken from WTO notifications

The figures in the above table indicate that US spent a large share of their Green box expenditure on Food aid and maintained its share over the year while in case of EU and Japan it was negligible.

#### 4. Decoupled income support:

Direct income transfers to the Producers given that they are not based on prices or volume of production or input prices comes under Domestic Income Support Programme under Green Box expenditure. However in reality Decoupled Income Support can reduce the cost of production by enabling the producers to afford superior technology. In that case it can indirectly distort market prices, production and trade. Decoupling Income Support has wide spread impact such as it can help producers to overcome capital constraints by giving them access to loans, covering initial fixed cost of production and by preventing distress selling etc.

Table 5: Decoupled Income Support

Decoupled Income Support									
	1998 1999 2000 2001								
	Amount	%	Amount	%	Amount	%	Amount	%	
US	5,659	11	5,471	11	5,068	10	4,100	8	
EU	143.19	0.67	1020.14	4.37	454.49	2.26	148.46	0.8	
JAPAN	0	0	0	0	0	0	0	0	

Source: Green Box Subsidies: A Theoretical and Empirical Assessment by UNCTAD India team. Figures are taken from WTO notifications

Among the three countries, US have highest share of Decoupled income share in total Green Box expenditure. However its share has come down over time. Japan doesn't provide such support while EU witnessed an increase in the share of Decoupled income Support in Green Box expenditure.

#### (5) Payment for relief for natural disaster:

It is argued that natural disaster relief payments has potential for price distortion because it may cover some damage control costs which otherwise producers has to incur by themselves. In this way it can reduce the cost of production which will reduce the prices. Secondly it may affect volume of production by inducing producers to carry out production in risky environment.

Table 6: Payments for Relief From Natural Disaster:

Payment for Relief from Natural Disaster									
	1998 1999 2000 2001								
	Amount	%	Amount	%	Amount	%	Amount	%	
US	1,411	3	1,635	3	2,141	4	1,421	3	
EU	203.32	0.95	389.41	1.67	359.87	1.79	356.87	1.93	
JAPAN	447.65	1.95	508.31	2.16	515.01	2.21	445.16	2.12	

Source: Green Box Subsidies: A Theoretical and Empirical Assessment by UNCTAD India team. Figures are taken from WTO notifications.

Payment for relief from natural disaster share either increased or remained in its share over time in these countries. Both US and Japan have not notified any expenditure under this head during 1998–2001. The EU has notified during the years 2000 and 2001, \$ 4.61 and \$ 9.57 million respectively.

#### Income Insurance and Income Safety net programmes:

Direct payments to producers are considered to be income insurance and safety net payments if they meet four policy specific criteria:

- (a) eligible producers have experienced a loss that exceeds 30 per cent of average gross income, or the equivalent in the preceding 3–5 years;
- (b) the amount of such payments compensates less than 70 per cent of the eligible producer's income loss in the year,
- (c) payments relate solely to income and not to prices, production or factor use; and
- (d) Payments from this provision combined with that for natural disaster total to less than 100 per cent of the total loss for individual farmers.

Apart from the above mentioned subsidy expenditures, there are many other programmes like developing Structural Adjustment through Producer/Resource Retirement Aids, Structural Adjustment through Investment Aids, Environmental Programme Payments, Regional Assistance Programmes which constitute the Green Box programme.

### Farm Support Programme in Developing Country-With a focus on India:

It was found that in 1995-96, the product specific support for India was negative. Non product specific support accounts for only 7.5%, and product specific support was negative, the Aggregate

measure of Support for India would possibly be well below the Uruguay Round stipulation of 10%. Input subsidy to resource poor farmers which comes under non-product specific subsidy, doesn't come under reduction commitments of WTO. In that case India's non product specific support would be even less. Hence the reality is that a developing country like India is not even in reach a position to provide domestic support to the extend they are allowed. Hence the reduction commitments of the WTO do not really serve as a binding constraint for a country like India.

In case of tariff protection, India has already negotiated tariff bindings at the level of 100 per cent for raw commodities, 150 per cent for processed agro-commodities and 300 per cent for most edible oils. There is a study (Hoekman and Anderson, 1999) which found that the nominal rates of assistance to agriculture via trade policies in the post- Uruguay Round for agriculture and pro-cessed food amounts to 33 per cent in advanced industrial economies as well as newly industrialised economies. Producer Support Estimate (PSEs) for 1997-99 was 61 per cent for Japan, 65 per cent for Korea, 66 per cent for Norway, 70 per cent for Switzerland, and 44 per cent for countries within the Euro-pean Union (Gulati 2001). On the other hand producers support in many South and South-East Asean countries are found to be very negligible or negative.

In the developing countries, Inward-looking import substituting development strategy through heavy protection to the domestic industries often develops a bias against agriculture. Thus even if these countries, for structural reasons, generally have their comparative advantage in agricultural commodities, domestic support to industries deliberately kept the terms of trade against it. It will lead to misallocation of resources and denies agriculture required technological up gradation. It was argued in number of studies (ESCAP 1995; Valdes and Zietz 1995) that in the Post-Uruguay Round scenario expected rise in the prices of farm products

but account of reduction commitments by the developed countries would be mitigated and even neutralized by the surge in output and trade due to market reforms and unilateral liberalization in certain developing countries. This upsurge in output is mainly driven by rise in total factor productivity (TFP) in agriculture. Now there is more chances that the developed countries outplays the developing or less developed countries in terms of increase in total factor productivity (TFP) as long as the green box expenditure exists. The types of expenditures included Under Green Box such as General Services, Public Stockholding for Food Security Purposes, Domestic Food Aid, Decoupled Income Support, Income Insurance and Income Safety Net Programmes, Payments for Relief From Natural Disaster, Structural Adjustment through Producer/Resource Retirement Aids, Structural Adjustment through Investment Aids, Environmental Programme Payments, Regional Assistance Programmes etc are extremely crucial for improving Total Factor Productivity (TFP) in agriculture. In the last section it was mentioned that only a few developed countries like US, countries under EU and Japan are in a position to finance those subsidies and therefore can experience a total factor productivity gain. On the other hand a set of developing countries which cannot provides those subsidies will be badly hit by the reduction in terms of trade of agricultural production due to technological up gradation. Thus the developing countries, where agriculture account for a larger share in GDP and majority of the population depends on agriculture for there are at increasing risk of losing competitiveness in the a liberalized trade regime. Therefore the provision of Green Box subsidies are seriously questioned since it makes the playing field more uneven.

#### Conclusion:

From the Above discussion it can be concluded that even if the purpose of international institution like WTO to exist is to ensure the free play of market to ensure efficient outcome of trade, in

reality continuing with heavy protections under the umbrella of Green Box subsidies in the developed countries actually deny market to function. The above discussion is confined to the WTO commitments on domestic support programs only and it reveals that existing policies of WTO in this regards clearly discriminates against the developing countries. The major challenge to the viability of agriculture of most developing countries, including India, is posed by the high domestic support, export subsidies and denial of market access through various tariff and non-tariff barriers in the developed countries. India has been fighting in league with other developing countries in the WTO for the removal of such barriers. In the process of bargaining and in India's own interest, the rate of protection to its industry which used to be among the highest in the world has been brought down to less than half of its earlier level. To ensure the level playing field hence there should be complete elimination of Amber box and Blue box subsidies in the developing countries and there should be proper review of green Box subsidy impacts so that it is completely decoupled from production.

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maximum					
rank	parms	LL	eigenvalue	Trace statistic	5%cric value
0	6	270.15		38.82	25.32
1	10	281.85	0.32	16.09	12.25
2	12	289.56	0.24		
				Max Statistic	
0				22.72	
1				16.09	

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#### TABLES: COINTEGRATION TEST

#### **RICE**

VECrank dlog\_domestic\_rice dlog\_worldrice, trend

Johansen Test for Cointegration

Sample- 2009m3-2014-m4

#### WHEAT

maximum					
rank	parms	LL	eigenvalue	Trace statistic	5%cric value
0	6	270.15		47.98	15.41
1	9	221.85	0.40	18.26	3.76
2	10	231.56	0.27		
				Max Statistic	
0				29.72	14.07
1				18.26	3.76

VECrank dlog\_domestic\_wheat dlog\_worldwheat, trend

Johansen Test for Cointegration

Sample- 2009m3-2014-m4

#### **COTTON**

maximum					
rank	parms	LL	eigenvalue	Trace statistic	5%cric value
0	6	144.53		38.82	15.41
1	9	157.55	0.361	12.75	3.76
2	10	163.96	0.197		
				Max Statistic	
0				26.05	
1				12.75	

VECrank dlog\_domestic\_cotton dlog\_worldcotton, trend

Johansen Test for Cointegration

Sample- 2009m3-2014-m4

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# Delhi Auto-rickshaw drivers and Commuter's Plight

Delhi's is witnessing a huge growth in its population every year. According to estimated figures from Census of India, Population of New Delhi in 2014 is 17.8 million and is estimated to cross 20 million in 2020. The transport department of government of NCT Delhi is entrusted with the responsibility of providing efficient transportation system to the people. Public transportation in Delhi is characterised by high dependence and low availability, be it mass transport systems like buses or para-transit systems like taxis and auto-rickshaws. Invariably, the authorities' solutions to all problems in the transport sector are either technical or judicial, the latter being more popular as they are cheaper to implement. The social aspects of problems in this sector are easily ignored. The process of urbanisation and growth has seen an increase in the dimensions of this crisis.

The study attempts to highlight the challenges that encompass the community of people who drive these public transport modes (in this case) auto-rickshaw drivers and their passengers. It also seeks to develop suggestions and solutions to the underlying problem.

Auto-rickshaw- are affectionately called by different names across the globe e.g. tuk-tuks, tuc-tuc, rickshaws, autos, phat – phati, samosa, tempo, trishaw, autorick, rick, tricycle, mototaxi, baby taxi, lapa or tukxi. In Delhi, modern auto rickshaws run on compressed natural gas (CNG) and are environmentally friendly compared to full-sized cars. CNG autos are distinguishable from the earlier petrol-powered autos by a green and yellow livery, as opposed to the earlier black and yellow appearance. Some local governments are considering four-stroke engines instead of the current two-stroke versions. Auto rickshaw manufacturers in India include Bajaj Auto, Kumar Motors, Kerala Automobile Limited, Force Motors

(previously Bajaj Tempo), <u>Mahindra & Mahindra</u>, <u>Piaggio Ape</u>, and <u>TVS Motors</u> (George,P.2003). The non-polluting and environment-friendly cycle rickshaw, as one of the cheapest modes of intra-city transport, plays a crucial role in providing point-to-point connectivity. It connects nearby markets, railway stations, and bus terminals and is also often seen providing door-to-door transport services for children in schools. Lately, auto-rickshaws have become an indispensable feeder service for the Metro and bus stations.

The study revealed that there are two types of auto-driver: Renterdrivers rent autos from contractors who own multiple vehicles. They pay Rs.250-300 for 10-12 hours and earn the same amount in profit, while half their daily taking goes on rent and CNG. Today, 80% of autowallahs are renters and the others are ownerdrivers, who own their machines. About 90 percent of Delhi's autorickshaw drivers come from the state of Uttar Pradesh and Bihar. It also pointed that 60 percent of rickshaw drivers in Delhi are seasonal migrants who take up rickshaw pulling for few months and return to their native villages during the peak agricultural season. More than 78 percent of rickshaw drivers stay in Delhi for less than a year, while less than 22 percent stay throughout the year. Auto-rickshaw driving was the main source of livelihood and generated vast employment opportunities. The earning of autorickshaw drivers varies from rupees 900 to rupees 1400 per day (excluding challaans, bribes, fuel or any other immediate expenditure on the machine). The earning is then spent on paying rent, challans, food and medicine. Some of the autorickshaw drivers have addiction of tobacco and alcohol, which consumes a large portion of their earning. Any remaining money is sent home to be saved.

In the year 1997 the Supreme Court capped the number of autos in a bid to cut emissions from vehicles. No new auto-permits would be issued. While Delhi's population grew but the number of autos did not, thereby the price of an auto-permit rocketed and a black market for permits began. Auto-financiers found themselves in a money-spinning position as their existing stock of auto-permits became a precious commodity. The rate of permit in 1990s was around Rs.1-1.5 lakhs which rose to Rs.4-4.5 lakhs. There were no new auto-rickshaws and even the demand for rented autos allowing contractors to hike rents. Another order by Supreme Court in 1998, demanded these public transport vehicles to be convert to CNG by 2002. Owner-drivers faced a Rs.25-30000 bill for a CNG conversion kit and the threat of having their precious permits cancelled if they did not comply (Simon Harding, 2010). As a result in 2000, Delhi had 83000 auto-rickshaws which fell to 55000 because most of the drivers could not convert their autos to CNG and had to sell their autos and valid permits cheaply to financiers. The contract maximises the financier's ability to repossess the autorickshaw, which can be sold to the next driver. Financiers have sell and repossess the same vehicle five or six times. Also, auto-drivers must carry around sixteen documents with them at all times, failing to do so, invites penalty or encourages bribe.

The challenges faced by the commuters of auto-rickshaw have been presented as a qualitative case. Although the transport department seems to have taken sufficient steps to provide fairer service to the commuter, lacunae remain. It can only be seen in the experiences told by the passengers who board auto-rickshaw often. Commuters are held on ransom by auto-rickshaw drivers every time there is a bus strike, rain or night shift. Many auto drivers loose their calm in a traffic jam and also refuse to go in congested areas. Arti , a Delhi University north campus student recalls that she had to pay thrice the amount to auto-rickshaw driver to reach college during her exams, as buses were on strike. Whenever there is a strike in Delhi, a festival or say a ceiling operation in the city auto-rickshaw drivers are quick to exploit the situation with impudence. Rajesh, marketing executive shared his experience as follows; it was raining

heavily and I was not feeling well, with a severe stomach ache and a pukish feeling I decided to take auto-rickshaw only to feel all the more miserable. None at the stand was ready to go short distance with an excuse that their auto's engine will get stuck. Ankita, another DU student hardly remembers a day when she did not have to bargain on the fare or plead the driver to go by meter. Many a time passengers are told that the meter is not working and they could travel with a ballpark charge, obviously, dictated by the autorickshaw driver. If it's a shift time the auto driver prefers a passenger whom he could drop on his way home, so most of the time they do not stop on being called. Parul was shocked to see the auto-driver sleep while he was driving. She recollects, 'The auto-rickshaw was moving at a snail pace and the driver would not respond, so I looked through the front mirror, the driver had dozed off while still on wheels'. Manisha shares her horrible experience when she had requested an unwilling auto-rickshaw driver to at least take her at the nearby auto stand so that she could get other auto to proceed further. 'That evening there was no empty auto on the road and weight of the bags and files from the office was irritating', confesses Manisha. 'The driver told me that the engine needs some cooling and will take twenty minute time so, with no other option available I agreed to wait. When he started the auto, first he moved at a slow pace and then suddenly stopped. No bus-stand, no autostand nearby, I was stranded. With a chuckle, he told those frightful words that the auto would not go further. Helplessly, I started to walk and to my surprise, when I turned back expecting to see him repairing his auto, he had vanished. I had tear in my eyes and carried those files and bags to the stop I do not remember how far.

Auto-rickshaws are a vital part of Delhi's infrastructure; they are efficient, affordable, economical and environmentally friendly. Hence, they need not be scrapped. Rather there is an emerging need to reform, not only technical and judicial but also social aspects. An integrated approach towards sensitising issues and further searching for solutions will go a long way.

Lokayan, a Delhi-based community organization is working for the rights of the auto-drivers. It has suggested that the badge training which the drivers go through after licensing should be used as a platform to sensitise the drivers about their social responsibility and dignity of labour. They should be provided with relevant information to make them aware of their rights and duties. Similarly Nyaya Bhoomi, has formed auto-rickshaw Star Club, where members wear specially designed uniform, fare chart and a 'disha soochak' is mounted on the body of the vehicle. Members are required to comply with strict criteria before they can be enrolled and inducted. They earn stars and rewards as they move upward in their performance and as there is a rise in customer-satisfaction with the project. The driver should have the requisite skills and technical knowledge necessary for him/her to engage in work.

He/she should have a comprehensive understanding of the social and psychological environment of the road which is the main arena of work.

The driver should carry a sense of self-dignity and esteem necessary to play a responsible role on the road. The driver should be familiar with traffic rules and regulations and feels a moral sense of responsibility to uphold those rules and to ensure that the others adhere to them.

The commuters also need to take precautionary measure like; do not board an auto with two drivers on the auto seat no matter what an emergency. In case of malfunctioning meter ask for the meter chart. It has both the day charges and night charges. Enquire about the waiting charge beforehand. Carry a map, if possible if you plan to travel to an unfamiliar area. An auto driver needs to inform the passenger in case if he requires refueling. Apart from this a helpline number 42-400-400 is printed on every vehicle in case of any grievances by Transport Department. This helpline number can be used for auto-rickshaw, buses and rural transport

vehicles (RTV's). When a passenger calls this number they are directed to the complaint redressal cell. For registering a complaint one needs to give the registration number of the auto, their (passengers) name, address and telephone number, what type of problem has been encountered where and how. In case of a trivial issues the matter is sorted on the phone through conversation with the passenger and the auto-rickshaw driver but for other matter the status report is send to the Head Office in Burari and depending on the issue a challan is issued.

There is a need of establishing dialogue between the authorities and the service providers. The auto-rickshaw drivers may not suddenly become a changed community (their socio-economic problems may force them to compromise many a time), but regular workshops, awareness programmes, advt. on TV/Radio, knowledge of wrongdoing and the guilt associated with it is a step in the right direction for change. Dignity of work and a sense of citizenship is the right of every service provider in our city.

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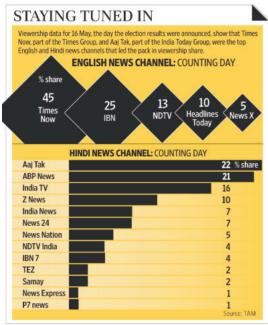
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# An assessment of the Media Coverage of the 2014 Elections

The 2014 Lok Sabhs elections in the country can be marked out for being entirely media-driven, largely fought on the media and through the media. While the old media, television, in particular, kept the nation glued right through the poll period, yet, it is the new media which showed that it has come of age. This article tries to bring out the salient features of the media coverage of the 2014 polls. The most discernible feature that marked out media performance of the polls was amplification – both in terms of the magnitude of coverage and also the sheer extent of media exposure given to political contestants. A report in The Mint, dated 10 June, 2014 of television viewership on May 16, verdict day, points out that Times Now and Aaj Tak were the top English and Hindi news channels respectively. The table presented here shows that among English Television channels in the country, Times Now garnered 908 TVTs (television viewership in thousands) followed by CNN-IBN that got 517 TVTs which translates into 25% viewership share. New Delhi Television came in third with 263 TVTs or 13% share of viewership' (Mint, 10 June, 2014). Advertisers are believed to have spent Rs. 150 crore across news channels on 16 May, according to media buyers.

In terms of content, television channels came up with interesting news formats such as greater reportage from the grassroots. The sights and sounds of India, the village mohalla, the flavour of the roadside dhaba, the hustle and bustle of India's districts *et al*, were captured in news reportage that moved out of television studios to capture the excitement of the highly animated poll atmosphere. Debates and discourses on all television channels were undoubtedly of a high decibel order and political biases could be easily discerned in some television channels. The biases manifested in the deliberate choice of participants called for the debates and selectivity in terms

of the themes that played out in the programmes on poll discourse. The agenda building by the media was reflected in the repeated showcasing of the activities of certain political parties and groups interested in shaping media agendas which created an impact on both the volume and character of news. With corporate industrial houses having spent crores on the advertising campaigns of political parties, it is not surprising that some of the media channels also subserved marketing interests over editorial objectivity. This reiterates what Chomsky has referred to as manufacturing consent where news media are seen as effective and powerful ideological institutions that carry out a propaganda function and must therefore cater to the political prejudices and economic desires of their advertisers. Conflict was an over-arching theme on almost all news channels that manifested in acrimonious verbal duels between overcharged contestants. Conflict also provided the grist for television reports on election news with news channels choosing to highlight the rancor of poll rhetoric.



Source: Live Mint

The social media was the buzz of poll activity and the expansive bustle on Twitter and Facebook reflect the media usage patterns of today's India. A point worth noting here is that the old print media re-invented itself in its online avatar with each newspaper putting updates on election news  $24 \times 7$ . A recent survey by Media Metrix shows that there are 9.4 million average daily visitors of online news and the total unique visitors to Indian news websites grew to 45.9 million in August 2013. Social media has spurred public involvement and interactivity in the public sphere. While an interactive online public sphere augurs well for democracy, there are ethical questions that need to be addressed so that people maintain standards of decent discourse. Several political parties took to indecent jibes of their opponents that vitiated the charged election atmosphere.

An interesting feature of the election coverage by the media was the new genre of political wit and satire moving into television news channels. Political cartooning has all along been the print media's prerogative with the comic flavor, particularly during election time, captured with aplomb in the cartoons of Laxman, Tailang, Dhar to name a few. Television news channels have also entered the humor arena by introducing spoofs and musical satires to provide comic relief. NDTV, News-X, and Headlines Today were among the notable channels to bring in their bits of comic relief from the serious political discourse of the elections.

All in all, critics and votaries have acknowledged that the media scripted the 2014 elections. At the Press Club of India's Red Ink Awards in Mumbai recently, a panel discussion was held on 'Elections 2014: were we fair or did we stoke the NaMo wave?' The panelists acknowledged that Modi had the most innovative and sustained campaign ever seen in an Indian election. However, the debate remained inconclusive since the topic of the debate was sidelined by the journalists on the panel who chose instead to speak on the future of journalism in the country. It was the advertising

panelist, Piyush Pandey – the man behind the Narendra Modi election campaign – who summed up Election 2014 with the remark - "The media rode the Modi wave. It did not create it" (http://www.indiantelevision.com/). The media coverage was entirely personality-driven with limited focus on development issues.

The postscript on the successes and failings of media coverage of the 2014 Elections continue to be hotly debated. All said and done, the pen continues to remain mightier than the sword as newspapers have found a new outlet in their online websites, which received overwhelming online readership. For television channels, the pictures they showed of the Indian elections were also worth a 1000 words – words that all media in future need to script carefully so that the highest standards of journalistic ethics may always be maintained at all costs.

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#### Crisis of Secularism in India

#### Historical evolution of secularism in India

India is a land of diversity where the people belonging to different religion, culture, and caste are living together. In India secularism is introduced as a principle of state policy for a heterogeneous society.

When Gandhi became the supreme leader of the Indian national congress in 1920, one of his most important priorities was to unite the diverse people of India on the basis of his doctrine *Sarva Dharma Sambhava* into one political community in order to be in a position to challenge effectively the modern political framework set up by the colonial government, as well as to simultaneously lay the foundations of a future Indian polity. (Singh & Himanshu 2005:367) Gandhi's doctrine was not only a political principle but it was also a normative principle that recognized the value of religion in people's lives.

The word 'secular' comes from the latin word 'saeculum' meaning 'this world', as distinct from some 'other world'. The very scope of secularism is related with religion. In simple Secularism means neither the state is religious nor irreligious or anti-religious but respect for all religions or all the religions are equal in front of the eyes of state. In this way the 'Wall of separation' is not here in India between state and religion as it is in US. The idea of secularism was built in to the idea of progress. secularisation, though nowhere more than a fragmenting and incomplete process, however since retained a positive consolation. In a society like India where people worship different Gods and faiths then it is one of the significant function of the state that it has to respect plurality of religious belief. People have a right to religion and culture. To deny one religious group its rights would be undemocratic and unjust. And to impose a majority religion on the minorities would be equally

undemocratic and unjust. In this way Gandhian notion of secularism based upon the 'principle of equal respect to all religions'. Article 25(1) of the constitution says "all persons," not just Indian citizens ,are equally entitled to the freedom of conscience and the right to profess, practice and propagate religion freely. In order to clear the meaning of this article supreme court has clearly said this thing that right to propagate religion does not mean the right to convert.supreme court has also upheld the validity of individual states to enact freedom of religion laws to ensure public order.

On the other hand Pandit Nehru's notion of secularism was based on the notion of *dharma nirpekshata* or that the state would not be influenced by religious considerations in enacting a policy. For Pt. Nehru Secularism did not mean 'a state where religion as such is discouraged . It means freedom of religion and conscience , including freedom of those who may have no religion .For Nehru secular state carried three meanings: (a) Freedom of religion and irreligion for all(b) the state will honour all faiths equally(c) the state shall not be attached to one faith or religion, which by that act becomes the state religion.(neera chandhoke,2009:294) Nehru insisted that free India should be non-communal, secular state. The partition of the country and the creation of Pakistan did not change Nehru's attitude towards secularism nor his faith in the value of secularism in the affairs of a modern state.

In nutshell we can say secularism is a concept which has its origin in western countries and it is also important to know that the idea of secularism is also one of the contested idea in west when we try to compare this concept from the perspective of relationship between state and religion.

From the very beginning there is difference of opinion between Gandhi and Nehru over the relationship of religion and politics, but essentially their positions were not so apart the nature of Indian state as concerned. In a famous page in his Autobiography Gandhi

wrote, "I can say without the slightest hesitation, and yet in all humility that those who say that religion has nothing to do with politics do not know what religion means." Nehru said, "I have no desire to interfere with any persons belief, "but he objects strongly to any efforts perpetuate "a complete structure of society by giving it religious sanction and authority" and he desired a state which "protects all religions but does not favour at the expense of other and does not itself adopt any religion as the state religion" (Swarna Rajagopalan 2001:3)

In the constitution of India 42<sup>nd</sup> amendment was made in 1976 and by this 'secularism' was made the part of the preamble of Indian constitution . Now the preamble starts from these words "Sovereign, Socialist, Secular, Democratic, Republic". In one of the judgement given while deciding the Keshvanand Bharti case the chief justice said 'Secularism' is also the part of the 'basic structure of the constitution of India'.

# CONSTITUTIONAL PROVISIONS OF A SECULAR STATE with special

#### reference to India

(a) The principle of non-establishment of religion: article 27 of the Indian constitution that rules out the public funding of religion and A-28(1) no religious instructions is to be provided in any educational institution wholly maintained out of state funds made this provision. (b) peace between communities, Religious liberty to any religious group A- 25, 27 (c) No discrimination by the station grounds of religion to entitlements provided by the state A-(15(1),), No discrimination in any educational institutions on the basis of religion A-29(2), equality of active citizenship A-16(1), general electoral rolls for all the constituencies and states (A-325), A-14 grants equality before the law and equal protection of the law to all, the constitution

prescribes the minimum qualifications for seeking election as the president, members of parliament, judges of the supreme court and high courts (sec. 124(3).

The crisis of secularism: Fundamentalism is one of the prime obstacle for threatening the unity and integrity of the nation. The way fundamentalism - Hindu, Sikh, Muslims has raised its head in India, it puts the question mark whether the principle of secularism enshrined in the Indian constitution are properly understood by our countrymen and whether those principles are sufficient to curb communalism in our thought and behaviour. The statements and public speeches made by political leaders also led to the communalization of society, it also led to the communalization of polity e.g in 1992, not only the central and state government inactive when mobs demolished the Babri mosque , both the central and state governments failed to prevent massive riots, which targeted both the communities. Nowadays hindu right political parties are busy in 'ghar vapsi' programme. This programmme is started in the name of giving 'egalitarian social order', which is against the spirit of constitution.

The level of conciousness about the value of secularism is still absent amongst masses. Still we are looking themselves as Muslims, Sikhs, or Hindus rather than Indian citizens . on the other hand 'identity politics' in India added fire in spreading the communalism in India, because the Indian people are 'culturally embedded', most of the political parties in order to get the power exploit the religious sentiments of the people. Today Masjids , Gurudwaras and temples have become a place of playing a game politics instead of worshipping place, in this regard the role of SGPC is important in order to give the vote bank to Akali Dal in Punjab.competitive electoral politics after 1980's and 1990's when hindu right mobalised the civil society in the cause of Hindutava.

By seeing all the above problems in India most of the intellectuals are in contestations and apprehensions. Has secularism been able to ensure equality to all religious groups or helpful in establishing inter religious harmony? Ashish Nandy and T.N.Madan are antisecularists. Ashish Nandy is of the view that this modern, western , rational, scientific secularism, which the westernized elite sought to impose on the Indian society, has failed either to promote greater religious tolerance or to eliminate religion from politics. The failure of secularism to eliminate religion from politics is for Nandy a reflection of the fact that the ordinary people of India and the South Asian countries have not accepted the secularist injunction to give up their religion or to separate it from the public/political sphere. For them, unlike for the westernized secularist, he writes, 'religion is what it is precisely because it provides an overall theory of life, including public life, and life is not worth living without a theory, however imperfect. Hence, according to Nandy, Secularism can 'no longer pretend to guide moral or political action' in India and other South Asian countries. (Thomas pantham 2004:239) In this way by criticizing Secularism Nandy does not mean to privilege any communalist ideology.

Like Nandy, T.N. Madan too is a critic of Secularism. He is of the view that- 'I believe that in the prevailing circumstances in South Asia as a generally shared credo of life is impossible, as a basis for state action impracticable, and as a blueprint for the foreseeable future impotent'. Madan cites three reasons for this belief: one, that the majority of the people living in the region are active adherents of some religious faith; Buddhism and Islam have been declared as state religions; and third, Secularism is incapable of countering religious fundamentalism. For the people of south Asia religion is most important than any other social or cultural factor in establishing their place in society and in bestowing meaning on their life'. (Neera Chandhoke 2010:337).

Hence the problem is not with secularism the real problem lies with the common people, leaders of political parties, and with the creation of majority – minority divide.

India is a multicultural society where there is unity in diversity, so this is the first principle of diversity that we should create the feelings of religious tolerance . our history is the witness of this fact that how Buddha , Ashoka , Akbar proved in their respective periods that despite of all the hetrogenic factors how they could successfully implemented religious tolerance. We should respect the difference. Rajeev Bharagava in this context given the concept of 'Principled Distance'. In the constitution of India there is not only the provision of individual rights rather the constitution of India also ensures collective rights A-29 and A-30 are the examples of this. It is recognized that religion and culture are important for individuals, because religion and culture give them resources, which help them to understand their world, their own position in the world.

Whereas the point of tolerance is concerned ,Ashish Nandy reminds us the Gandhian idea of religious tolerance was not only 'tolerance of religions but also a tolerance that is religious' (Thomas Pantham,2004:240). According to T.N. Madan the only way secularism in south Asia ,understood as interreligious understsnding, may succeed would be for us to take both religion and secularism seriously and not reject the former as superstition and reduce the latter to a mask of communalism or mere expediency. On the other hand media can play an important role. In various T.V. channels there is the need to show such serials which can be helpful in creating the feelings of religious tolerance: Like Jodha Akbar serial on ZEE-TV.

All the people must have equal share in decision making. Majorities can not be allowed to ride over the rights of minorities. Rights of the women in group should also to be respected. Secular democracies need to be sensitive to the issues of both identity and

equality. Minorities must be given their legitimate rights. The majority and minority complex has to be completely removed from the minds of people. All these things can only be possible if political socialization is scientifically re-oriented. In this regard Achin Vanaik an academician is of the view that the root cause of religious communalism is religion itself and hence the struggle against the former should not be limited to the setting up of a state that is equally tolerant of all religions but should be extended to the secularization of the civil society. (Thomas pantham, 2004:242) setting up of a state that is equally tolerant of all religions but should be extended to the secularization of the civil society. (Thomas pantham, 2004:242) From the very beginning we should create amongst the children such kinds of feelings which can create tolerance for various communities. At the school level we should sensitize the children for gender, secularism, equality, justice etc.

Conclusion -: secularism has to play a decisive role at present stage of Indian democracy. It is so because today when the Indian democracy seems to face the challenge of narrow divisive trends, a rational and scientific approach which is the basis of secularism has become a matter of utmost importance. As rightly observed by late smt. Indira Gandhi, "Secularism is neither a religion nor indifference to religion but equal respect for all religions." (Mehtab Alam 2005:902)

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# Growing Up In Cities Not All That Easy

Today more than fifty percent of the world's population lives in Urban areas and their numbers are growing. Of these, over one billion are children. By 2050 two thirds of the world's people are expected to live in towns and cities, telling us that Urban childhood will become a norm. Half of the World's Urban population lives in Asia and that brings us to India. India currently has an estimated urban population of 377 million people and by 2026 it is expected that forty percent of the total population in India will live in Urban areas.

To a great extent Urbanisation in India is propelled by depressed miigration. Caste Oppression, collapse of rural agrarian systems, growing unemployment in rural areas, feudalism and alienation of adivasis from natural resources are some of the causes that have led many into distress migration. Despite falling real wages, soaring prices, overcrowding and poor infrastructure, urban centres continue to attract ever-increasing numbers of rural migrants, resulting in a planetary spread of slums and a growing urbanisation of poverty.

Children are the weakest and the most vulnerable section of any society since they are unable to raise their voice against those who injure them. Every nation whether developed or developing links its future with the status of the child. Children are infact the greatest gift of humanity. If the children are deprived of their childhood, the nation gets deprived of the potential human resource for social progress, economic empowerment, peace and order, social stability and good citizenship. As it is said that "Child is the father of the man", it is the prime responsibility of the society to nurture the child with all happiness as to make him a good citizen to serve the community at large. Urbanisation which is inevitable and is growing at a great pace today leaves hundreds of millions of children in cities and towns excluded from vital services, UNICEF warns in

The State of the World's Children 2012:Children in an Urban World.

In a few years, the report further says, the majority of children will grow up in towns and cities rather than in rural areas. This report talks about the main challenges, the children face around the world growing up in cities, including an unequal access to basic services, high rates of under nutrition and under five mortality, low access to water and sanitation and the impact of natural hazards and economic shocks.

"When we think of poverty, the image that traditionally comes to mind is that of a child in a rural village", said UNICEF Executive Director Anthony Lake in New York on February 28, 2012, "But today an increasing number of children living in slums and shanty towns are among the most disadvantaged and vulnerable in the world, deprived of the most basic services and denied the right to thrive."

In a report taken out by a working group on Human Rights in India released ahead of the UN review of India's human rights records 2013. The report held responsible the government's economic policies for ignoring the poor. "The country's economic policies, driven by the neo-liberaleconomic paradigm, continue to perpetuate exclusion and violate Fundamental Rights and Directive Principles of the constitution" says the report which is a scathing attack on India's performance on the human development index.

India ranks 134 out of 187 counties on UNDP Human Development Index and 129 out of 147 countries on the Gender Inequality Index, behind Pakistan, Bangladesh and Rwanda. India has the worst child mortality sex ratio in the world. At the heart of India's skewered development story lies the paradox between India's phenomenal GDP growth and it's abysmal score on human development. India is simultaneously the richest and the poorest of countries. While the country's wealth has increased, there is no willingness to help the poor.

If we look at the national averages the most key child indicators, the advantage the urban has over the rural is clear. Many children enjoy the advantages of the Urban life such as schools, clinics and playing grounds but when breaking down the numbers between the urban poor and the urban rich, the story changes. A child growing in an urban area has to face more challenges as compared to a child growing up in rural areas. Families living in poverty often pay more for sub-standard services. For example-because of water scarcity in urban areas, the people have to buy water from private vendors. The cost of living is as such is high in the urban areas as compared to villages leading to deprivation. A child born in a slum in urban India is as likely to die before her or his first birthday, to become under weight or anaemic or to be married off before her 18, as a child in rural India. Unfortunately for the urban poor child, the situation most of the time is not visible and gets diluted by a much rosier picture of urban life. In other words deprivations endured by children in poor urban communities are often obscured by broad statistical averages that lump together all city dwellers-rich and poor alike. A focus on equity is crucial-one in which priority is given to the most disadvantaged children where ever they live-rural or urban.

Infact India's law scores on human development have much to do with the absence of safety nets for urban poor. They are no entitlements for the urban poor, no urban equivalent for the National Rural Health Mission or the National Rural Employment Guarantee Scheme.

At the global level, UNICEF and the United Nations Human Settlement Programme have worked together for 15 years on the Child-Friendly cities Initiative building partnership to put children at the urban agenda and to provide services and create protected areas so that children can have the safer and healthier childhoods they deserve.

Urbanisation is infact a way of life and we must invest more in cities focusing greater attention on providing services to the children in greatest need. It is up to us to make sure that cities will live up to that promise: A life of equal opportunity and dignity for all children.

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# India's 'Audible Past':

## A Glance at cylinder and Disc Records

Our generation has grown up in the age of rapid technological advancements, where many technologies have kept becoming outdated and redundant one after the other; and the same thing can be witnessed in the field of recording also. Since the invention of phonograph by Edison, in a time-span of almost fourteen decades only, the world has seen drastic transformations in mechanical storage and reproduction of sound, ranging from tinfoil cylinders to gramophone discs, wire-recordings, spool tapes, audio-cassettes, compact discs and many other computerized formats. But this story of the advent, usage and disappearance of these technologies has been almost an unheeded zone for the historical enquiry. Therefore, India's 'audible past' demands serious historical enquiry from technological, sonic, musical and commercial angles.

This paper is an attempt to underscore the history of the technology of gramophone records which dominated the commercial scenario of music in India for almost eight decades. Although the recording industry appeared as a great agent of change as far as the content, performance, practitioner and consumption of music is concerned; yet in this essay, I will concentrate more upon the material and tangible aspects of the gramophone records. I have tried to document the journey of the gramophone records from novel equipments of amusement and curiosity to the dominant commercial entertainment products which became obsolete due to the new inventions in the sphere of recording, thus becoming collectable items for a handful of music-lovers; and which are now being revived in a somewhat different way to attract a niche market. It is this very materiality that makes it a somewhat 'archaeological'2 exercise since the paper concentrates on corporeal and technological aspects of the early phase of the recording industry in India. There is a general agreement about the definition of archaeology that it

means the study of the human past through the material traces of it that have survived. As Paul Bahn remarks, "archaeology starts, really, at the point when the first recognizable 'artifacts' (tools) appear – on current evidence, that was in East Africa about 2.5 million years ago – and stretches right up to the present day".<sup>3</sup> What we threw in the garbage yesterday, no matter how useless, disgusting, or potentially embarrassing, the very next day, becomes part of the recent archaeological record.

This kind of enquiry draws inspiration from the archaeologists like Paul Virilio<sup>4</sup> and Nayanjot Lahiri<sup>5</sup> whose works on Nazi bunkers and the revolt of 1857 have been trendsetters in looking at recent past from the archaeological point of view, but it does not focus upon any great event rather it is an attempt to reconstruct the everyday history of Indian music industry with whatever material remains we have. It may also be a fascinating project of industrial archeology but here, I intend to focus on very basic aspects like material, size, production, process of recording etc. I also wish to look at what happened/is happening to records after they are out of the market and have turned into a consumed past.

There are two very obvious but very significant points to be made at the outset. First, the very intangible sound is recorded, preserved, reproduced, disseminated and marketed on some tangible artifact and the very tangibility has not lost its relevance even in the virtual age. Secondly, although the technology of sound recording is one of the ways of storing and preserving events in the present and revisiting them in the future like writing, painting, photography etc; yet the vast majority of the recordings that exists today contain music only. Therefore, the history of sound recording is primarily the history of recorded music and music industry.

Thomas Edison is credited with the invention of the phonograph but experiments in the field of recording sound had been going on since 1850s.<sup>6</sup> Mention can be made of a French man Leon Scott

and his phonautograph (1856) which was copied and used in many laboratories and classrooms in the United States and Europe during the 1860s and afterward. There is even a rumor that Scott himself visited Washington DC to demonstrate his phonautograph and had recorded the voice of Abraham Lincoln also. Although there is no evidence to support this yet undoubtedly, the surviving traces from the 1850s and 1860s are the earliest sound recordings of any kind. As David L. Morton Jr. aptly remarks, "The inventors who are remembered in history are occasionally not those who invented first, but those who succeeded in making their inventions known to the public." In April 1877 itself, Charlse Crose, again a French scientist brought out the idea of a recording and reproducing device, based on Scott's phonautograph which he named the parleophon. He proposed using a chemical process to transfer the record to a permanent medium that would allow it to be reproduced; yet he actually never demonstrated a working prototype. Due to lack of funds, he could not apply for French patent and he just sent his findings and description of the machine to the Academie des Sciences. Quite astonishingly, parleophon of Cros was given the alternate name 'phonograph' by Abbe Lenoir in an October 1877 issue of the magazine La Semaine du Clerge.

Edison definitely knew about the phonautograph, but probably not the parleophon. When Alexander Bell made his telephone invention public in 1876, Edison started thinking of a recording device that could capture the output of a telephone and retransmit it later. But by November 1877, he dropped the idea of a telephone recorder and began concentrating upon recording sound directly from the air. Edison's tinfoil phonograph was very similar to the Scott phonautograph. John Kruesi, his machinist constructed a prototype from Edison's drawings in early December 1877, Edison shouted first few verses of 'marry had a little lamb' and the machine worked successfully. Thus the phonograph was born. 8 It is interesting to note that a patent application was also executed on

Edison's behalf by Lemuel Wright Serrell and Theodore Puskas in British India in 1878 and the first live demonstration of the phonograph took place in Calcutta around December 21<sup>st</sup>, 1878.<sup>9</sup> In late December of the same year, Colonel Henry Steel Olcott, President-Founder of the Theosophical Society also sailed for Bombay with a phonograph.<sup>10</sup>

Although a number of European and Indian musical instrument traders had imported a variety of phonograph machines into India during the late 1880's and 1890's, the popularity of this emerging technology remained little more than a novelty. Some Indian entrepreneurs like Valabhdas Runchordas of Bombay, Hemendra Mohan Bose of Calcutta and Maharaja Lal of Delhi saw the commercial potential of the phonograph and cylinder recordings, and opened up agencies for marketing the products of the most well-known providers, including the Columbia, Edison and Pathe brands. Many well to do families bought phonographs and blank cylinders and did the recordings for their private use only. Hemendra Mohan Bose<sup>11</sup> was the pioneer who started recording commercially on cylinders. He earlier imported blanks from Pathé Frères but during Swadeshi Movement, started manufacturing cylinders in Calcutta itself. He recorded nationalist speeches and music which sold increasingly well. None of his recordings survives physically but field recordings on cylinders done by Edgar Thurston and Fox Strangways still exist in National Sound Archive, a wing of the British Library, London; some of which have also been transferred to tapes too. To cut the long story short about cylinders, a recent coffee-table book by an officer in Indian Revenue service along with his daughter deserves special acknowledgement. Through his meticulous efforts of almost two decades, he has been able to collect nearly 200 odd rare cylinder recordings dating back to 1899. In this book, the authors not only document the history of cylinder era but also claim to find out the hitherto lost voices of stalwarts like Vishnu Digambar Puluskar, Alladiya Khan and Dada Saheb Falke in the accompanying DVD.<sup>12</sup>

By 1900 cheep phonographs were available in the market but very soon these cylinders were to be driven out from the market by an upstart disc phonograph known as gramophone. Emile Berliner, an immigrant German in USA patented the gramophone in 1887 and started producing discs commercially since 1895.13 In 1898, came into being The Gramophone Company, Ltd, London. By 1901, it had been reformed in the name of The Gramophone and Typewriter, Ltd., and had set up a branch office in Calcutta. On 8 November 1902 F W Gaisberg and his assistant George Dillnutt, the recording engineers of the company recorded songs by two 'dancing girls' associated with the Classic Theatre in Calcutta named Soshi Mukhi and Fani Bala. The Gramophone & Typewriter, Ltd., engaged upon other recording expeditions in India during 1904-05, led by William Sinkler Darby, assisted by Max Hampe, 1906-07, led by William Conrad Gaisberg, assisted by George Dillnutt, and again in 1908, led by George Dillnutt who was assisted in the early part of the expedition by Fred Gaisberg. The recorded wax masters were sent to Hanover, Germany for pressing.

To develop the market for its products in the Far East, the company considered building a disc record factory in Asia to service the requirements. Calcutta, then the capitol of British India was chosen for its strategic importance, as well as being a convenient centre from which to obtain supplies of the mica and 'shellac' which were essential ingredients in the composition of the disc record. The Swadeshi Movement and competition posed by other European companies was another reason behind this venture. The transport costs and time could be saved and the records could be manufactured at lower cost. Thus in 1908, The Gramophone Co., Ltd., built a disc record factory at 139 Beliaghata Road, Sealdah, Calcutta and its official opening was celebrated with the concert of Gauhar jan on 18 December of the same year. The HMV logo with the dog and horn started to appear on the Indian records in 1915. Dumdum factory started operations in 1928.

Gramophone Company, Nicole Frères Ltd., Pathe, International Talking Machine Co.m.b.H. and later Carl Lindstrom A.G. were big corporate players of the game as far as the promotion of the music industry in India and Asia was concerned in early 20<sup>th</sup> century. Between 1899 and 1914 there were no less than 12 Indian and foreign companies operating in India, and at least 26 label brands can be identified.

During 1920s and 30s, although The Gramophone Company had the monopoly and its hold over the Indian market increased more when it merged with Columbia to form EMI in 1931; yet companies like Odeon, Ram-o-graph, Broadcast, Hindustan Records, Megaphone etc not only posed a challenge to it but could also provide a rich variety of music to the buyers. Many of these companies were short-lived never-the-less The National Gramophone Company with its Young India label not only survived till 1955 but also had a friendly competitive relation with Gramophone Company too. <sup>16</sup> Hindustan Records continued till 70s and is even releasing some of its old recordings on CDs.

The 78 RPM records dominated the music till 1970s and their manufacturing was stopped in early 80s. These were made primarily of shellac and India had almost the monopoly in the field of shellac production. Although the discs made of celluloid coated cardboard<sup>17</sup> and aluminum also came yet could not last long due to their poor sound quality and other technical issues. The 78 RPM format was standardized in 1912. These discs were available in 7, 10 and 12 inch sizes and could play for 90 seconds, three minutes and five minutes respectively. Earlier there were single-sided discs only but by 1908 came the double sided discs. The seven inch discs were stopped around 1907.

A record had to pass through many stages of manufacturing until the disc reached the buyer's hands. <sup>18</sup> The recording was done first onto a thick wax, circular tablet which could not be played back.

This was sent to the factory where a negative disc was produced of metal, usually copper known as galvano. This galvano was called the 'father' master or 'matrix' which was preserved most carefully since the wax tablet would most often get damaged while being separated from the galvano. From the 'father' or 'matrix' another positive metal disc or galvano was made, known as 'mother'. Then a 'stamper matrix' or a 'daughter was cut with the same electorlytic process from the mother which was used for pressing the finished discs. Up to 1925, the recordings were done acoustically in which the singer had to shout in the horn or the instrument had to be place near that. Then came the era of electrical recordings and microphone took place of the horn.

1950s saw the development of microgroove discs or ep/lp vinyl records and new turntables. Made of vinyl chloride, these 45 and 33.3 rpm records could play for 7 and 21 minutes per side. The time required for long-play record was calculated on the basis of the duration of western classical music concert. HMV produced its first LP in 1959 of Sitar maestro pt. Ravi Shankar. With the advent of audio cassettes the EP/LP records also came to see diminishing sales and were finally stopped to be produced in late 1990s. However, Machinery for pressing LP's is still kept at Dum Dum factory for very special records. The LP record of the film 'dil to pagal hai' was released to celebrate its musical success. <sup>19</sup>

Thus we see that these rotating discs could not survive the successive invasions of the fast changing technology which took place in the second half of the 20<sup>th</sup> century. Records began to be sold for nothing as waste; were used for making cassette-boxes, decorative trays or calendars and even for making unconventional Durga Puja pandals. The companies sold them at throw away prices and there are even stories that as early as in 60s, the old discs were recycled for procuring shellac by the manufacturers themselves.<sup>20</sup> Thousands of records were broken into pieces from the archive of Radio Peshawar after partition as the new state did not want Indian

melodies to be aired.<sup>21</sup> Thus thousands of voices and melodies were lost for ever. Along with them perished the images and designs on the sleeves.

Some die-hard collectors began visiting waste dealers and flea markets to search the invaluable gems. Many of these possess a vast treasure-trove of the sounds of the by-gone era. Even recording companies approach them if and when required. V.A.K. Rangarao, late Surajlal Mukherjee, Sharbari Raychoudhuri, Amlan Dasgupta, Narayan Mulani, Suresh Chandvankar etc are such type of persons to name a few. Some institutions and university departments also have collections of their own. Out of almost half a million recordings, only a few thousand copies have thus survived which need to be researched, catalogued and preserved for posterity.

Reading a record label itself is a science which is known as discography. Apart from the information about the song/tune, genre and artists name, the label on a record contains the trade mark or the logo of the manufacturing or distributing company and usually some alphanumeric codes. These codes are primarily useful for the process of manufacturing and making multiple copies. The matrix number which is inscribed either between the grooves and the label or sometimes beneath it reveals valuable information like the rough time of recording, the size of disc and especially in HMV's case, the name of the expert who recorded. The catalogue number gives the details about the type of recording in terms of region, language, style etc. Even the colour of the label may be a price indicator other than having its aesthetic value. A researcher reads these labels carefully and then prepares the discography of an artist or a genre. This discipline of discography was unknown to the collectors and researchers in India until Michael Kinnear from Australia, the discographer of India appeared on the scene. He studied and indexed almost three thousand recordings produced between 1950 and 1980 to compile the discography of Hindustani and Karnatic classical music.<sup>22</sup> Besides his two books on the early Indian

recordings, he published the encyclopedia of 78 rpm record labels of India in 2003. In 1990, Suresh Chandvankar, a physicist at TIFR and Michael S. Kinnear convened a meeting of the record collectors of Mumbai which led to the formation of the Society of Indian Record Collectors(SIRC) with a view to promote preservation, documentation and research of Indian records. In January 1991, came the first issue of the journal 'The Record News' with an aim of disseminating the information on records among the collectors and music lovers. It was a quarterly till 1998 and since 1999, it comes annually. Along with research articles and discographies of the artists of the yester era, the volumes also contain letters and appeals by the collectors. Kinnear himself has contributed around 30 papers in the journal. At present, SIRC has branches in Mumvai, Pune, Tuljapur, Solapur, Amravati, Nanded, Baroda and Kolkata. The members meet regularly and organize theme-based listening sessions like songs of a particular musician/composer/ lyricist, a genre or a raga etc. There are around 200 individual/ institutional subscribers of the journal including 122 life-members in India and 39 from abroad.<sup>23</sup> In 1997 a documentary film was televised featuring the record collectors of Mumbai and the activities of SIRC.

Now we all are living in a digital age and any of us hardly has a time to think of this treasure of the past. It is a matter of pity that unlike England, France or Germany India has no national sound archive. There is a very thin dividing line between an institutional archive and a collection of an individual since generally both are inaccessible. Both individuals and institutions treat the records as their possessions but people like Rangarao and Mukherjee have formed trusts to take care of their legacies. Suresh Chandvankar is really an exception and shares his collection with every enthusiast.<sup>24</sup> He and some other collectors have offered their large collections to be digitized for a recently launched internet archive of Indian music by Vikram Sampath, an engineer-singer-writer.<sup>25</sup> Sunny Mathew,

a veteran record collector has added a new spot to Kerala's tourism industry with his 'discs and Machines' museum on the Republic Day of 2015 itself.

We can conclude by saluting these small but very significant endeavours of preserving both intangible and tangible heritage for the posterity. But vinyl records and turntables are witnessing a revival also because analog sound is considered more beautiful than digital one. Not only in Europe and US but all major companies in India too are issuing some of its old and new repertoire on Vinyl to attract a niche market. <sup>26</sup> Can we pause for a while and think if the saga of technological development is really linear?

#### Notes

<sup>1</sup> The title-phrase has been borrowed from Jonathan Stern's book, 2004 which examines the origins of sound reproduction technologies from the midnineteenth century to 1930, working within the paradigms of cultural studies, historiography and modernity. Stern investigates the beginnings of sound reproduction technologies looking at the stethoscope, telegraph, phonautograph, phonograph, gramophone and radio. The book illustrates the social, political and cultural environment which fostered the emergence of these new devices. It also reveals how technologies lead to what he refers to as the "exteriority of sound" and a slow, gradual shift in our way of perceiving and using the auditory sense and the act of listening. In nutshell, the book provocatively asserts that "sound is not a natural category" and that we hear differently because of the new recording and transmission devices of the last 200 years.

<sup>&</sup>lt;sup>2</sup> Here 'archaeology' is not being used in Foucaultian sense where it refers to an intellectual excavation of systems of thought and knowledge (epistemes or discursive formations) in a given domain and period. To Foucault, 'archaeology' is an exercise of uncovering the conditions of knowledge as those conditions take shape in discourse. See Foucault, 1972. I am using the term as it is taken by the archaeologists and historians which means the study of past through material remains.

<sup>&</sup>lt;sup>3</sup> Bahn, 2000, p. 2.

<sup>&</sup>lt;sup>4</sup> Virilio, 2009.

<sup>&</sup>lt;sup>5</sup> Lahiri, 2003, pp. 35-60.

- <sup>6</sup> About the early experiments in the field of recording, the best handy reference is David L. Morton Jr., 2004, pp. 1-11. See also the timeline in the beginning.
- <sup>7</sup> Ibid. p. 3.
- 8 Ibid. p. 11.
- <sup>9</sup> Amitabha Ghosh quotes the news of the live demonstration of the phonograph from a Bengali Periodical 'Samvad Prabhakar' of the date given above. See Ghosh, 1999, p. 75.
- <sup>10</sup> Puille, 2002, pp. 7-10.
- <sup>11</sup> Sharma and Sharma, 2014 and Lubinski, 2012, p. 80.
- <sup>12</sup> Sharma and Sharma, 2014.
- <sup>13</sup> Morton Jr., 2004, pp. 31-40.
- <sup>14</sup> Lubinski's paper is a well researched piece from the business perspective which deals with primary documents and company correspondence. She also quotes newspaper advertisements of GTL (HMV later) how they presented their products with a Swadeshi flavor. Farrell (1993) also does an in-depth analysis of three contemporary advertisements to show how gramophone was presented to different sections of Indian society.
- <sup>15</sup> Kinnear, 1994, pp. 1-73; 2000, in passim. See also Gronow, 1981 and Lubinski, 2012.
- $^{16}$  A book and a monograph by G.N. Joshi, who served as a recording engineer at HMV present an inside story of the company. See Joshi 1981 and 1988.
- <sup>17</sup> Nicole Records introduced brown, celluloid coated, cardboard disc records around 1905 in India. Later proselytizing Christian Missionaries not only produced records containing sermons, stories and quotations from Bible but also designed cheep, simple and ingenious hand-wound cardboard recordplayers for the masses. On Nicole Records see Kinnear, 1991, p.9. For cardboard players, George, 2012, pp.28-30.
- <sup>18</sup> Kinnear, 1991, p. 7. See also Andrews, 1991, p. 8.
- <sup>19</sup> Most of the information comes from Suresh Chandvankar, 2003, pp 5-69.
- <sup>20</sup> Ibid. A friend of mine from Jadhavpur University told me that few years' back a pandal was made of old records.
- <sup>21</sup> Dr. S. amjad Hussain, http://www.ukindia.com/zessay.htm.
- <sup>22</sup> Kinnear, 1985.
- <sup>23</sup> The author himself is one of them.

<sup>24</sup> Some of the records from his collections were digitized by Sanjay Ghosh, a researcher from Delhi in 2004 when he was an independent project fellow of SARAI (CSDS), Delhi.

<sup>25</sup> This online archive was launched on July 30th, 2013. See 'Rare Indian Music Archive launched online', The Hindu, 31/07/13. See also Savitha, Gautam, 'Past Echoes', The Hindu, 28/02/13.

<sup>26</sup> 'Viva la Vinyl', Telegraph, 19/06/11.

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# Causes of Persistent Backwardness in Rural India

#### I. Introduction

A large proportion of India's population still lives in rural areas and therefore one of the main goals of the government and planning in India is growth with justice. They aim at both the promotion of socio-economic upliftment of backward people and the resource potential development of the backward areas, thereby covering both social and spatial justice. India is a diverse and vast country with various types of ethnic groups and landforms. The interaction of people with the land has led to different forms of growth and development. Rural- urban disparities in India have been one of the major causes of concern for a long time for the policymakers, which are not only seen in economic but also in non-economic spheres of the country.

India has made immense progress towards economic growth (achieved a growth rate of 8.6 per cent and 9.3 per cent respectively in 2009-10 and 2010-11 as per Economic Survey of India 2012-13 estimates), emerged as a global player with the world's fourth largest economy in purchasing power parity terms, and made progress towards achieving most of the Millennium Development Goals (World Bank: "India Country Overview 2011"). But even after so many years of economic development and industrialization, India is still predominantly rural which is mainly based on agricultural sector and almost 60 per cent of Indian population deriving its livelihood from agriculture. The recent Census data done in 2011 also indicates that about 70 per cent of India's population still lives in rural areas. Apart from this, there is a wide gap between rural and urban India with respect to living conditions, technology, access to education, nutrition, health care, sanitation, land and other assets, economic empowerment etc. Rural India, as

already mentioned, depends mostly on the agricultural sector. The growth rate in agricultural sector (primary sector) is 2-3 % on average per annum when compared to secondary and tertiary sector which are growing at the rate of 8-12 % on average per annum. Because of this, there has been a large scale migration of workers from rural to urban areas in search of employment.

The concept of backwardness has been rather complex. Some define it in terms of relative, multi-dimensional and perceptional while others in terms of different time, space and nature. Apart from this, it also refers to spatial as well as structural disparity. Because of this, there are no universally accepted definition and measurement techniques of backwardness in India. However, the backward areas are identified and defined on the account of purpose and arrangement. One example of this can be seen in the arrangement for fiscal transfers between Centre and the States. In that scenario, backwardness is defined in the terms of income of state less than that of the national average.

In India, backwardness is mostly associated with the rural areas. This is because rural areas have three features: (a) potential for development, (b) inhibit factors that prevent them from realizing their potential and, (c) a need for special programmes to remove the bottlenecks. Even though various developmental programmes and policies have been undertaken to eliminate backwardness from rural areas such as Integrated Rural Development Program initiated in 1978, Indira Awaas Yojana which was initiated in 1985, Swarnajayanti Gram Swarozgar Yojana came into being in 1999, Sampoorna Grameen Rozgar Yojana Scheme was initiated in 2001, MGNREGA was initiated by Ministry of Rural development in 2005, the National Rural Health Mission (2005-2012), National Rural Livelihood Mission was initiated recently in 2011, backward area development programmes which were initiated during the third and the fourth five year plans etc., backwardness still persists in these areas. So the most important aspect of economic development

and growth in Indian economy is to see its impact on rural life in India since it is only by uplifting the rural poor that the true development of the country is possible. (Sundarraj and Kumar, 2001).

Therefore this paper aims at analyzing various factors that are behind the persistent backwardness in rural India and is organized in the following manner. Section II presents some facts related to Rural-Urban India followed by Section III which contains the various causes – social, economic and political – responsible for persisting rural backwardness in India and section IV concludes.

#### II. Some Facts about Rural-Urban Divide

Even after so many decades of economic development, the increasing rural-urban disparities are rather disappointing in India. The Planning is considered as an instrument to reduce such disparities and hence India introduced centralized planning after independence for the overall socio-economic development of the country. The five year plans provide the overall direction and basic framework for policies, programmes and schemes for the ministries. Over the last six decades India's planning process has increasingly recognized the need to address the rural-urban divide and considerable budget allocation addressed these needs. However, rural-urban differences still persists which can be substantiated from the following sections.

# II.1. Population-

The table below shows that rural population constitutes more than two-third of the total population of India. But with respect to other development indicators rural India is still far behind. This can be seen from the following socio-development indicators.

Table 1- Population in millions (2011)

India	Total	Male	Female
Total	1210	623.6	586.4
Rural	833	427.9	405.1
Urban	377	195.7	181.3

Source: Census of India, 2011

#### II.2. Sex ratio-

The sex ratio is the percentage of females to males in a given population. It is generally expressed as the number of females per 1000 males. In India the sex ratio, as per 2011 Census is 940 females per 1000 males. In rural areas, this number is 947 females per 1000 males but in urban areas this ratio is lower than all India average. This might indicate that the process of urbanization in India does not bring desired changes in the social structure and did not bring any positive attitudinal change towards females.

Table 2: Sex Ratio in 2011

India	940
Rural	947
Urban	926

Source: Census of India, 2011

# II.3. Literacy Rates-

Education plays a very important role in placing a strong foundation for the overall social and economic development of any region/country. It is an investment which contributes to both individual and social development. From the first five year plan in India, policies concentrated on both education and economic growth. But only in the year 1966 the Kothari commission stressed the association between education and productivity and the critical

role of education in overall development. The fifth five year plan recognized education as a key factor in production. The 42nd amendment to the constitution in 1976 brought education which was largely a state responsibility into the concurrent list making the education as the responsibility of both the state and Centre. The 73rd and 74th constitutional amendment stressed the greater role of Panchayats in education especially elementary education and the 86th amendment to the constitution in the year 2002 made education as a fundamental right (Das and Pathak, 2012). The following table shows the percentage of literate population in India in both rural and urban areas.

Table 3: Literacy Rates in 2011 (%)

	Total	Male	Female
India	74.0	82.1	65.5
Rural	68.9	78.6	58.8
Urban	85.0	89.7	79.9

Source: Census of India, 2011

In India, in 2011 only 68.9 % of people are literate in rural areas whereas this proportion is higher in urban areas which accounts for 85%. In rural areas, percentage of male literate is 78.6% which is relatively closer to the male urban literacy percentage. But the table shows that the literacy among women in rural area is still very low. This is one of the contributing factors to the low development of socio-economic indicators in rural areas. Thus, it seems that in spite of various measures undertaken by both the Central and the state government, literacy rates remains to be low in India, particularly in Rural India and Rural females.

#### II.4. Health-

Health is another important indicator of the overall development of the society. This health status is influenced by different factors such as employment, income, educational attainment, social groups, level of awareness, accessibility to health care, availability of health services, etc. Good health as well as good nutritional status is among the indicators of the overall well-being of the society and also of human capability. Over the last two decades, Indian economy has shown a steady improvement in the health condition of its people, but, incidence of malnutrition in form of low weight for age, anaemia, disability and hunger still continues among the lower socio-economic sections of the population especially in rural India (as shown in following tables). This is resulting into increased rural-urban divide in terms of health status.

Table 4: Health indicators

	Total	Rural	Urban
Total fertility rate (births/woman)	2.7	3.0	2.1
Crude birth rate (live births/ 1000 population)	23.1	25.0	18.8
Crude death rate (deaths/ 1000 population)	7.3	7.8	5.8
Infant Mortality (The probability of dying before the first birthday)	57	62.2	41.5
Median age at first birth among women age 25-49	19.8	19.3	20.9
Child immunization-Children 12-23 months fully immunized	54	50.4	63.1

Source: SRS Bulletin, NFHS-3, 2005-06.

Table 5: Availability of Facilities

% of Household that	Total	Rural	Urban
Have electricity	70.3	59.8	92.2
Have access to toilet facility	49.3	34.1	80.8
Live in a kachcha house	35.5	46.4	12.9
Live in a pucca house	32.7	19.6	60.2
Have improved source of drinking	84.4	79.6	94.4
water			
Hospitals per lakh population	3.96	0.36	3.6

Source: Review of healthcare in India, DLHS-3, 2007-08

Recognizing the importance of health in the process of economic and social development and improving the quality of human life, Government of India launched National Rural Health Mission (NHRM) for the effective basic health care system. Over a period of time Government of India has increased the health expenditure in GDP but as these data shows, the rural areas still continue to lag behind in the process of development.

# II.5. Agriculture-

Agriculture is the mainstay of rural India and supports roughly two-thirds of the total population in India. But a major share of India's national resources has been directed to the non-agricultural sector, as is evident from the following table.

Table 6: Actual Public Sector Outlay (Rs. crores)

	2009-10	2010-11	2011-12	2012-13*	2013-14**
Agriculture and allied activities	29498(4.1)	40370(4.9)	45781(4.9)	54618(4.9)	64098(4.7)
Non- agriculture	(07527(05.0)	705000(05.1)	000511/05 1)	1055074(05.1)	120/020/05 2)
sector	68/55/(95.9)	785898(95.1)	890511(95.1)	1055074(95.1)	1306838(95.3)
Total	717035	826268	936292	1109692	1370936

Source: GOI Economic Survey 2013-14. \* Revised Estimates. \*\* Budget Estimates. Respective percentage distributions are in parentheses.

Table 7: Sector-wise: key indicators 2012-13 (at 2004-05 prices)

Item	Growth rate (%)	Share in GDP (%)	Share in employment (%)*
Agriculture and allied activities	1.0	13.9	48.9
Industry	5.1	27.3	24.3
Services	10.9	58.8	26.9

Source: GOI Economic Survey 2013-14. \* Estimates for year 2011-12.

The agricultural sector has been growing at less than half the pace of the other sectors, even though its share in employment has always been larger than the other two sectors and it stood at 48.9% in 2011-12. The slower rate of growth of agriculture has serious implications for the rural-urban relationship. In fact, it results in the further widening of the rural-urban divide (Shankar, 2006-07). Agricultural investments account for only 10 per cent of the total investments in the country. The neglect of agriculture and allied sectors is evident from the budgetary allocation.

# II.6. Poverty-

If we look at the poverty data, a similar situation can be noticed and we can figure out that majority of poor people living in India are still in rural areas. Also, the Planning Commission in 2001 developed the Human Development report of India which showed a significant rural-urban divide in terms of human development Index which was 0.340 for rural areas and 0.511 for urban areas. Also, as per the latest thick round of NSS which is 68<sup>th</sup> round conducted for the year 2011-12, the Monthly Per Capita Consumption Expenditure (on average at current prices) in Urban

areas was found to be Rs. 2399.24 while that for Rural areas was found only at Rs. 1278.94, indicating again the disparities in rural-urban areas.

Table 8: Poverty Ratios by Mixed Recall Period (MRP) (per cent)

MRP Method	1993-94	2004-05	2011-12
Rural	50.1 (328.6)	41.8 (326.3)	25.7 (216.5)
Urban	31.8 (74.5)	25.7 (80.8)	13.7 (52.8)
All India	45.3 (403.7)	37.2 (407.1)	21.9 (269.3)

Source: GOI Economic Survey 2013-14 and planning commission (estimated by Tendulkar Method). Note: the figures in parenthesis shows number of poor in millions.

## II.7. Work Participation Rate and women empowerment-

The work force participation rate is another important indicator of the overall level of activity in the market. As is shown in the table below, work force participation rate in rural areas is higher with 41.8% whereas it is 35.5% in urban areas. Also in rural areas, male constitute 53% and female contributes only 30%. Female contribution in urban area is only 15.4% as per Census of India 2011. All these statistics shows low women status and empowerment especially in rural India.

Table 9: Work Participation Rate, 2011

	Male	Female	Total
Rural	53.0	30.0	41.8
Urban	53.8	15.4	35.5
India	53.3	25.5	39.8

Source: Census of India, 2011.

Table 10: Some indicators of women empowerment (NFHS-3, 2005-06)

	All India	Urban	Rural
Currently married women who usually participate in household decisions (%)	52.5	61.4	48.5
Ever-married women who have ever experienced spousal violence (%)	37.2	30.4	40.2

#### III. Causes Of Backwardness In Rural India

The various factors that seem to be responsible for persisting backwardness in rural India includes social, economic and political factors discussed as below.

#### a) Economical factors:

The important economic factors which may be responsible for rural backwardness are as follows.

### i) Backwardness of agriculture:

The backwardness in agriculture in India has been due to the following factors-

#### i.a) Zamindari System-

Indian economy was under British rule for about 200 years and British policies aimed at revenue collection and not at rural development. They introduced the zamindari system where the zamindars were the owners of all the land and they collected revenue as much as they could from the peasants. The system left the peasants of the country very poor and the zamindars did very little to improve their conditions and that of the villages. After the country attained independence this system was abolished, but the conditions of the peasants is yet to transform completely.

#### i.b) Excessive population pressure-

One of the major causes of backwardness of Indian agriculture is excessive pressure of population on land which is resulting into small and fragmented landholdings, thereby preventing use of improved farm practices. This is hampering the productivity and thus retarding agricultural growth.

### i.c) Outmoded techniques of production-

Indian Agriculture is being carried on with primitive techniques of production. Due to the absence of modern machines, tools, implements, improved seeds, manures, inadequate irrigation facilities, etc., the agricultural production is getting affected to a great extent. Apart from this, our agricultural system is not sufficient to provide adequate number of jobs or better price for the agricultural produce.

### i.d) Inadequate credit supply-

Facilities for the provision of rural credit have been rather defective in India. Because not many banks and other formal credit institutions provide loans to farmers, they have to depend on informal sources of credit such as moneylenders, who charges exorbitant rate of interest. So these farmers are unable to make much investment on improving productivity of land. The cooperative credit societies have been formed to help the farmers but they have not yet solved this problem.

#### i.e) Inefficient human factor-

Besides all these factors, farmers in India are mostly poor, illiterate, conservative and superstitious. Due to this, they are unable to understand and adopt scientific methods of production in agriculture.

#### ii) Slow and defective industrialization:

In India, the pace of industrialization in rural areas is rather slow due to inadequate finance, non-availability of skilled and technically trained personnel, irregular supply of power and raw materials, etc. Therefore, it is difficult to provide employment in large scale to the persons who are willing to work. The organized industrial sector, mainly concentrated in urban areas, has not been growing fast enough to absorb the growing labour force in the cities, let alone the rural workers migrating to seek work in the urban industrial sector which further deprives the rural poor from getting employment in industries. Another factor which seems to be contributing is the destruction of the thriving Indian cottage and handicraft industries on account of competition from the cheap machine made goods imported under British rule which has reduced the employment prospects of rural people.

#### iii) Poor governance:

Due to poor governance and defective government policies, rural areas are not yet fully developed. The ineffective implementation of government developmental policies has not only resulted into poor infrastructure and services in rural areas but also into lack of education and health facilities which are among the major factors leading to rural backwardness in India. Also, not well-defined property rights on Common property resources and poor conservation of environment has led to decline in income of people living in rural areas as they derive a part of their livelihood from these resources. Apart from this, government is not spending enough on Research and Development in agriculture to enhance its productivity (The World Bank).

#### 2) Political factors:

Before independence, the economy of India was exploited by the British rulers and after independence; the political system to some extent is responsible for the under progress of our country (Sondhi, 2000). Some of the political factors are as follows:

#### i) Corruption and Black economy-

According to the 2009-2010 estimate of Central Statistical Organization (CSO), the size of the Indian economy is around Rs 61,64,000 crore. Thus, the size of the black economy, taking it at 40% of GDP, is around Rs 25,00,000 crore. According to Kumar (2011), 'much of the black economy in India is like "digging holes and filling them." This is "activity without productivity." An example is of poorly made roads that get washed away or become pot-holed with every rain and need repeated repairs. Thus, instead of new roads coming up, much of the budget allocation is spent on maintenance. Because of the growing black economy, policies fail both at the macro-level and the micro-level. Planning or monetary policy or fiscal policies do not achieve the desired results because of the existence of a substantial black economy. Targets for education, health, drinking water and so on are not achieved because "expenditures do not mean outcomes." The economy does not lack resources but faces resource shortage. Much investment goes into wasteful and unproductive channels, like holding gold or real estate abroad. The flight of capital lowers the employment potential and the level of output in the economy. The direct and indirect costs are of policy failures, unproductive investments, slower development, higher inequity, environmental destruction and a lower rate of growth of the economy than would have been possible. India could have been growing faster, by about 5 per cent, since the 1970s if it did not have the black economy'.

According to 2010 estimates of <u>Transparency International</u> (TI), the Corruption Perceptions Index (CPI), which defines <u>corruption</u> as the misuse of public power for private benefit, for India was 3.3 which show high corruption and India ranks 87 out of 178 countries. Due to corruption and black economy, government

developmental policies for rural areas are failing because not enough resources are left for their development.

# ii) Low bureaucratic accountability and inefficient use of public funds-

Despite large expenditures in rural development, a highly centralized bureaucracy with low accountability and inefficient use of public funds limit their impact on poverty. In 1992, India amended its Constitution to create three tiers of democratically elected rural local governments bringing governance down to the villages. However, the transfer of authority, funds, and functionaries to these local bodies is progressing slowly, in part due to political vested interests. The poor are not empowered to contribute to shaping public programs or to hold local governments accountable (World Bank).

Planning in India continued to be largely centralized till 1992 when the Constitution (73rd & 74th Amendment) Acts provided a constitutional basis for decentralized and democratic planning process, giving a legal status to rural (Panchayat) and urban (Municipal) local bodies as self-government institutions. Planning today is practiced at national, sub-national, district and local levels, raising expectations that this would trigger development at all territorial levels. However, the last many years have seen more hurdles than achievements in the decentralization process. This has happened because in many cases, decentralization has simply empowered local élites to capture a larger share of public resources, often at the expense of the poor (Johnson, 2003). Even though there has been a massive flow of funds from the government to panchayats, there is a major concern that the results have not been in accordance with the investments (Mid-term Appraisal of 11th five year plan, Planning Commission). This seems to be one of the major cause behind rural backwardness in India.

## 3) Social factors:

Rapid growth of population is one of the most important causes of rural backwardness. Malthus has pointed out that the geometric progress of population is the root cause of poverty. This has been due to widely accepted social norms like universality of marriage, early age of marriage of girls, preferences for male child over female child, etc., in rural areas which is contributing to their backwardness as well as poverty. Apart from this, lack of education especially among rural females due to poor education system in rural areas has trapped rural India into never ending cycle of poverty. Female illiteracy is considered to be among the root causes behind low female status and empowerment in rural areas and women's disempowerment is a universal factor in extreme poverty. Thus, a greater attention towards empowerment of women will give a solution out of extreme poverty and also toward their dignity and security, which will not only help in transforming the social status of the women families but also of the society as a whole.

#### IV. Conclusion

Despite various steps under taken by the government to develop rural areas through its developmental policies, these areas still continue to be backward. As is well-unknown, without rural development our country cannot sustain high and equitable growth, several steps must be taken to increase human development facilities in the villages, such as health and education, and to develop appropriate infrastructure such as roads and marketing facilities, etc. Also there is a greater need for generating job opportunities especially in rural non-farm sectors, which can help in improving the living conditions of the people in rural areas. Apart from this, the policies need to adopt long-term goals, balancing the requirements of both the rural and urban areas.

Steps should be taken to enhance agricultural productivity and hence rural growth. This in turn requires improvement in the performance of regional rural banks and rural credit cooperatives and also proper growth and development of micro-finance institutions and Self-Help groups in rural areas. Decentralization efforts in Planning are now being undertaken and local governments are given more freedom in delivering the basic facilities to the people, thus it becomes essential to establish mechanism of accountability. The Local governments' ability to identify local priorities through participatory budgeting and planning needs to be strengthened. This, in turn, will help in improving the investment scenario in rural areas, thereby facilitating the participation of the private sector and generating employment opportunities and linkages between non-farm and farm sectors.

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# The Renewable Energy Challenge

Producing electricity with Solar Energy, Wind Energy and Biomass Energy is a step on the path to maintain sustainability of the environment. In recent times due to the exhaustible nature of fossil fuels, the high prices and the harm they cause on the environment and human health, countries are encouraging the development of increased use of renewable energy especially solar energy and wind energy. The source of solar energy is the Sun and this energy is in the form of electromagnetic radiation and travels to the earth in various wavelengths. Some of the solar radiation becomes evident as heat and some as visible light. It warms the earth and also provides energy for the biotic components of the ecosystem. The green plants during photosynthesis convert the light energy to chemical energy and making it available to other organisms as food. All life on earth depends on the radiation from the sun.

The source of wind energy is the wind. The difference in solar heating and the resultant difference in pressure conditions of the earth between the equator and the poles, together with the earth's rotation set up air flows called wind. Wind turbines can capture the wind energy and convert it into electrical energy.

Biomass energy consists of organic plant and animal wastes that can be burned directly as a solid fuel or converted into gas or liquid bio-fuels. Biomass is an indirect form of solar energy as it consists of combustible organic compounds produced by photosynthesis.

### Solar energy:

Since ancient times, with varying degree of success, attempts have always been made to use the solar heat energy. The preservation of fruits, vegetables, meat and fish by sun drying has been practiced for centuries. In some warm and arid regions solar heat energy is used to evaporate sea water to obtain salt. Solar energy has also been used for heating buildings and water. This can be the passive

solar heating system or the active solar heating system. The passive solar heating system absorbs and stored heat from the sun directly within the structure, for thousands of years people have intuitively followed the principle of sustainability by orienting their houses to take advantage of heat and light from the sun. The walls, floor and concrete of buildings absorb solar radiation and release it slowly during the day and night. Greenhouses face the sun to collect solar heat directly. On the other hand the active solar heating system absorbs energy from the sun by pumping a heat absorbing fluid like water through special collectors mounted on roofs to face the sun. They can also provide hot water for households. The advantages of both types of solar heating are that the energy is free, quick installation, no carbon dioxide emission, low land disturbance as it can be built on to roof or window and moderate cost if it is passive solar heating. The disadvantages are that most buildings are not sun facing and for active solar heating, heat storage system is required which increases individual cost of maintenance and repair. Electricity can be produced from solar energy with solar cells or photovoltaic (PV) solar cells which convert sunlight to electricity. The solar cells are composed of thin layers of silicon with trace amounts of other metals to function as semi conductors. Each cell produces a small amount of electricity so many cells are wired together in a panel to produce electrical power. This power can be stored in batteries or connected to the existing electrical grid system.

Another method of using solar energy for power is the concentrated solar power (also called concentrating solar power, concentrated solar thermal, and CSP. These systems generate solar power by using mirrors or lenses to concentrate a large area of sunlight, or solar thermal energy, onto a small area. Electricity is generated when the concentrated light is converted to heat, which drives a heat engine (usually a steam turbine) connected to an electrical power generator. The major advantages of solar energy as a source of

electrical power are that it is a renewable resource, has low adverse environmental impacts, less maintenance, noise free and high net energy. The present high cost of solar power may drop considerably due to mass production and greater government and private research and development along with government tax exemptions and subsidies in the respective countries.

## **Environmental Impacts of Solar Power:**

The potential environmental impacts associated with solar power can vary greatly depending on the technology, which includes two broad categories: photovoltaic (PV) solar cells or concentrating solar thermal plants (CSP).

#### Land Use:

Depending on their location, larger utility-scale solar facilities can raise concerns about land degradation and habitat loss. The total land area requirements vary depending on the technology, the topography of the site, and the intensity of the solar resource. Estimates for utility-scale PV systems range from 3.5 to 10 acres per megawatt, while estimates for CSP facilities are between 4 and 16.5 acres per megawatt.

Unlike wind energy, there is less opportunity for solar projects to share land with agricultural uses. However, land impacts from utility-scale solar systems can be minimized by setting them at lower-quality locations such as abandoned mining land, or existing transportation and transmission corridors Smaller scale solar PV cells can be built on homes or commercial buildings, also have minimal land use impact.

#### Use of water:

Solar PV cells do not use water for generating electricity. However, as in all manufacturing processes, some water is used to manufacture solar PV components. Concentrating solar thermal plants (CSP),

like all thermal electric plants, require water for cooling. Water use depends on the plant design, plant location, and the type of cooling system. CSP plants that use wet-recirculation technology with cooling towers withdraw between 600 and 650 gallons of water per megawatt-hour of electricity produced. CSP plants with once-through cooling technology have higher levels of water withdrawal, but lower total water consumption (because water is not lost as steam). Dry-cooling technology can reduce water use at CSP plants by approximately 90 percent. However, the tradeoffs to these water savings are higher costs and lower efficiencies. In addition, dry-cooling technology is significantly less effective in areas of high temperature.

#### Hazardous Materials:

The PV cell manufacturing process includes a number of hazardous materials, most of which are used to clean and purify the semiconductor surface. These chemicals, similar to those used in the general semiconductor industry, include hydrochloric acid, sulphuric acid, nitric acid, hydrogen fluoride, trichloroethane, and acetone. The amount and type of chemicals used depends on the type of cell, the amount of cleaning that is needed, and the size of silicon sheet. Workers also face risks associated with inhaling silicon dust. If not handled and disposed of properly, these materials could pose serious environmental or public health threats. However, manufacturers have a strong financial incentive to ensure that these highly valuable and often rare materials are recycled rather than thrown away.

## Life-Cycle Global Warming Emissions:

While there are no global warming emissions associated with generating electricity from solar energy, there are emissions associated with other stages of the solar life-cycle including manufacturing, materials transportation, installation, maintenance, decommissioning and dismantlement. Most estimates of life-cycle

emissions for photovoltaic systems are between 0.07 and 0.18 pounds of carbon dioxide equivalent per kilowatt-hour. Most estimates for concentrating solar power range from 0.08 to 0.2 pounds of carbon dioxide equivalent per kilowatt-hour. In both cases, this is far less than the lifecycle emission rates for natural gas (0.6-2 lbs of CO2E/kWh) and coal (1.4-3.6 lbs of CO2E/kWh)

# Impact on birds and Insects:

News reports in 2014 that a giant solar power plant in the Mojave Desert is scorching birds in mid-air spurred a fierce debate over the environmental impacts of renewable energy and whether we will be able to preserve the planet without destroying it in the process. Massive Solar installations have become a danger to the entire food chain. It is likely that both insects and birds are attracted to these solar arrays, either by the intensely bright light or by thinking that PV panels are lakes or perches. The death of insects and birds will have a large impact on the food chain.

### Development of Solar energy for Electrical power:

As of January 2015, the largest solar power plants in the world are:

For photovoltaic solar cells (PV), the 550 MW Desert Sunlight Solar Farm and 550 MW Topaz Solar Farm, both located in southern California.

For Concentrated solar power CSP (solar thermal), the 377 MW Ivanpah Solar Power Facility, located in California's Mojave Desert.

Other large solar thermal power stations include the 354 megawatt (MW) Solar Energy Generating Systems power installation in the USA, Solnova Solar Power Station (Spain, 150 MW), Andasol solar power station (Spain, 150 MW) and the first part of Shams solar power station (United Arab Emirates, 100 MW). Other large PV farms include the 320MW Longyangxia Dam Solar Park in China, the 224 MW Charanka Solar Park in India, and the 166 MW Solar park Meuro in Germany.

In India, the Charanka Solar Park, at 224 MW, was commissioned on April 19, 2012, along with a total of 605 MW in Gujarat, representing 2/3 of India's installed photovoltaics. This 3000 acre plant, catapulted the state to the top position among solar power generators across the country. Gujarat produces 891 MW of solar power with power-generation facilities in 15 districts. The state has also started the first of its kind canal-based 1-MW solar power project. A portion of the Narmada dam's main canal near Kadi in Mehsana district was covered by solar panels for this ambitious project. This innovative idea has many benefits - prevents evaporation of water, limits damage to canals and cuts down on the requirement of land for laying solar panels. The 40 MW Dhirubhai Ambani Solar Park in Jaisalmer district of Rajasthan started power production in 2012 In 2014, leading energy producer Tata Power Solar set up root-top solar panels at 62 sites across Gujarat with a cumulative capacity to generate 3 MW to its staterun distributors, All the installations have features like mounting of solar panels on industrial sheds, concrete roofs and slanting roofs.

The country's largest ultra mega solar plant is planned in Madhya Pradesh's Rewa district. The plant is to produce 700 MW of electricity, would require an investment of Rs 4,000 crore,

The electricity from the plant would be available at Rs 5.40 per unit, which would be the lowest in the country. Thirteen hectares of land spread over four villages of Barseta, Ramnagar, Latar and Badwaar has been chosen for locating the plant in Gurh tehsil of Rewa. Ultra mega solar power projects have been planned in Rajasthan, Gujarat, Madhya Pradesh and Jammu and Kashmir. On an average 1 MW of solar photovoltaic power project generates about 1.6 million units of electricity per annum.

## Wind Energy:

The use of wind as a source of energy is not new. Since ancient times, wind power has been used to propel ships and boats, pump irrigation water and grind grain. In 1890, Denmark was the first country to use wind turbines to generate commercial electricity. However, with the advent of low price fossil fuels, wind power development became less attractive. In the present time Wind Power is making a comeback as it is non-polluting and its production incurs less cost. Wind farms can be constructed quickly and their operation can be remotely controlled. According to scientists in Stanford University, capturing only 20% of the wind energy at the world's best energy sites could meet the world energy demand and over seven times the amount of electricity currently used in the world. Tapping this Wind power would replace the energy output of 500 large nuclear power plants and thousands of large, less environment friendly thermal power plants. Wind turbines can be used individually to produce electricity but mostly they are used in interconnected arrays of hundreds of turbines. These are known as wind farms or wind parks. Analysts expect the increasing use of offshore wind farms as wind speed over water is stronger and steadier and land along the coast is available. In rural areas farmers can be encouraged for using some of their land for Wind Power.

Modern electric wind turbines come in a few different styles and many different sizes, depending on their use. The most common style, large or small, is the "horizontal axis design" (with the axis of the blades horizontal to the ground). On this turbine, two or three blades spin upwind of the tower that it sits on. Small wind turbines are generally used for providing power off the grid, ranging from very small, 250-watt turbines designed for charging up batteries on a sailboat, to 50-kilowatt turbines that power dairy farms and remote villages. Like old farm windmills, these small wind turbines often have tail fans that keep them oriented into the wind. Large wind turbines, most often used by utilities to provide power to a grid, range from 250 kilowatts up to the enormous 3.5 to 5 MW machines that are being used offshore. Utility-scale turbines are usually placed in groups or rows to take advantage of prime windy

spots. Wind farms like these can consist of a few or hundreds of turbines, providing enough power for tens of thousands of homes. From the outside, horizontal axis wind turbines consist of three big parts: the tower, the blades, and a box behind the blades, called the nacelle. Inside the nacelle is where most of the action takes place, where motion is turned into electricity. Large turbines don't have tail fans; instead they have hydraulic controls that orient the blades into the wind.

## Environmental impacts of Wind Energy

#### Land use:

The land use impact of wind power facilities varies substantially depending on the site: wind turbines placed in flat areas typically use more land than those located in hilly areas. However, wind turbines do not occupy all of this land; they must be spaced approximately 5 to 10 rotor diameters apart (a rotor diameter is the diameter of the wind turbine blades). Thus, the turbines themselves and the surrounding infrastructure (including roads and transmission lines) occupy a small portion of the total area of a wind facility.

Alternatively, wind facilities can be sited on abandoned or underused industrial land or other commercial and industrial locations, which significantly reduces concerns about land use. Offshore wind facilities, require larger amounts of space because the turbines and blades are bigger than their land-based counterparts. Depending on their location, such offshore installations may compete with a variety of other ocean activities, such as fishing, recreational activities, sand and gravel extraction, oil and gas extraction, navigation, and aquaculture.

#### Wildlife:

The impact of wind turbines on wildlife, most notably on birds and bats, has been widely document and studied. Evidence has been found of bird and bat deaths from collisions with wind turbines and due to changes in air pressure caused by the spinning turbines, as well as from habitat disruption. It has also been seen that impacts are relatively low and do not pose a threat to species populations. Offshore wind turbines can have similar impacts on marine birds, but as with onshore wind turbines, the bird deaths associated with offshore wind are minimal. Wind farms located offshore will also impact fish and other marine wildlife. Some studies suggest that turbines may actually increase fish populations by acting as artificial reefs. The impact will vary from site to site, and therefore proper research and monitoring systems are needed for each offshore wind facility.

### Public health and Community:

Sound and visual impact are the two main public health and community concerns associated with operating wind turbines. Most of the sound generated by wind turbines is aerodynamic, caused by the movement of turbine blades through the air. There is also mechanical sound generated by the turbine itself. Overall sound levels depend on turbine design and wind speed. It is important for wind turbine developers to take these community concerns seriously.

# **Global Warming Emissions**

While there are no global warming emissions associated with operating wind turbines, there are emissions associated with other stages of a wind turbines life-cycle, including materials production, materials transportation, on-site construction and assembly, operation and maintenance, decommissioning and dismantlement. Most estimates of wind turbine life-cycle global warming emissions are between 0.02 and 0.04 pounds of carbon dioxide equivalent per kilowatt-hour. To put this into context, estimates of life-cycle global warming emissions for natural gas generated electricity are between 0.6 and 2 pounds of carbon dioxide equivalent per

kilowatt-hour and estimates for coal-generated electricity are 1.4 and 3.6 pounds of carbon dioxide equivalent per kilowatt-hour

# Development of Wind Energy for Electrical power:

Europe is leading the work into an age of Wind Power and about three-fourths of wind generated power in the countries of Europe by inland and onshore wind farms. 80% of the wind turbines sold in the global marketplace are produced by companies in Denmark, Germany and Spain. India, China, Brazil, Canada and Australia are also increasing their use of wind energy.

In India in 2014 the installed capacity of wind power in India was 21136.3 MW, mainly spread across Tamil Nadu (7253 MW), Gujarat (3,093 MW), Maharashtra (2976 MW), Karnataka (2113 MW), Rajasthan (2355 MW), Madhya Pradesh (386 MW), Andhra Pradesh (435 MW), Kerala (35.1 MW), Orissa (2MW), West Bengal (1.1 MW) and other states (3.20 MW). Wind power accounts for 8.5% of India's total installed power capacity, and it generates 1.6% of the country's power.

## Biomass Energy:

Bio-energy can be obtained by burning plant and animal wastes to provide heat or electricity or by converting plants and plant wastes to liquid bio-fuels. Most scientists believe that a wide range of biomass resources are beneficial because their use will clearly reduce overall carbon emissions and provide other benefits. The beneficial biomass includes energy crops that don't compete with food crops for land, portions of crop residues such as wheat straw or corn stalks, sustainably-harvested wood and forest residues, and clean municipal and industrial wastes. Biomass is a renewable energy source not only because the energy comes indirectly from the sun, but also because biomass can re-grow over a relatively short period of time. Through the process of photosynthesis, chlorophyll in plants captures the sun's energy by converting carbon dioxide from

the air and water from the ground into complex carbohydrate compounds composed of carbon, hydrogen, and oxygen.

Biomass burning of wood, charcoal, animal manure is done for heating and cooking. Solid biomass fuel can be produced by harvesting biomass plantations of fast growing trees, repeated growing and harvesting can deplete the soil of nutrients and degrade biodiversity. In agricultural areas crop residues such as sugarcane residue, rice husks, wheat straw, corn and cotton stalks, and coconut husk can be collected and burned. One problem is that burning biomass produces carbon dioxide. However if the rate of use of biomass does not exceed the rate at which it is replenished by new plant growth which takes up carbon dioxide, there is no net increase in carbon dioxide emissions. Power can also be generated from garbage. Norway, Sweden and Finland use large heat pump systems to extract power from raw sewage and use it to heat buildings and produce electricity.

Plants and plant wastes can also be converted to liquid bio-fuels such as ethanol, biodiesel and methanol. Bio-fuels have major advantages over gasoline and diesel fuel as the crops used can be grown anywhere, if the rate of harvesting and conversion does not exceed the rate of replenishment of bio-fuel plants then there is no net increase in carbon dioxide emission, bio-fuels are easy to store and transport through existing gas distributing networks. However shifting to a bio-fuel based economy has the threat that agriculture will become unsustainable as bio-fuel crops will compete with food crops for land, promote monoculture and decrease the biodiversity. The solution is to obtain bio-fuels from non-food crops which are grown on marginal lands.

Ethanol is made from the fermentation and distillation of sugar in plants like sugarcane, corn and switch grass. Gasoline mixed with 10-23% ethanol makes gasohol which can be burned in conventional engines. Brazil produces ethanol from sugarcane and

USA from corn. India too has made ethanol fuel from sugarcane residue. Biodiesel is a diesel fuel made by combining alcohol with vegetable oil extracted from renewable resources such as soybeans, sunflower, palm plants and used vegetable oils from restaurants. Using biodiesel reduces emissions of carbon monoxide and hydrocarbons and emits 78% less carbon dioxide than conventional diesel fuel but it slightly increases nitrogen oxides that produce photochemical smog.

Methanol is made mostly from natural gas but also can be produced at higher cost from carbon dioxide, coal and biomass. Chemical production of methanol from carbon dioxide can help slow projected global warming and in addition methanol can also be converted into other hydrocarbon compounds.

## Environmental impacts of Biomass energy:

#### Land Use:

The impacts associated with the use of energy crops depends greatly on whether the planting leads to land use change or displaced food production. If energy crops are planted on a large scale and displace food production, then new lands may need to be cleared to maintain food supplies. However, it is possible to sustainably increase agricultural efficiency and reduce the land required for food production while also improving soil health and preventing erosion. Doing so could free up land for energy crops while minimizing food displacement and other land use changes. Important safeguards and best practices for removal of plant wastes are needed to ensure that sufficient crop residues are left behind to improve soil carbon storage, maintain nutrient levels, and prevent erosion. Similarly, harvesting of forest waste products can be done sustainably, but proper forest management practices need to be followed to ensure that wildlife habitat is not destroyed and the forest remains healthy.

#### Use of Water:

Biomass power plants require approximately the same amount of water for cooling as coal power plants, but actual water withdrawals and consumption depends on the facility's cooling technology. Water is also needed to produce the biomass sources of energy crops. This energy can be very water intensive.

#### **Air Emissions:**

Burning biomass to produce electricity can impact air quality. The level of air emissions associated with biomass power plants varies depending on the source, combustion technology, and types of installed pollution controls, but the most common pollutants include nitrogen oxides, sulphur dioxide, carbon monoxide, and particulate matter. In general, biomass facilities emit less SO2 and mercury than coal. Nitrogen oxides from biomass are lower than those from coal but higher than natural gas and these emissions cause ground-level ozone and smog, which can burn lung tissue and can make people more susceptible to asthma, bronchitis, and other chronic respiratory diseases. Nitrogen oxide also contributes to acid rain and the formations of harmful particulate matter. Biomass power plants also emit high levels of particulates (soot and ash) and carbon monoxide.

#### **Conclusion:**

Rising energy prices, increased import dependence and rising greenhouse-gas emissions are environmentally, economically and socially unsustainable. Achieving a more secure, low-carbon energy system can be made possible by the use of alternate energy sources. This calls for radical action by governments at national and local levels, and through participation in coordinated international mechanisms.

Renewable energy sources can be useful and cause damage at the same time. In Solar energy heavy metals are used for the production

of solar power cells which remain in the factory, though the finished solar module is not toxic at all. Wind parks are not without their controversies due to the problems they can cause on birds and bats. Offshore wind parks could be a problem for migratory birds. Biomass energy has problems of air emissions of pollutants like nitrogen oxides, sulphur dioxide, carbon monoxide, and particulate matter and the competition of energy crops with food crops and therefore threatening food security. The use of renewable energy resources has to be evaluated by its ecological balance.

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# The Contribution of Dr. B.R Ambedkar in social justice and empowerment of women

Social justice is a progressive idea in favor of humans. An Individual is a social being. By this perception, it becomes the right of every human being to live in a place where they can live with respect and equality. One should act with love and companionship with each other. But this does not always happen. A strong being begins discriminating the fragile one. To put an end to this nature of human being and to keep the rights of an Individual unharmed, the whole nation decided to celebrate International Social Justice day from 20 February 2009. From that day onwards this day is being celebrated to maintain dignity of human being, preserve their identity and to secure the rights of humankind. In a country like India this day and this policy of working for saving the interest of mankind has its own advantages since, there are numerous layers of inequality. To get rid of them we need to celebrate this progressive thought which is in the interest of the humans.

According to this thought discrimination must not be practiced among any human on the basis of caste, religion, race, creed, height, gender, wealth, poverty etc not even with little children. But some people become victims of injustice somehow or other at various level. Poor become victims of exploitation by rich people or else on the basis of differences in caste- religion, and gender differences, an Individual totally neglects their humanity with other individual and ends up crossing all the limits of brutality. In this unjust ambience, particular communities are discriminated or set apart. According to the estimation of social justice, an individual must not find difficulty in fulfilling his minimum basic requirements and the thought of getting developed.

India is a nation of diverse traditions, castes and religions. There have been many modifications on the political front in our country.

The citizens living here had to come across consequences of the modifications. Specially Dalit, subjugated, disadvantaged, minorities and women that have been left behind in the mainstream of the society. They were given reservation in our social order so that they can get societal justice and to grant them societal integrity. So they can develop their endowment, proficiency by getting along with everyone. So, that they become worthy enough to offer their support for the development of the entire society. Therefore in our constitution the explanation of social justice is based on the concept of equality, Freedom, free expression and education which has been included in basic rights. No inequality of any sort should be practiced against a citizen living here. The very motive of 'Right to Information', 'right to education' and laws related to safety of women aims at providing justice to each one in our society.

It becomes moral duty of every Democratic and progressive nation to establish social justice for their citizens in face of principled and habitual sense. This thought is not limited to just India. It is considered all over the world. Yes, the order of social justice of every nation could differ from each other. Intellectuals could also have diverse outlook in that relation. But it is most important to provide social justice to the beings. In relation to this John Rolce in his book 'A Theory of Justice' published in the year 1971, offered his opinion as to why the government needs to interfere in society's feeble class....he in his principled notion of justice, admired the idea of proving rights for equal independence to everyone. Along with it through different opinions, they articulated that the social and economic differences must be well adjusted so as to benefit the deprived class the most.

According to critic who criticized Rolce's used to believe that the neglected and minority community would get genuine justice only when they're able to attain freedom to speak collectively. This means that the perception of social justice and its meaning is attached to

any society's collective progress and freedom to express. An Individual's progress and his freedom do not have larger impact on the society. In this context the idea of socialist Ram Manohar Lohia could be supported. He used to believe that Dalits, minorities and women must revolt together to attain social justice. He wanted these groups to unite and challenge the absolute power of the higher caste in government and jobs. Dr. B.R. Ambedkar wanted exploited, victims and deprived people to unite and educate themselves to demand for their rights. He also said that 'all beings are made up of the equivalent soil and they too have the right to claim for good behavior with them'. This idea aptly describes the foundation of social justice.

The perception of social justice has brought improvement in the lives of people from different classes. Their lives have become purposeful and respectable. The lives of large group of Dalit, Tribal, and women have improved. This category has moved towards empowerment. Especially in the rural area people have become aware toward attaining education, equality and strengthening basic economy for neglected, exploited and women. But they don't have enough means to execute the same over there; therefore the echo of condemnation and revolt is small. In this view social justice has become a dream for identity and Pride. It is a progressive scheme for their progress in developed societies on global level.

Women belonging to towns and luxuriously rich have been able to excel in Education, Literature, art, culture, education, science, politics, etc. But even today a large number of communities of women are deprived of social justice. Generally, they are drowned into the dimness of illiteracy. The population of such women is more in villages, in which poor, Dalit, tribe, and backward category are included, and it also includes women of Muslim community. These women were even unaware of the rights of a citizen. They used to struggle for their Identity and pride. The policy led by the government of India for empowerment of women is having a

positive influence on these women. More than five hundred villages have been benefited with this plan. Their confidence has risen. Awareness towards education, self-employment has increased. They are continuously making efforts to achieve it. Their living style has also improved. They have become aware of subjects such as family planning. Husbands of women inclined towards empowerment are also getting profited. The specialty of this plan is that now they are getting united on their own and at the same time able to do leadership. Hence, the slogans which show demonstration of power and importance of education are echoing in their groups. They sing .... The Women of India is not flower but a spark Able to read and write is, India's godmother.

(Bharat ki naari phool nahi ,chingari hai. Padhi- likhi mata Bharat ki vidhata)

These sentences evoke excitement and spark in them. The strategy of women's empowerment and awareness that we witness has its roots hidden in the past. It is known to the world that women in India have been exploited the most. On the one hand they were given the stature of deity where as on the other hand they were burned alive in the name of 'sati'. Forget equality with men, they were not even considered as human beings. They have been deprived of the rights to education. Under which the position of women belonging to Dalit, tribal, and backward society was more pitiable than women of other community. They were treated like insects, since; these women belonged to slavery and to a boycotted society. They were considered as mere objects. Their situation was similar to that of use and throw objects. Their will and desires were of no meaning. Even the male of their society was not as powerful to provide security to their women. In the environment as this, the whole Dalit community was deprived of Social justice along with women.

Dr. B.R. Ambedkar was serious about the pitiable position of Dalit women. He did various attempts for the empowerment of women.

In 'Dalit Federation' Conference held on 19th February 1942 he said – "I consider the progress of Dalit women as an important criteria for the progress of the whole Dalit community. The union of women is important. Women! Stay clean, stay away from ill deeds, educate your daughters, and allow them to dream about their ambitions. Don't strive at getting them married sooner. He also used to say that 'no movement is possible without women'. The population of women includes half of the potential of the society. Dr. Ambedkar knew this very well. Therefore he considered their participation as vital in every field of the society. This was the reason why he participated in 'Assembly of Bombay state' in 21st February, 1928 in which he talked about providing maternity leave to Indian women. He vigorously supported the bill that was presented in the support of providing leave to the working women at the time of delivery, he said-"mothers of this nation should be granted leave in their time of motherhood to relax for a specific period of time..... the administration or owners must bear the expenses of these women." (Dr. B.R. Baba Saheb Ambedkar -Vasant Moon pg. 45). The initiative that Dr. B.R. Ambedkar begars in his four year tenure, made several laws associated with women and and amended old laws, while he was included as the member of labor in viceroy's counseling on 20th July, 1942. Provision was made for number of working hours for Women working in factories and minefield, also provision for equal income for men-women was made. 'Palanhaara' namely 'Creche' as we call it today, were build in closed proximity for offspring's of these working women Acts such as health security and life assurance were also made.

Dr. B.R. Ambedkar used to teach about the independence of Dalit women in his several speeches. 'Do not learn to live on aid provided by others, become independent'. On 19<sup>th</sup> December, 1935 he said, while addressing women-If a man is doing a mistake, women must revolt against him. The prestige, progress and glory of the whole society are in the hands of women. He used to address women like

another feminist. Simone de Beauvoir. The first condition of feminist writers is that she should be independent. The consciousness of attaining equality with men, rebel to attain it and the education for revolt were given by Dr. B.R. Ambedkar. In this view the maker of constitution of India, Dr. B.R. Ambedkar was also a female spokesperson. The concern for women of the society and their empowerment were reflected in all his thoughts. He was not confined to his own family. He used to contest about the whole Dalit society, upliftment of women and to provide them social justice.

He not only wanted Dalit women to develop into stronger women, attaining rights and social justice, instead he wanted to improve living conditions of each and every women of any caste, religion of our country, India.

In the year 1947 the proposal of 'Hindu Code Bill' was made and kept in constitution assembly. This bill was related to providing right in property, marriage, divorce. There were rights concerning adoption and safeguard of children, but it was not approved by the constitution assembly at that point in time. Hindu families, institutions raised greater protests against it. Hindu community tried their level best to prevent it. The subject of freedom of Hindu women was consequently left in between by the law. Dr. B.R. Ambedkar was greatly upset with this. He presented his resignation to Prime Minister from the position of law minister or  $27^{th}$  September, 1951 which was accepted on  $27^{th}$  October.

In this way the background that Dr. B.R. Ambedkar had build for women empowerment has benefited women of all Varna's and classes, though they have been benefitted nominally and somewhat late in some cases but it has undoubtedly benefitted all women. They are rising towards empowerment. Participation of women has fairly increased in fields like education, literature, science, media, politics, economics etc. they are constantly marching towards

empowerment. In it, the percentages of Dalit women are still standing on the last pedestal over the staircase of progress.

From Mannu Bhandari, Krishna Sobati to Anamika, Maitrayi Pushpa, Archana Tripathi along with many other women are at present contribating to Hindi literature by describing their experiences, emotions and sentiments in the same way Dalit women have just begun to give their contribution to literature. Her number is definitely little but she is perpetually aware of this region. It would not be an exaggeration to say that the consciousness of Dalit literature has also given opportunities of contribution for Dalit women.

Maharashtra was the homeland and the field of labor of Dr. B.R. Ambedkar. Dalits of Maharashtra and their women have got brilliantly benefited. Maharashtra's Urmila Pawar wrote 'Aaydaan', Baby Kamble's Jival Hamara, Shantakrishna Kamble's Naza and Kaushalya Baisantri's Dohra Abhishaap, these Dalit women writers have written regarding their family, experiences of society, hardships which they countered and eventually how they got vigorous ,have all been described in their Auto-biography. They don't forget to give credits to Dr. B.R. Ambedkar. Their auto-biographies depict the real shadow of our society in a mirror like image, which we don't get to see in Hindi non-Dalit literature. Their creations reflect different favors existence, experiences in women's life. In this regard, Urmila Pawar's book 'I too made a history' is remarkable. It depicts the story of a Dalit women's historical struggle.

Since I belong to Hindi stream, I would like to concentrate on Hindi. From past two decades or so the consciousness of Dalit literature writer's movement has quicken. There were very few women writers in this wakefulness when it began. Vimal Throat has done remarkable work of motivating people by giving Dalit Literature and Dalit Ideology a face of revolution. Her contribution has been very important. The impact of her magazine 'Dalit Asmita'

is similar to the impact of Gangadhar Pantavde's 'Asmita Darsh' which used to be a Marathi magazine. She wrote about women in her book Dalit Sahitya Kaa Strivadi Swar – "women do not posses social, economic, cultural, and political security, which Non-Dalit women conventionally possess on the basis of their caste. ( Dr. Vimal Throat pg. 92) Dalit writers have also talked about the troubles of Dalit women in their literature. They have mentioned diverse faces of women in different genres into their literature. Somewhere she is boycotted, deprived, whereas elsewhere she undergoes crisis due to lack of education and appears to be existing without any identity of own.

- Omprakash Valmiki a prestigious Litterateur a character who portrait Dalit Sahitya in Women related stories "Jungle ke Rani", "Yeh Anth Nahi" etc. are written. Among other Dalit famous writers Surajpal Chauhan's story "Badbu" is of special significance.
- The depiction of women by Sheoraj Singh Bechain has been in the centre in various faces in his poem like 'Lok malhar-O meri Behna', Stories like 'Sheetal ke Sapne and 'Sister' etc which lays focus on issues like Caste, Poverty, Illiteracy.

(Dr. Ambedkar International convention-Paris, France 4-5 July 2014- as read in Paris. This article contains parts of that speech)

# Translated By –Ajatika Singh

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# "FTE" Fast Track Exit Scheme – "A Short Cut To Strike Off"

# INTRODUCTION TO THE MODES OF THE WINDING UP OF THE COMPANIES

Before knowing the FAST TRACK EXIT SCHEME we should be aware of the modes available with the company if it goes for winding up. A company can be wound up by two ways one is compulsorily winding up by the tribunal and other is voluntary winding. The circumstances decide that company is going for compulsory winding up or for voluntary winding up (it is by the will of the company) which are mentioned below

### Modes of winding up u/s section 270.

The winding up of a company may be either—

- (a) by the Tribunal; or
- (b) Voluntary.

# Circumstances in which company may be wound up by tribunal u/s 271

A company may be compulsorily wound up, by the tribunal if falls under the mentioned criteria

- if the company is not able to pay its debts;
- if the company has passed special resolution to wind up the company;
- if the company is not working in the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality;
- if the order of wound up is being passed by the Tribunal under Chapter XIX;
- if the Tribunal is of the opinion that the affairs of the company have been incorporated for the fraudulent purpose, its members involved in any kind of fraudulent activity or its members are guilty of fraud;

- if company is involved in misfeasance or misconduct;
- if the company has made a default in filing with the Registrar its financial statements or annual returns for immediately preceding five consecutive financial years; or
- or on just and equitable ground according to the tribunal

# Circumstances in which company may be wound up voluntarily u/s 304.

A company may be wound up voluntarily,

- by passing a resolution in general meeting as a result of completion of the objects, on the expiry of period for its duration, if any, fixed by its articles or on the occurrence of any event mentioned in the articles or
- if the company passes a special resolution that the company be wound up voluntarily.

# Power of Registrar to remove name of company from register of companies to strike off, under the mentioned circumstances u/s 248

- if the company failed to commence its business within one year of its incorporation
- if the subscribers to the memorandum have not paid the subscription within a period of 180 days from the date of incorporation
- if the company failed to file declaration under sub-section (*I*) of section 11 within 180 days of its incorporation; or
- if the company is not carrying on any business or operation for a period of two immediately preceding financial years
- if company has, extinguishing all its liabilities, by a special resolution or consent of 75%. members in terms of paid-up share capital,

# WHAT IS"FAST TRACK EXIT SCHEME" OR "FTE SCHEME"????

FAST TRACK EXIT SCHEME is an option or opportunity given to the **defunct companies** in which the companies can get their name struck off from the database maintained by the ROC without getting in to the cumbersome legal formalities with in a time bound manner.

**DEFUNCT COMPANIES** there are number of companies, which are incorporated under the Companies Act, 2013 and previous company laws, but due to various reasons they are unable to operate or commence the business for which they were registered since incorporation or in case they had commenced the business after incorporation then became inoperative later on are termed as defunct companies.

#### COMPANIES WHICH CAN APPLY UNDER FTE

There are mainly two points on which basis it can be decided that which company is eligible to apply under FTE and which one is not-

- The company which doesn't have any asset and liability.
- The company which has not commenced any business activity or operation since its incorporation or in case it started the business then at least one year must has been passed since last business activity or operation.

Dormant company & Defaulting company can also file FTE form, but in case of dormant company there is no need for the company to file GNL-1 form for normalizing the status of the company but in case of defaulting company there is need of normalizing the status of the company by filing its all pending annual returns.

### COMPANIES WHICH CANNOT APPLY UNDER FTE

"FTE is not for all but for few", as FTE is not applicable on all the companies, the companies which are outside the purview of the FTE are mentioned below-

- Listed companies,
- Companies that have been de-listed due to non-compliance of listing agreement or any other statutory Laws,
- Section 8 companies Formation of companies with charitable objects, etc.
- Vanishing companies,
- Companies under inspection/investigation,
- Companies against which prosecution for a non-compoundable offence is pending in court,
- Companies having outstanding public deposits or secured loan or dues towards banks and financial institutions or any other Government Departments etc. or having management dispute or company in respect of which filing of documents have been stayed by court or CLB or Central Government or any other competent authority.

# PROCE DURE OF FILING STRIKE OFF COMPANY UNDER FTE SCHEME.

The procedure for removing the name of a Company from ROC under Fast Track Exit mode is as follows:-

- An company which is eligible for striking off its name needs to apply through the form FTE available on the MCA site (www.mca.gov.in) to the Registrar of the Companies;
- There is no provision of filing FTE form physically it has to be filed in electronic mode only and online payment is to be made of Rs 5000/-as ROC fees after which E-challan is will be generated with a specific SRN;
- The form is to be duly signed before filing electronically in case of active signatories the authorized signatory of the company will sign the form electronically (with digital signature) and in case there are no active signatories then the physical copy of FTE form is to be first filled in properly, then shall be

- signed manually by the director authorized by the Board of Directors of the company and shall be attached with the application Form at the time of its filing electronically;
- Certification of form FTE, is mandatory by a professional like a Chartered Accountant in whole time practice or Company Secretary in whole time practice or Cost Accountant in whole time practice;
- If the applicant's name filing for the form FTE doesn't match with the database or record of directors with the Ministry, then a certificate is to be issued by the Chartered Accountant in whole time practice or Company Secretary in whole time practice or Cost Accountant in whole time practice certifying that the applicants are present directors of the Company;
- If the company is under any kind of litigation while applying for the FTE same is to be disclosed while applying under the FTE scheme;

# DOCUMENTS TO BE ATTACHED WHILE APPLYING FOR THE FORM FTE

- AFFIDAVIT An affidavit duly notarized by each of the existing director(s) of the company declaring that the company has not carried on any business since incorporation or that the company did some business for a period up to a specified date and then discontinued its business and has not carried on any business since last one year, as the case may be, in the form of Annexure A;
- INDEMNITY BOND An Indemnity Bond, duly notarized, to be given individually or collectively by every director, stating that any losses, claim and liabilities on the company, will be met in full by every director individually or collectively, even after the name of the company is struck off the register of Companies, in the form of Annexure B;
- STATEMENT OF ACCOUNT Statement of Account is to be prepared as on date not prior to more than one month preceding the date of filing of application in Form FTE duly

- certified by a statutory auditor or Chartered Accountant in whole time practice, as the case may be, in the form of Annexure C.
- BOARD RESOLUTION Copy of Board resolution showing which authorized applicant to file the application with the ROC.
- PHYSICAL COPY OF FORM FTE -Physical Copy of Form FTE duly signed by the applicant such as Director/Manager/ Secretary authorized by the company in its board resolution if the DSC of the applicant is not available.

The Registrar of Companies shall examine all the particulars and the attachments of the FTE form and if all details are complete, correct and in order then, shall give a notice to the Company under section 248(1) of the Companies Act, 2013, he shall send a notice to the company and all the directors of the company, of his intention to remove the name of the company from the register of companies and requesting them to send their representations along with copies of the relevant documents, if any, within a period of thirty days from the date of the notice.

The list of the companies under strike off through FTE is available on the MCA portal http://www.mca.gov.in/MinistryV2/EES mca21.html

At the expiry of the time mentioned in the notice, the Registrar may, unless cause to the contrary is shown by the company, strike off its name from the register of companies, and shall publish notice thereof in the Official Gazette, and on the publication in the Official Gazette of this notice, the company shall stand dissolved under section 248(1) of the Companies Act, 2013.

#### **CONCLUSION:**

It is admitted fact that winding up of a company is no less difficult than incorporation of a company; it is even more difficult at times due to the involvement of various stakeholders. However the FTE Scheme provides an option for defunct companies to overcome hurdles of the cumbersome process of winding-up and genuine companies having no operation can easily make an exit by simply filing a few forms, undertakings and declarations with the Registrar of Companies of their jurisdiction and the name of company shall be striked-off of records of the Registrar, after which the company shall cease to exist from that day. Of course the FTE Scheme option is not available for all companies for the reason of involvement of interests of various stakeholders and public, so only companies which are inoperative and which does have substantial business assets and liabilities are covered under FTE Scheme. Thus the owners of eligible companies applying under FTE Scheme may save substantial amount of time and winding-up costs, they can buy piece of mind for a very small amount of fee charged under FTE Scheme. Eligible companies need not even fulfill their outstanding filing obligations before going for FTE Route. Since the whole process is online, time bound, fast and transparent, it is always advisable to go for FTE Schemes whenever announced and in force instead of going through the normal winding-up channel, the only thing to check is the eligibility of the company under particular FTE Scheme announced by the Government.

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# The Angst and Aesthetics in Raudra rasa and the Summer Season

Raudra Rasa has been described as disagreeable, destructive and the most violent of all rasas as its underlying emotion is anger. Extreme anger bordering on rage is one of the most powerful emotions experienced by the self. The wrath of kings, impotent rage and suffering, the frenzy and the grotesque are associated with this rasa but just like every other rasa Raudra also helps us understand a basic human emotion as it defines an unedited reality of life.

At some point or the other we all have found ourselves in the throes of this emotion. Even at the highest level of spirituality the bonds of affection may cause a person to slip and plunge into gloom or anger. It often burns like a forest fire and reduces our mental and emotional balance to cinders just as scorching flames do.

The mythological story of a blood-crazed Kali, her wild energy rampaging through the world is proof enough of how no one is exempt from anger and how it inevitably leads to violence. Sometimes it extracts the price of imbalance, dominance of aggression and loss of clarity however justified the emotion may be (After all Kali was slaying the demons!)

Dreadful summers have the same consequence. The immensely dry heat waves are often accompanied by dust storms. It feels as though the season has unleashed its fury and our emotional well being is under siege. As the first heat waves roll along, they result in a negative emotional response, often that of anger.

An old tercet that I had once penned in the middle of a Delhi summer was perhaps meant to be included here:

Sense of pain intense In dry night's dry dreams The day ageless We all know that Rasa is best depicted as the interplay of moods expressed by various characters in a work of art. The theory of rasas still forms the aesthetic underpinning of all Indian classical dance and theatre. Some of the Bhavas of Raudra Rasa include energetic enthusiasm, impetuosity, wrath and ferocity etc which are quite frightening and could be compared to an all engulfing summer-storm when heaving ocean waves roar in full expression of Roudra, when the heat evokes emotions of irritability and anger.

Red is the colour of Roudra Rasa and Red is the colour that our visage embraces as a pernicious influence of the cruel summer heat.

Anger however, is an evil emotion only when it is inappropriate or unbalanced, else it can have a positive outfall if it is instructive in nature, though it is said that one should leave the act of punishing to karma and not create bad karma by taking things into one's hands. Anger is often of two kinds. The righteous one induced by injustice or disrespect has a positive core or kernel encompassed within. In fact Raudra can be transferred into a creative impulse. Shiva's Rudra – Tandava is a dance of anger but one where destructive energy is controlled, where the world is ended only to be constructed anew. Shiva is otherwise known to be severe and self contained, in fact the supreme hermit with limitless divine energies within. Similarly an angry Durga kills Mahishasura but at other times she is an incarnation of love and power.

In anger it is the self that gets burnt in time and perishes. To release anger one could nurture the self, focus on love by stepping into the calm and quiet sanctuary of the mind which is the space to be silent in. The energy of peace would wash away all stress and free the self from the energy of anger.

The other kind of anger could be not getting what one wanted. We often expect the world to be run according to our convenience and are petulant when we discover otherwise. In Buddhism anger is defined as a condition dominated by selfish ego, competitiveness,

arrogance and the need to be superior in all things. This kind of anger could also be dealt with by opening our minds to life's infinite possibilities, a calm acceptance of what is and by entering the domain of silence. That space within is the retreat from the world of anger.

Similarly to release our emotional response to an angry summer which has its own path to travel, we just have to notice the right fragrant variety of the season's blooms that have a cool soothing effect. One simply has to look around to be greeted by the smiling chamelis, the Harsingers, the Mogras and the Belas. Who can miss out on the heady fragrance of the Rat-ki-Ranis, the blooming beckoning amaltas, the summer annuals like the majestic yellow bloom of sunflowers, the multi-coloured Zinnias, the green glimpses of carpeted lawns or the amazingly green kochias. They are our tranquil retreat that take away all summer reds and blues.

Every dark cloud they say, has a silver lining. Yes, summer brings heat, dryness and dust but then follows the thunder and lightning and those short spells of light showers that wash away our angry responses. Rain is grace for it moistens and soothes the very soul of summer, its very being and it feels as though the till now impatient behavioral response of the self has been transformed into a patient equanimity.

Talking of patience, these lines from the Poet Shiv K. Kumar come to mind:

In this triple baked continent
Woman don't etch angry eyebrows
On mud walls
Patiently they sit like empty pitchers
At the mouth of the village well

I see a kind of acceptance (bordering on surrender) in these lines, of what cannot be changed. It is said that sometimes, we should take time off to make sure that our most important decision in the day simply consists of which colour to slide down on the rainbow.

In conclusion I would simply say that anger is very alone just like a fallen summer leaf. So let's never embrace the violence of the Rasa. Instead let us live beautiful metaphors along the rainbow path of peace, quiet and harmony.

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# Climate Change and Energy Saving Strategy through Sustainable Development

Sustainable development and climate change are related with each other. Indians should be concerned about climate change since this phenomenon might have substantial adverse impacts on them. Not all possible consequences of climate change are yet fully understood, but the three main 'categories' of impacts on agriculture, sea level rise leading to submergence of coastal areas, and extreme events which in itself includes land degradation, water contamination, poverty and food and human health to effectively address to climate change concerns. Each of these poses serious threats to India. The emphasis should be on role of energy in reducing poverty, pollution and innovative technologies in energy sector specially in rural areas where India's more than one third population lives.

Developing countries like India which are most vulnerable due to their population explosion and have adverse consequence of climate change. The fast growing economy of India needs energy where coal is the main resource of energy. With the threat of climate change, India is called upon to change its energy strategy based on coal, its most abundant resource, and to use other energy sources (e.g. oil, gas, renewable and nuclear energy) instead, which may turn out to be expensive. On the other hand other factors responsible for climate change are methane emissions by agricultural practices or forestry and so on. Here major role played by the developed countries to reduce or postpone future vulnerability by getting the pollution generating countries to reduce their emissions.

The major areas of concern in India are as follows: Future risk of Low agricultural production: the impact of climate change on agricultural crop yields, GDP and welfare. Considering a range of equilibrium climate change scenarios which project a temperature rise of 2.5° C to 4.9°C for India. From India's point of view, a 2°C increase would be clearly intolerable. Other adjoining countries may be even more vulnerable like Bangladesh and Maldives.

#### Threat of Sea Level Rise

Small island countries like Maldives are on the verge of Large-scale emigration from coastal zones which is expected due to submergence of coast-lines after sea levels have risen. This will create large numbers of environmental refugees especially from low-lying delta regions in poor countries specially Bangladesh. Furthermore, intrusion of sea-water in the ground water and changes in temperature can reduce agricultural and fishing incomes. Countries dependent on coastal fishery and agriculture like Sri Lanka, are likely to be adversely affected.

#### **Changing Energy Strategy**

If India has to reduce its carbon emissions, it would mean a major reorientation of her energy strategy, especially if that warranted a shift from its current coal-based to oil and gas based energy system. In the direction of Climate Change which is global environmental concern now has put India on international level to make effective steps. The inter-governmental Panel on Climate Change brought out in 2007 that has projected a serious picture of the earth's future. It is very likely that climate change can slow down the pace of progress towards sustainable development either directly through increased exposure to adverse impact or indirectly through erosion of the capacity to adapt. The United National Frame Work Convention on Climate Change in 1997 adopted the Kyoto Protocol in recognition of necessity for strengthening developed country commitments under the convention in furtherance to the objectives of the Convention. The Kyoto Protocol commits the developed countries, including economies in transition, to reduce emissions of greenhouse gases by an average of 5.2% below 1990 levels during 2008-2012. The Kyoto Protocol came into force on 16 February 2005. India is a party to this Kyoto Protocol.

The Government of India has entrusted the work relating the ozone layer protection and implementation of Montreal Protocol. The Ministry has set up the Ozone Cell as a National Unit to look after and to render necessary services to implement the Protocol and its phase-out programme in India. The Ministry has established Committees which are responsible for the implementation of the Montreal Protocol provisions.

# Mitigating Climate Change and Pursuing Sustainable Development:

Local people participation could become a milestone for implementation and promotion of sustainable development for climate change not only in rural areas but urban areas as well. Climate transformation could reduce the yield of major food crops worsening the poverty. Frequent floods and droughts are already having serious impacts in various parts of India. The ongoing climate transformation will create problems for farmers, fishermen, small livestock owners and others including the indigenous communities (tribal) and find appropriate solutions to the causes and consequences of climate change. There is a need to create a platform where the developed countries make a lead in mitigating climate change. India along with China and other South Asian countries should come together and make their contribution to minimize emissions and sound contribution to curb the global warming.

India has for quite some time pursued policies in her own interest. India's obligation to minimize energy consumption particularly oil consumption and to deal with its environmental problems prompt it to follow many such policies. These efforts directly or indirectly are made by Government as well as by people to reduce energy consumption for climate change which emphasis on energy conservation, promotion of renewable energy sources, abatement of air pollution, afforestation and wasteland development, economic

reforms, subsidy removal and joint ventures in capital goods, fuel substitution policies.

## Afforestation and Wasteland Development

It is estimated that land-use change in developing countries could contribute to global emissions to the extent of 1.6 billion tonnes of carbon. However, indicators from India show that India's share of this contribution is minimal. Biomass is widely used even today in India for a variety of purposes including fuel, timber and feedstock. Here the local people can make a sufficient contribution in reduction of carbon emissions and change in land use pattern. The degradation of woods and forests and consequent degradation of soils was expressed in 1974 (Fuel Policy Committee). More recently, programmes for afforestation have found support from both governmental as well as non-governmental organizations where the tribal people are trained to conserve the environment and their surroundings.

A little more than 23% of India's total geographical area of 329 million hectares is recorded as forest area which has to be 33% to make a ecological balance. Another 75.5 million hectares is considered as waste land which can utilize for agriculture or forest either. If all the efforts at afforestation were to succeed, India's net emissions of CO2 could come down significantly.

# Climate Change and related Issues

India should be an active and decisive partner, along with other developing countries, in climate change negotiations. India and other developing countries feel strongly that they are not responsible for the threat of climate change that has been created. Unsustainable consumption patterns of the rich industrialized nations in the world are responsible for it. Yet, India and other developing country economies may be highly vulnerable to climate change. India's food production would be adversely affected, a recent example of

Monsoon 2010 when we had experienced a torrential rain all over India. Sea level rise would displace a large number of people settled lower coastal areas.

The impacts of climate change could hinder development and delay progress in eradicating poverty, potentially aggravating social and environmental conditions. An analysis of India's emissions shows that its per capita emission of carbon is one fourth of the global average. Even the top 10% of urban population emits well below the global average per capita emission.

India, and other South Asian countries, are making significant progress in limiting GHG emissions through normal policy developments such as those aiming to improve energy and economic efficiency of the energy and industrial production capacity, as well as energy development, both conventional and renewable, which target improved environmental quality and limit human health hazards from air pollution.

#### **CONCLUSION**

In the context of climate change, it is necessary to show that far from being inactive, the developing countries, especially India, are taking considerable actions in terms of policies, programmes and projects which is taking place since from the beginning and specially after the Kyoto protocol . Technology transfer can speed up the modernization process and additional funds can accelerate Government initiatives in energy conservation. However, policies for poverty alleviation must take priority. Government should take the initiative to expand it energy related programmes so that less pollution could occur. Savings in GHG emissions by the poor should not be expected at the expense of development. Encouragement to conservation and good practices would result in lower emissions with the involvement of local people.

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# Corporate governance and its impact on employment relations within the firm

- A study

#### INTRODUCTION

'Corporate Governance' has become one of the most commonly used phrases in the current global business vocabulary. The subject came into prominence in late 80s when the corporate sector was surrounded with the problems of questionable corporate policies. Failure of corporations like Maxwell Communication, Polly peck, Enron, WorldCom, Tyco, Kirch group, Vivendi (France) is always closely associated with the absence of good corporate governance. In India, since the late 1990s, Indian regulators as well as industry representatives and companies have undertaken significant efforts to overhaul the country's corporate governance. These reform initiatives have been revived or accelerated following the Satyam scandal of 2009. The term "governance" has been derived from a Latin word "Gubernare" this means to steer. Sir Adrian Cadbury defined corporate governance as the way in which companies are directed and controlled.

#### CONCEPT OF CORPORATE GOVERNANCE

Corporate governance is often associated with public companies, but small business can also benefit from this practice. It has been finding wide acceptance for its relevance and importance to the industry and economy. It contributes not only to the efficiency of a business enterprise, but also, to the growth and progress of a country's economy. Progressively, firms have voluntarily; firms have put in place systems of good corporate governance. Potential stakeholders aspire to enter into relationships with enterprises whose governance credentials are exemplary. It consists of rules that direct the roles and actions of key people rather than processes. It can

boost the company's reputation. It limits the potential for bad behavior of employees and the board by instituting rules to reduce potential fraud and conflict of interest. Appropriate organizational structures and policies help promote good corporate governance. Emphasis is not just on how well the organization succeeds in its profitability goal, but how well it is managed, run and internally regulated, both formally and informally.

## SIGNIFICANCE OF GOOD CORPORATE GOVERNANCE AND EMPLOYEE ENGAGEMENT

Equity is inherent in corporate governance. A corporation is a congregation of various stakeholders, like customers, suppliers, investors, vendors, employees, government and society. It is imperative for a corporation to be fair and transparent to all its stakeholders in all its transactions by adhering to the best corporate governance practices. In today's globalised world, employees are now being considered as an asset rather than a tool. They have emerged as an important component of intellectual capital. They are often referred to as an intangible asset which includes knowledge, skills, experience, competence, innovativeness, education and capabilities. It empowers organizational value creations such as innovations, competitiveness, strategies, skills, improved system, patent, etc. Companies with high IC levels are capable of minimizing the adverse effects of economic uncertainties. It often remains hidden in most organization but undeniably it empowers innovations, competitive strategies and value creations of an organization. It is of great importance for organizational performance and success. In short, without human capital a company could risk a failure to sustain profitability and competitive edge. Ignoring it can be detrimental to the success of the company. Hence, it is critically important for organization or companies to acknowledge and appreciate their human capital to achieve superior performance. Several studies claim that intangibles do influence the corporate governance of managers.

Employees who are engaged in their work and committed to their organizations give companies crucial competitive advantages including higher productivity and lower employee turnover. Different organizations define engagement differently, some common themes emerge. These themes include employees' satisfaction with their work and pride in their employer, the extent to which people enjoy and believe in what they do for work and the perception that their employer values what they bring to the table. The greater an employee's engagement, the more likely he or she is to "go the extra mile" and deliver excellent on-the-job performance. In addition, engaged employees may be more likely to commit to staying with their current organization. Software giant Intuit, for example, found that highly engaged employees are 1.3 times more likely to be high performers than less engaged employees. They are also five times less likely to voluntarily leave the company.

Well governed companies have an edge in attracting, retaining and engaging well qualified employees. Hardworking, ambitious and competent people want to join and stay in a company which treats them as valuable assets. In German companies, employees elect one third to one half directors on the supervisory board of the company. In Japan, long serving and committed employees are offered membership on the board of directors. Senior managers and former employees account for 90% of the company directors. The participation of employees in corporate governance ensures their long term commitment to the company. An engaged organization is one where there is mutual trust and respect among employees and where employees take pride in their work and the organization's values. Organizations should give importance to employee engagement and an engagement strategy needs to be implemented across companies. The employees should feel they can trust the organization and the relationship are based on mutual affection and trust. Following corporate governance policies can facilitate in the achievement of these objectives. When employees are convinced about the organization's intent in upholding its values and following good governance, they seek opportunities to perform and excel.

# QUNTITATIVE BENEFITS OF GOOD CORPORATE GOVERNANCE

- A Harvard/Wharton team also found that US-based firms with better governance have faster sales growth and was more profitable than their peers.
- An ABN AMRO study (previously mentioned) showed that Brazilian firms with above-average corporate governance had ROEs (return on equity) that were 45 percent higher and net margins that were 76 percent higher than those with belowaverage governance practices.
- A study of S&P 500 firms by Deutsche Bank showed that companies with strong or improving corporate governance outperformed those with poor or deteriorating governance practices by about 19 percent.

A growing body of empirical evidence shows that well-governed companies receive higher market valuations. Such firms are perceived as investor-friendly, and this gives investors confidence that their investment will generate returns without violating shareholder rights.

Employees do not want to be associated with firms which adopts unethical practices and violates the principle of corporate governance. Important stakeholders associated with the firm are its "employees". When experienced employees leave the firm and new inexperienced workers come that are to be trained. The work suffers and the cost of labour increases as firm will have to incur expenditure on recruitment, selection, training etc of new workers. Therefore, labour turnover proves to be costly for the firm. What makes organizational structures and policies effective, are

knowledgeable and competent individuals with a clear understanding of their roles and a strong commitment to carrying out their respective responsibilities.

Managers, directors and shareholders are all likely to make more informed, quicker and better decisions when the company's governance structure allows them to clearly understand their respective roles and responsibilities, and when communication processes are regulated in an efficient and effective manner. This, in turn, should significantly enhance the efficiency of the financial and business operations of the company at all levels. Top quality corporate governance streamlines all of a company's business processes, and this leads to better operating performance and lower capital expenditures, which, in turn, may contribute to the growth of sales and profits. Numerous academic empirical studies have shown that good governance brings many improvements contributing to the better overall performance of companies.

#### DISCUSSION AND RECOMMENDATIONS

Governance lapses can still occur through undesirable behavior and corporate values. Effective corporate governance is not only the result of hard structural elements but also behavioral factors driven by dedicated directors and management performing faithfully their duty of care to the institution. Effectiveness of corporate governance system cannot be merely legislated by law neither can any system of corporate governance be static. As competition increases, the environment in which firm firms operate also changes and in such a dynamic environment the systems of corporate governance also need to evolve. Failure to implement good governance procedures has a cost in terms of a significant risk premium when competing for scarce capital, efficient and committed employees in today's public markets. The quality of governance should be continuously improved and good governance should be promoted. The company should treat corporate

governance as way of life rather than code. Board should focus not only on business results, but also how business results are obtained otherwise the firm would be missing an important dimension. What makes organizational structures and policies effective, in practice, are knowledgeable and competent individuals with a clear understanding of their role and a strong commitment to carrying out their respective responsibilities.

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# Social Marketing of "Say No To Plastic Bags" Campaign A Case Study of Pushkar

Plastic bags are banned in Pushkar (Rajasthan). But a field survey of the place revealed that until there is an attitudinal and behavioural change among the stakeholders, a ban on plastic bags alone cannot bring a permanent solution to this menace. Psychological cost associated with eco-friendly bags, like, the unsuitability of such bags for wet products, fear of breakage, and inconvenience of carrying them deters people to switch from plastic bags to eco-friendly bags. A social marketing strategy, with a balanced emphasis on each of the elements of marketing mix, can ensure success of such a campaign.

There is a growing international movement to ban and discourage the use of plastic bags because of their adverse environmental effects. Plastic bags are non-biodegradable; and they choke waterways, spoil the landscape, and end up in landfills where they may take thousands of years to degrade. Plastic bags also pose a serious danger to animals, birds and marine life when they mistake them for food. Since, plastic bags are light, strong and inexpensive; people continue to use it.

"Say No to Plastic Bags" campaigns; and promotion of alternatives like jute, cloth and recycled paper bags, are conducted in media to educate public about harmful effects of plastic bags. A ban on plastic bags (below 20 microns) has already been imposed by various states in India. The Delhi government has notified a blanket ban on plastic bags in 2009, and again reiterated the same in 2012 with penal provision for violators. Despite the ban, traders across the national capital continue to flout it.

The promotion campaigns and laws have proved in-effective in curbing the menace of plastic bags. This has brought to limelight

the need for an effective social marketing campaign to change the attitudes and behavior of a target audience.

#### Review of Literature

It was felt that specific social causes, like pollution control, safe driving, and drug abuse, could be promoted by applying social marketing principles.

Kotler and Zaltman (1971) defined social marketing as the "design implementation and control of programmes calculated to influence the acceptability of social ideas and involving considerations of product planning, pricing, communication, distribution and marketing research".

In addition to the four Ps that form the core of marketing, four additional Ps are used extensively in social marketing. They are public, partnership, policy, and purse-strings (Weinreich, 1999).

Social marketing process and programmes involve six major steps – problem definition, goal setting, target market segmentation, consumer analysis, marketing strategies and tactics, and implementation and evaluation. (Bloom and Novelli, 1981, Narayan 2001).

Social marketing faces distinctive ethical challenges, with regard to the ends it seeks, the rationale it offers for achieving those ends and the effects it may have on its targets. (Brenkert, 2002; Laczniak, et al, 1979). Lane (1997) in an article entitled, "Television Minidramas: Social Marketing and Evaluation in Egypt", critically evaluated the role of mass media in health education. Despite significant debate about the efficacy, ideology, and ethics of the method, condom social marketing has become the dominant approach to AIDS education in many sub-Saharan African countries. Pfeiffer (2004) argued that the diffusion of social marketing techniques in Africa is not driven by demonstrated efficacy but is attributable to the promotion of privatization and free markets in the structural adjustment era across the region.

In a study on the family planning campaign in Bihar, Narayan (2001) found that education, religion, income, faith in having a son for salvation and social backwardness have influenced the non adoption of family planning methods in Bihar. Hanspal and Sen Gupta (2001) suggested that a balanced marketing-mix should be derived for blood donation campaign, with adequate emphasis on each of the elements, i.e., product, price, promotion, and distribution, rather than putting emphasis only on the promotional tools.

Mann (2001) explored the effectiveness of social advertising as a tool of social marketing and the perception of people towards it. He suggested that the Government and the NGOs should exploit this medium for different social campaigns.

#### Objectives of the Study

The purpose of the present study is to explore how social marketing approach can be used to make the "say no to plastic bags" campaign a success. The specific objectives of the research are as follows:

- To study a city in India, where the "say no to plastic bags" campaign is successful.
- To critically evaluate the measures undertaken by different stakeholders in this direction.
- To analyze the applicability of social marketing strategies in designing an effective campaign for acceptance of environmental-friendly carry bags.

#### A Field Survey of the Holy City of Pushkar (Rajasthan)

Pushkar is a sacred town for the Hindus, situated eleven kilometers to the North-West of Ajmer. There are evidences that points that the lake existed since fourth century B.C. The charm of this sleepy, lakeside settlement so captivated The great Indian poet, Kalidasa, was captivated by the beauty of the lakeside settlement and mentions it in his classic, Abhigyan Sakuntalam. The Great Hindu epics of Mahabharata and

Ramayana make references to this religious place regarded to be Adi Tiratha.

Pushkar boasts of many temples, the most famous is the Brahma Temple, said to be the only temple in the world dedicated to this deity. The serene Brahmasarovar, commonly known as the Pushkar lake has fifty-two Ghats and draws close to five-thousand pilgrims every-day. The pilgrims descend to the lake to bathe in the sacred waters to wash off their sins and immerse the ashes of their dead. Pushkar is also famous for its annual fair (Pushkar Camel Fair) held in November.

A few years back, the lake was dying out fast, with immersion of all sorts being done in it, since it is considered holy. The water level went down, with silting and filth all around. To top it all, plastic poly-bags choked the lake further.

In a major step for environment protection, the Rajasthan Government announced a complete ban on use of plastic carrybags all over the State from August 1, 2010. A notification declared the entire State a "plastic carry-bag-free zone". The prohibition also applies to manufacture, storage, import, sale and transport of plastic carry-bags. No shopkeeper, retailer, trader, hawker or vendors were allowed to supply goods to consumers in such carry-bags. The Government has authorised District Collectors and officers of the Rajasthan Pollution Control Board to file complaints under Section 19 of the Environment Protection Act, 1986, to the competent court on violation of the guidelines prescribed in the notification. Any infringement of the notification would attract prosecution under Section 15 of the Environment Protection Act, which prescribes imprisonment for five years or a fine up to Rupees one lakh or both. Recurrence of the offence may lead to penalty of Rupees five thousand a day.

The impact of the ban was also felt at Pushkar. The Pushkar Lake was revived. Plastic bags in the vicinity of the lake are

totally banned and the ban is applied in letter and in spirit. Any immersion of flower and other material in the lake is not allowed and in plastic bag attracts a penalty. The guides, pundits, sadhus and pandas in the area monitor that and strictly prohibit people from immersing the material especially in plastic bags. Beside that they instruct the tourist not to step on the ghat with their shoes on.

Initially the ban was successful and plastic bags vanished altogether from the town. Traders of all types either gave the goods in small cloth bags or in paper bags. But the present situation is that plastic bag is slowly re-entering the town. A little outside the town, a desert full of plastic bags, trash and garbage could be seen.

Extensive and in-depth interviews were conducted with the traders, Municipal Authorities, local residents, and customers including, tourists. The outcomes of the interview and observations are as follows:

# Views of Traders:

- According to the traders, the ban has been implemented since three years. Since then, they switched over to cloth bags, made out of left out cloth pieces. Women make these beautiful bags, generally of artificial silk, at their houses and sell them door to door in bulk to the shopkeepers. The price of these bags range from rupees two to five, depending upon their size. The trader bear the cost of these bags, but since most of the products are sold at bargained price, which is generally at a higher margin, the additional cost of the cloth bags does not pinches them.
- The store-owners and employees are well aware of the menace of plastic bags and quite convinced about the harmful effect of plastic bags on environment. Hence, most of them have accepted the ban and switched willfully to cloth bags.

- No government support or subsidy is provided to the shop owner, to promote the cloth or alternative bags. Hence, it is difficult for the small shop owners to bear the additional cost and a few succumb to cost pressure and are switching back to plastic bags.
- The traders are of the view that the tourists as well as the local residents do not carry their own bags most of the time. Hence, there is a burden on the traders to every time give the commodities in cloth bags and their cost escalates.
- Foreigner tourists find the cloth bags interesting and some of them buy these bags in bulk from the traders and sell them in their own countries. Some foreigners are so conscious they do not accept plastic bags at all.
- The Municipal Authorities or Nagar Palika conduct regular inspection on weekly and sometimes monthly basis and especially, during Pushkar mela time. The penalty on defaulters ranges from five hundred to five thousand rupees.
- Initially the ban was successful. Local people started carrying their own bags and traders gave away alternative bags. But due to laxity on the part of Municipal Authorities and rising cost of alternative bags, the impact of the ban is reducing with lapse of time. Moreover, small low-priced items and, especially, wet items are sometimes given in plastic bags or in the bags people carry. Tranzy bags for packing purposes are also difficult to dispose.

# Views of Officials of Municipal Corporation:

- Plastic bags are strictly prohibited in the lake area. All the priests, pandas have been made aware of. Even the transparent bags have been banned.
- Regular inspection is conducted and penalties are imposed on defaulters.

- Rallies have been conducted with the involvement of authorities and foreigners to spread awareness about the harmful effects of plastics. Around five lakh rupees have been spent on general awareness (street plays, announcements etc.) till date.
- The authorities are promoting reuse of plastic bags, like for making ropes, for construction of charcoal road.
- The plastic bag manufacturing factory was shut in Ajmer after the ban.
- The pollution control officer has been given control in the area. But there is no clarity regarding which types of bag have been banned making the implementation all the more difficult. Tourism makes the implementation of the ban on plastic bags all the more difficult as tourists bring plastic bags along with them.
- Lack of support of police due to which it is difficult to keep check on plastic bags.
- Penalty charge is only Rupees five hundred. Problem arises when the defaulters refuse to pay it directly and goes to court. The court proceeding amounts to a burden of three thousand rupees on the municipality.
- The nearest plastic recycling plant is in Tilonia, Rajasthan (100km from Pushkar) and hence, the confiscated plastics are lying in go downs. Bio gas plant, though proposed has not been started yet at Pushkar.
- Unlike in other States, rag pickers are not there in Pushkar to pick up the plastics dumped on the streets. Adequate numbers of sweepers are also not there. Garbage collection system is not in place due to lack of manpower. Lack of manpower or officials for regular checks and raids is there.
- Destroying plastic bags is very difficult and also harmful for the environment. There is only one pollution control board

- for Rajasthan, Madhya Pradesh, and Chhattisgarh which is located in Bhopal. Therefore, a need for a board in Rajasthan itself is necessary.
- Awareness among the citizens is essential. As long as traders give plastic bags customers will continue to take them. Traders should be willing to provide cloth bags readily. Hence a change in attitude is required. It is the joint efforts of the people, authorities, sellers and the police that will completely eliminate the use of plastic.

## Views of Local Residents:

- Most of the customers were not aware about the ban on plastic bags. No announcements were made by the government officials regarding ban on plastic bags. They got to know about it only when the traders refused to give away plastic bags. Initially the ban was successful. Within two years of the ban, they became accustomed to carry their own bags. But now plastic bags have re-entered the city. They are aware of hazards of plastic bags and reuse them as many times as possible.
- The traders generally do not give away cloth bags for low value products to the local residents. Generally for big cloth bags, traders charge them unlike in big stores and malls of Ajmer. Some of them are willing to pay extra for the cloth bag, but they then re-use the cloth bags.
- Nagar Palika is not doing their job properly, penalties are not imposed, regular inspection is not done.
- For wet or moist products like, paneer they find plastic bags convenient and are accustomed to it.

## Views of Consumers (and/or Tourists)

 Most of the people were not aware of the ban on plastic bags in Pushkar City. They do not have much knowledge about the alternative bags, neither they know how it harms the environment.

- Some of the consumers found plastic bags more easy and convenient to use. They are not habituated of carrying other alternative bags for shopping.
- Only a few traders of cotton clothes, handicraft, etc. give away cloth bags free of cost. Most of the general stores offered either plastic or paper bags. According to the tourists, the traders do not take the ban on plastic bags seriously.
- Tourists are really upset about the heaps of dumps of plastic all over the town.
- This case study indicates that though a strict ban on plastic bags can do away with the plastic bag menace in short run, a laxity on the part of authorities in monitoring the ban will bring back the menace in the society. An attitudinal and behavioural change among all the stakeholders will make the 'say no to plastic bag' a success.

#### **Major Conclusions**

The following conclusions can be drawn on the basis of the present study:

*Lack of Awareness:* People are still not aware about the menace caused by plastic bags and also about the legal notifications prohibiting the sale and use of plastic.

Lack luster Attitude of the Stakeholders towards this Issue: The case study of Pushkar clearly showed the lack-luster attitude of Municipal Authorities, traders, local residents and customers/tourists towards the issue of saying no to plastic bags. The convenience of using such bags and their cheap availability makes them an easy option for the traders as well as for the customers, making their exit from the society next to impossible.

Not Applying a Social Marketing Strategy to Deal with the Issue: Government is trying hard to deal with the menace of plastic bags by passing legal notifications and imposing fines, rather than

attempting on bringing an attitudinal change among the target audience by applying the principles of social marketing.

# Social Marketing Implications for the Decision-Makers Designing 'Say No to Plastic Bags' Campaigns

The Government and the strategy makers should take the following steps to make such a campaign successful:

#### Developing a Social Marketing Mix

A balanced emphasis on each of the elements of marketing mix, i.e., product, price, promotion and distribution will ensure success of such a campaign. Currently, States are putting more emphasis on legal notifications, bans and promotion of the idea, which is not bringing any attitudinal change among the target audience.

## Designing the Product by Giving Shape to the Idea

The idea of saying no to plastic bags or switching to the eco-friendly bags should be given shape by identifying the need of such idea, generating a concern among the target audience towards the harmful impact of plastic bags on the environment, and designing the alternatives or eco-friendly bags. Different eco-friendly bags should be designed keeping in view factors like, that they are suitable for moist products, durable, convenient to carry, stylish and suit the pockets of the target audience.

# Emphasis on Price - Both Actual and Psychological

The alternative bags should be priced such that it doesn't pinch the pockets of the target audience. Emphasis should be placed on psychological or non-monetary price, i.e., alternatives are unsuitable for wet and moist products; fear of breakage/spoilage; can't do without plastic bags since habituated to use them; and inconvenience of carrying a bag all the time whenever one goes to the market. Such fears prevent people from switching to eco-friendly carry bags.

## Promotional Strategy

The promotional campaigns should play more of educating role rather than just informing role and here also, the emphasis should be on reducing the psychological costs of people by reducing their fears associated with giving up plastic bags and also educating them about the harmful impact on environment of using them. Beside an integrated promotion mix, i.e., advertising, personal selling, and sales promotion, roping in a celebrity with great credential will definitely improve the acceptability of the idea.

#### Distribution Strategy

Eco-friendly bags are sometimes given free and sometimes charged for by the traders or stores. Stores should have a buy and return policy, i.e., if the customer brings back the bag on their next visit, money or a portion of the money will be returned to them by the store. The government can also distribute the same free of cost or at a subsidized price through NGOs, educational institutions, RWAs (Resident Welfare Associations) and volunteers going door-to-door distributing them. Beside these institutions and volunteers should encourage people to carry these bags whenever they go to the markets.

Beside these four Ps, four additional Ps should also be taken care of while designing such a campaign

#### Public

Both, the internal public (the decision-maker or policymakers in the government) as well as the external public (the traders, customers, tourists, and the general public) should be addressed to make the campaign a success.

#### Partnership

A campaign like this cannot be popularized unless different organizations join hand to make the cause successful. The Central and State government, the municipal authorities, the traders, the customer and their associations, the local residents, and the Non-Governmental Organisations all have to work together towards popularizing an environment-friendly alternative to plastic bags.

#### **Policy**

An environment conducive to the cause of a social marketing program should be built to make it successful in long run. A policy change and media advocacy programs can complement a social marketing program. Hence, penalizing the defaulters, and giving subsidies or grants to traders who give away eco-friendly bags, will also promote the cause.

#### Purse-Strings

A lot of grants and donations from the government and NGOs has to be mopped up to make such a campaign successful in India.

Hence, a social marketing strategy can be helpful in making the "say no to plastic bags" campaign successful in India.

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