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EDITORIAL

It is my pleasure to bring to you the seventh volume of *Social Change and Development.* This issue opens with an incisive piece where Nivedita Menon discusses what she terms as "the master discourse" of socialism and the grid of meanings it produces which in turn lead to the obscuring of certain critical factors facing the nation. The author takes the reader much beyond the binaries of the secular-Hindutva and secular-communal discourse and opens up new possibilities. Aditya Nigam brilliantly links the debate centred around "past forms of History "with the narrative of progress and history seen from the classical Marxist, or rather, the Leninist position. Nanigopal Mahanta reflects on the changing concepts of Security, the role of the state and the people's voices in conflict situations. He highlights human security concerns dealing with the individual and the community especially in relation to the militarization of the North-east. This is followed by two essays on Assam, one by Bhupen Sarma relating to gram sabha and planning, and the other by Niranjan Roy and Sagarika Dey which focuses on rural non-farm employment. Sarma deals with the massive paradigm shift encompassing the administrative, political and financial spheres brought about by the seventy third amendment and shows how change is finally being affected in statutory institutions which have long been in the grip of the rural elite. He, however, feels that the lack of a clear constitutional mandate has led to plenty of problems in the structure and jurisdiction of gram sabhas in Assam. Roy and Dey stress on the important role played by the Rural Non-Farm Sector in rural transformation especially in developing countries and analyses the growth and determinants of the experience of the RNFS in Assam, while Kalyan Das, in his interesting and well documented piece, draws on the

experience of labour in the tea sector in Sri Lanka and focuses on growth of small private tea firms in the island republic leading to shortage of labour and the consequent government attempts to improve the productivity of the workers and sustaining the labour intensive sector. Women collectives and matriliny form the core of Vijaylakhsmi Brara's presentation where the author, while demolishing many a myth about women empowerment in matrilineal social structures in the northeastern region of the country, argues forcefully that real empowerment of women would be possible only if such structures underwent change and acted as a means to an end rather than as ends in themselves. Saurabhi Sarma discusses women and violence as represented in the works of Vijay Tendulkar and Manjula Padmanabhan while Binoy Goswami writes about the limitation of law as an instrument of social change. Uddalak Datta in his brief note on globalization and the indigenous context, raises some pertinent issues. Finally, there is a review article by Tilottoma Misra on Mrinalini Sinha's path-breaking historical study of Katherine Mayo's *Mother India,* which brings to light ''tantalizing issues which are of contemporary relevance in India". I sincerely hope that all this will provide some stimulating reading.

Guwahati, November, 2010

Udayon Misra

OUTSIDE THE GRID OF SECULARISM: ALTERNATIVE READINGS OF THE PRESENT INDIA

Nivedita Menon*

In this paper I address the manner in which the master discourse of Secularism and the grid of meanings it produces often obscures critical factors in contemporary politics in India.

To begin with, in passing, let me offer a quick illustration that Aditya Nigam and I have discussed elsewhere at length, that is, caste. Take the fairly common reading of BSP's electoral alliances with the BJP as indicative of BSP's opportunistic support for communal politics. However, once we introduce caste into the equation, we see that another logic is at work. The secular-nationalist common-sense can see in Indian politics only a secular/communal opposition, but as far as the BSP is concerned, the secular parties in North India are parties of the Backward Castes, which (and not Brahmins) are the immediate oppressors of Dalits in North Indian villages. The BJP, on the other hand, with its largely Bania-Brahmin support base, and its initial readiness to share power with the BSP, offered the BSP the support it required. That is, the BSP, placing Dalit interests above all else, refused to participate in politics within the dichotomized secular/communal mode that claims to subsume all conflict in India. This mode presented the "secular front" as non-negotiable – you could only enter it on the terms set by the dominant partners, the OBC parties in this case, a choice refused by the BSP (Menon and Nigam 2007).

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The focus of this paper is another critical factor that is consistently obscured by the grid of secularism, that of Environment/Ecology. The first part of the paper will look at the controversy over the Sethusamudram project, in which only two positions appear possible – the anti-secular, Hindutvavadi voice opposed to the Sethusamudram project; the secular voice in support of it. The positions are clearly demarcated and irreconcilable. However, the grid that enables this reading also shapes and disciplines the field in particular ways, limiting the range of possible interpretations. I propose in this paper to lift the grid, suggesting that the Sethusamudram controversy is better read through the idea that "nature" sets limits to "economic growth".

In the second part of the paper, I will explore the manner in which Environment is produced by judicial discourse in India, consistently enabling particular notions of "growth" in opposition to other visions of life, livelihood and justice. Here secularism is not invoked explicitly, but to the extent that secularism in India has been intimately linked to a particular notion of Development, as we will see with the Sethusamduram Project, the grid of secularism works to both obscure and produce Environment in specific ways that we need to unravel.

I

The proposed Sethusamudram Ship Canal Project will reduce the shipping distance from the southern tip of the east coast of India to the northern parts of the coast, by constructing a route through the Gulf of Mannar to the Bay of Bengal. Thus, ships will be able to go northwards directly through the narrow Palk Strait between the east coast of India and the west coast of Sri Lanka, rather than swinging around Sri Lanka as at present. It is claimed that this project will save time and money for shipping companies, and is expected to radically increase the volume of traffic in that region. In order to build the canal, an underwater bridge connecting India and Sri Lanka along the Palk Strait would have to be destroyed. Depending on your point of view this bridge is either a natural

formation of limestone shoals (Adam's Bridge), which linked Sri Lanka to the Asian continent in the last Ice Age, or it was built by Hanuman's army to cross over to Sri Lanka to rescue Sita (Ram Setu).

Three petitions filed in the Madras High court, transferred to the Supreme Court, argue against the Sethusamudram Project because the planned route would cause damage to the Ram Setu, and demand that an alternative route should be adopted. There was also a demand to declare Ram Setu a "national archaeological monument" (Singh, 2007). In response, the government filed an affidavit from the Archaeological Survey of India (ASI), stating that the so-called Ram Setu was in fact a natural formation. Further, the affidavit said that the ASI is a "science and technology department", and that while "due deference may be given to the feelings of the petitioners", the issue has to be approached in "a scientific manner" (Sinha 2007). Therefore, mythological texts could not form the basis for government policy. "The Valmiki Ramayana, the Ramcharitmanas by Tulsidas and other mythological texts, which admittedly form an ancient part of Indian literature, cannot be said to be historical records to incontrovertibly prove the existence of the characters or the occurrence of the events depicted therein."[1]

In the uproar that was created by Hindutvavadi formations including the BJP opposition in parliament, two officials of the ASI were suspended, the controversial passage withdrawn from the affidavit, and the government went into over drive to limit the damage. Said the Law Minister HR Bharadwaj, "Ram is an integral part of our history and culture. Ram ki vajah se saari duniya exist karti hai. [The entire world exists because of Ram]. It is an article of faith and cannot be made a matter of litigation" (Nagi 2007).

The debate is intense. The title of one of Praful Bidwai's first writings on the issue set up the two sides with crystal clarity: "Spineless secular government retreats when fundamentalists

[1] "Scholars divided on Setu issue" *Times of India* September 18, 2007

invoke mythology" (Bidwai, 2007). Defending the withdrawn statement in the affidavit, Bidwai said that it is crucial to refute the contention that *Ramcharitmanas* provides clinching evidence that the Ram Setu is man-made. Otherwise, it means "giving in to the idea that faith must always trump history, archaeology, even geology - which explains the existence of natural formations like Adam's Bridge - and accepting that the project must be scrapped because of myths and scriptures, not fact" (ibid.)

This is what the grid of Secularism does – produce a field in a particular, limited, tragically predictable way. So completely does the opposition of secular/communal shape theorising on Indian politics, that ideas or actors that actively constitute themselves outside of this polarity fail to be seen independently of it. Lifting off the grid often reveals a more complex field structured by some critical factor rendered invisible otherwise – in this case, that factor is ecology.

Why does the question of ecology remain invisible despite its vocal invocation throughout the debate? How is the grid of Secularism able to excise ecology from the field of vision? To answer these questions, we need first to recognize that secularism in India, that is, Secularism as a principle of state-craft,[2] is not limited to the relationship between state and religious community. I have argued elsewhere (Menon 1998), extending the insights of Partha Chatterjee and Ashis Nandy, that secularism in India served the purpose of mediating three key aspects of the anti-imperialist and modernizing project of the Indian elites - a) bourgeois democracy, which here was about the inter-relations among communities, individual citizens and the state at different levels b) the capitalist transformation of the economy through the creation of the mobile unmarked citizen and c) social justice, to the extent that equality in a formal legal sense (for example, through the abolition of untouchability and caste discrimination) was necessary for the first two.

[2] Elsewhere, with a co-author, I have made a distinction between *Secularism as state-craft* and *secularism as a value* (of non-discrimination, acceptance of difference, mutual respect). See Menon and Nigam 2007

Thus, Indian secularism is an integral part of the modernizing, nationalist project to build capitalism. Therefore, it is intimately tied to a particular idea of Development and Progress. To question the latter is apparently, to question secularism itself.

Let us look at the main secular argument once again – that the bridge is not "man-made" but natural. As Bidwai noted approvingly, the ASI affidavit quotes studies by the Space Applications Centre, Ahmedabad, which "conclusively" show that the Setu formation is "purely natural". Claims by Hindutvavaadis that the imagery collected by the US National Aeronautics and Space Administration (NASA) proves that the structure is "man-made" are refuted by the ASI, backed by the NASA, with the argument that remote visual images are not sufficient to establish the origin of the structure. Further, a study conducted by the Geological Survey of India around Adam's Bridge, based on drilling holes into submerged rocks, also found "no evidence" of man-made structures. It revealed three cycles of sedimentation of clay, limestone and sandstone - a natural phenomenon that occurred thousands of years before humans settled in peninsular India (Bidwai 2007).

The discourse of science is thus effectively mobilized to establish the true "history" of the formation as natural, therefore not made by human beings (or "men" as they are popularly known); as opposed to the "myth" that a real living Ram, and real living beings, *made* it with their hands. The equation here appears to be Scientific History (natural formation) versus Religious Myth (created by humans).

The contestation continued with the tabling in Parliament in December 2008, of a government publication. *Images India*, published by National Remote Sensing Agency (NRSA) that comes under the Department of Space, says that satellite images have revealed an "ancient bridge between India and Sri Lanka in Palk Strait...Its structure suggests that it may be man-made…This has an echo in the ancient Indian mythological epic, the Ramayana…Studies are still on but the bridge is seen as an

example of ancient history linked to the Indian mythology" (IANS 2007).

The revelations in the book, with a foreword by Indian Space Research Organisation (ISRO) chairman G. Madhavan Nair, are of course, contradictory to the government stand so far. The BJP was jubilant - "Finally, science has prevailed upon the politics of Congress. Now they have to accept the scientific evidence and…must accept not only Lord Ram but also Ram Setu," a party spokesman Prakash Javadekar told a news agency (IANS 2007). On the website *hindujagruti,* two kinds of arguments are given for why Ram Setu should not be damaged – "spiritual" and "physical", the latter refer to ecological factors.

Thus, while the discourse of Secularism continually counterposes "their belief" to "our facts", what is striking here is that Hindutvavadis, far from invoking "faith" and "belief", are in fact insistent that the structure is "man-made" (amenable to historical proof, precisely *not mythical*) and that it is *not* natural (made by God). Thus both secularists and Hindutvavaadis claim science will determine whose version of history is the true one. It is also revealing to consider what the secularist response would have been if the evidence of science had shown that the reef was indeed "man-made"- the debate would have continued on whether the "man" involved was Ram.

What is at stake for secularists in insisting that the canal project be permitted to continue? Nothing less than Development. As we noted earlier, the claim is that the canal will increase shipping traffic through the Palk Strait, and save ships time and money in moving from the west coast of India to the east. Why should a commitment to secularism entail a commitment to this goal? Why is it implied, even by a writer as sensitive to ecological issues as Bidwai, that if a structure is *merely* natural, built up over millennia, it is secondary to the larger interest of development? On issues like the Indo-US nuclear deal, he is among the few anti-nuclear activists across the world who, untrammeled by national identity, oppose not just the bomb, but nuclear energy as well, for ecological

reasons. It seems to me he is able to do this only because the latter issue is not viewed through the grid of Secularism. However, one must also note here that the article discussed above was apparently only his immediate reaction to government withdrawal of the ASI affidavit, a reaction produced precisely by the codes of the secular/communal polarity. Very soon afterwards, his signature was on a statement by civil society organizations protesting the project on ecological grounds, which I discuss below. The point however, remains – the grid of Secularism is overwhelming in its capacity to structure the field of debate.

While "science" has been invoked by both sides (the struggle over interpreting data produced by NASA, for example), another equally scientific voice has been marginalized and ignored. For example, in a national daily, on the same day as a set of stories titled "Ramayana no basis for Ram Setu: ASI", "Faith versus necessity", "Lord Ram is back on BJP agenda", "Nervous government chants 'Ram Naam'" and so on, was one titled "Recipe for disaster: scientists"[3] It quoted tsunami experts warning that the destruction of the millennia-old limestone shoals would be disastrous for the ecology of the coast. Adam's Bridge is held to have deflected the fury of the tsunami in 2004, forcing it back into the open ocean. This story stands independently by itself, and none of the other stories, each one about the interrelation between religion and politics, refers to it. This perspective has not come up before the Supreme Court so far either, and no political party takes it into account.

Of course, as we will see in the second section of this paper, given the history of the Supreme Court over the 1990s, even if the question were to come up before it, the outcome seems predictable. Ecological concerns about the canal project seem doomed to be dismissed out of hand by the Court. But we will come to this aspect later.

[3] *Hindustan Times* September 13, 2007

When the grid of secularism is lifted from this debate, an alternative reading is enabled of the "facts" of science and history, in which religion is no longer a relevant factor. Significant alternative voices from within science emerge that are rendered invisible by the grid. The "facts" from this position now tell us that the Sethusamudram Project would be an unmitigated ecological disaster. More importantly, this alternative reading of the "history" of the reef as a natural formation, gives the reef *greater* value, not less.

An instance of a position like this is a website, *sethusamudram.info*, which has as its tag – "No Ram - no Ram Sethu – let's save our environment." This site says it is "dedicated to bring out an unbiased version of information related to Sethusamuthram shipping canal project (SSCP). It is not about Religious Sentiments or Economic projections. It is the Ground Reality, Environmental aspects and Livelihood of thousands of Fishermen and the Benefit of the People of Tamil Nadu that should drive the Project."

It takes a clear stand on myth as distinct from history, deplores the caving in of politicians to the communal BJP, offers Tamil versions of the Ramayana in which Ravana is the hero, but is firmly opposed to the Sethusamudram project. Apart from privileging local interests (Tamil Nadu) over the national, the site additionally, highlights another neglected aspect - the concerns of Sri Lanka. Apart from general ecological questions, Hemantha Withanage expresses concern about the fact that 35% -70% of the fish stock for the Sri Lankan side comes from these coral reefs (http://sethusamudram.info/content/view/64/38/). Thus this site puts environment-with-people first (as opposed to bourgeois environmentalism in which something called Environment refers only to "nature" devoid of people), refuses national borders, and offers an alternative secularism detached from state-craft, the nation-state, and Development. This is secularism with a small 's', which is not a master discourse.

A statement by civil society groups, people's movements, human rights organizations and concerned individuals put out a statement

in September 2007 which said: "The Sethusamudram Project was introduced by the BJP while they were in power at the centre without considering the ecological and human problems. The Sethusamudram Project will endanger a rich biosphere reserve with 400 endangered species, including sea turtles, dolphins, dugongs and whales. The project will destroy the livelihood of 15 lakh people who depend on fishing and allied areas in the waters where the canal will be dug. Several fisher people's organisations and human rights groups had protested against the project for a long time without getting any recognition from the mainstream political parties" (http://communalism.blogspot.com/2007/09/condemn-killings-condemn.html Downloaded May 4, 2008).

In an email message on the WaterWatch list, retired Major-General SG Vombatkere, formerly with the Corps of Engineers of the Indian Army and an activist on environmental issues, wrote: "It is piquant that those who now oppose the Sethusamudram Project on religious grounds have gained media attention and those who have from the outset been opposing it on grounds of human displacement, ecological reasons and even on economic viability grounds have been side-lined and forgotten. The displacement of thousands of fisher folk and their loss of livelihood and the undoubted environmental damage that will occur due to dredging the channel to create a canal do not need elaboration, except to say that if these costs are taken into consideration, the project may actually prove economically unviable."

He points out that no economic feasibility report has been submitted to the public domain, and outlines a number of factors due to which the project is unlikely to be economically viable (Vombatkere 2007).[4]

[4] Others too have argued that claims about the economic benefits of the SSCP are exaggerated. See Jacob John "Sethusamudram Canal: An Expensive Voyage?" *Economic and Political Weekly* July 21, 2007

T T Sreekumar identifies two "metanarratives" at work in the India debate (which displays, he holds, "an astonishing ignorance and/or indifference about the decade long deliberations on the topic by social, environmental and human rights movements, scientists, writers, intellectuals, artists and fisher communities in Sri Lanka") - national security and/or economic angle and the Hindutva view (or what I have called the secular-nationalist perspective.) Disappointed in the CPI (M), he writes: "Against the grain, I want to believe that the old leadership of that party might have wanted to oppose it on internationalist and environmental principles" (Sreekumar 2007).

Despite such a long history of hesitation about the project (the idea was first mooted in the 19th C by a colonial official), and strong views expressed against it in Sri Lanka and India on the sorts of grounds outlined above, over decades as well as with greater urgency over the past year, all that is permitted to be visible in public discourse is the debate over the historical existence of Ram. Last heard, in April 2008, the question being pondered in the Supreme Court was about whether the Ram Setu is actually a place of worship, as claimed by the petitioners – "Who does puja in the middle of the sea?" the Bench remarked skeptically (Mahapatra 2008).

And so the grid of secularism does its work, automatically reproducing, regardless of the complexity of the field, an unthought-through polarity - (secular) "scientific fact" and "development" to (anti-secular, anti-modern) "myth and belief". It is clear that a victory for "secularism" in this debate is a defeat for the future of life on the planet.

II

In the second part of this paper I will draw your attention to the manner in which even as ecology and environmental concerns are rendered invisible in issues such as the Sethusamudram Project, a notion of Environment has emerged from state discourses that is

deeply problematic. A careful study of PIL in the 1990s reveals that the Supreme Court consistently took distinctly different stands on "Environment".

In one kind of context, "environment" began to be invoked as something to be protected:

a) The leisure and lifestyles of the urban middle classes

Thus, in cases where the government, under democratic pressure, withdrew or postponed an unpopular measure such as slum demolitions, the courts have rapped it on the knuckles for failure to protect the environment. In 1999, in response to a PIL, a court-appointed committee had recommended the demolition of jhuggis in a Delhi locality because of the 'unhygienic' conditions it produced. The government did not move on this order because of its inability to find an alternative site for relocating the people who lived there. In 2006, the Court hauled up various government authorities for contempt of court, and demolitions were carried out forthwith (Menon and Nigam 2007: 75).

In another chilling response in 2006 dismissing a PIL against the demolition of slum clusters that supposedly pollute the Yamuna river in Delhi, during the course of which lawyer Prashant Bhushan claimed the right to shelter as a fundamental right, the Supreme Court (Justices Ruma Pal and Markanday Katju) observed:

'Nobody forced you to come to Delhi. Is there a right to live in Delhi only? Stay where you can. If encroachments are to be allowed on public land, there will be anarchy' (Leena 2006).

b) Forests and wildlife, over which the state is to be the sole authority.

Once an area is declared a National Park or sanctuary, forest communities that have lived in and sustained forests for

generations, overnight become illegal encroachers. It is in this context that we must understand the particular principle of international environment law that the Supreme Court has integrated into Indian environmental jurisprudence - that of "the state as trustee of all natural resources", understood by some scholars as an advance towards recognizing the importance of the environment.

Since 1996, the Supreme Court of India has assumed the role of the principal decision maker on issues relating to forests and wildlife through its intervention in two cases, the T. N. Godavarman Thirumulkpad vs Union of India and ors concerning the implementation of the Forest Conservation Act, 1980 and the Centre for Environmental Law (CEL), WWF vs Union of India and ors concerning the issue of settlement of Rights in National Parks and Sanctuaries and other issues under the Wildlife (Protection) Act, 1972.

These cases are being heard since 1995 and are a part of what is termed as "continuing mandamus", whereby the Court, rather than passing final judgments, passes orders and directions in order to monitor the functioning of the executive. These have led to fundamental changes in the pattern of forest administration and decision-making. As a result of such orders, no forest, National Park or Sanctuary can be de-reserved without the approval of the Supreme Court; no non-forest activity is permitted in any National Park or Sanctuary even if prior approval under the Forest (Conservation) Act, 1980 has been obtained; the removal of any dead or decaying trees, grasses, drift wood etc. from any area comprising a National Park or a Sanctuary is prohibited. (http://www.forestcaseindia.org/join_form April 21, 2008)

The question of who is an "encroacher" and who is not is a very complex one given the differing histories of peoples in different parts of India, and each of these orders is a blow to the traditional livelihood practices of forest communities, in effect rendering their everyday lives illegal overnight. An Interim Order of May 2002 resulted in several state governments launching eviction drives

against "encroachers" on forest lands, fearing action for contempt by the Supreme Court against them. The Assam forest department used elephants to raze down hutments and homesteads on land recorded as forest. In Maharashtra tribal families were evicted from farms with standing crops. Scores of houses were destroyed and hundreds were rendered homeless ("Deep in the Woods" Down to Earth January 15, 2003. Available at http://www.downtoearth.org.in/full6.asp?foldername =20030115& filename=anal&sid=8&page=2&sec_id=7).

On the other hand, when Environment is seen to come in the way of "development", then it is not to be protected. It is assumed that the "environmental cost" will simply have to be paid, and the local people will be pacified with "developmental measures" with which the poor in India are drearily familiar. That the currency this cost is being paid in, is drastically limited, and fast running out, is not under consideration at all.

As the logic of corporate globalization took hold of the Indian elites, PIL petitions that challenged large infrastructure projects and urban development/"beautification" projects because of their human costs and on ecological grounds were met unfavourably by the Courts. In these instances, judicial discourse spoke in the voice of the developmentalist rational state, valorizing the voice of "experts" and ignoring the pressures of democracy altogether.

Petitions on environmental grounds against the Tehri Hydropower Project and the Konkan Railway in the 1990s, and the Narmada Valley Project in 2000, were dismissed by the Supreme Court. When the rights of National Thermal Power Corporation to set up a super thermal plant was disputed in 1992 by adivasis claiming customary rights to the land NTPC had acquired, the Supreme Court allowed NTPC's claim "in the national interest" (Upadhyaya 2000).

"Development" since the 1990s has also a new dimension, that is, the consciousness of Delhi, Mumbai and other metropolises being "world cities" with world class infrastructure – good roads,

flyovers, smooth traffic, malls and multiplex entertainment places. This imagination overwhelms "environment" questions. Thus in December 2006, the Supreme Court refused to issue a stay order on construction at the Vasant Kunj Mall site in Delhi. This, despite an affidavit from the Ministry of Forests and Environment that the topography of the site is similar to that of a ridge, requiring that environmental impact of construction should have been assessed beforehand. The judgement held the Delhi Development Authority culpable for having auctioned the site without requisite clearances, but held also that since the corporate entities involved in the construction were not aware of this fact, they should not be penalized. (Express News Service 2006). Construction is on in full swing, while conservationists have filed a review petition. Meanwhile delaying tactics of the developers of the mall to summons from environmental watch bodies of the government, ensure that it will be too late to reverse the decision even if incontrovertible evidence were to emerge that there is irreversible ecological damage.

I have termed this formula evolved by the Indian judiciary as "Environment trumps People, but Development trumps Environment".

Of course, as we have seen, the judiciary and the government do not form a monolithic whole, nor do they work in tandem. Equally importantly, it is not always the same judges who take a particular kind of decision, and often we find such judgements from lower courts as well. How is it that particular outcomes seem to be assured once issues are taken to court? What are the processes that enable this to happen?

In order to address this question, we must first consider the assumption that the "state" and "society" are distinct spheres, which is the founding myth of the modern political order. Through this myth, the state and its institutions are seen as governing society, which stands apart from it. If however, we recognize the boundary between state and society to be indistinct, the "state" is no longer one coherent actor, but is shot through by extra-

institutional loci of power. Similarly, law, as one of the institutions of the state, may seem to exist as an "abstract, formal framework, superimposed above social practice" but in fact "the mundane details of the legal process" are all "particular social practices" (Mitchell 1991:94).

After Foucault, we are compelled to see the state as "but a temporary expression of a ubiquitous will to govern…There is no overarching source of authority…only a will to govern that runs through the polity at large and which produces multiple loci of power" (Bartelson 2001:179). And of course, in Foucault's understanding, modern forms of power do not simply oppress, they produce and regulate identity. An important technique by which this is achieved, is precisely, Law. From this perspective, while "rights of the poor and disadvantaged sections" may sometimes be protected by law, the function of the law is certainly not to do this.

To return then, to the question of how particular outcomes seem to be certain once an issue is taken to court, Nikolas Rose poses the question this way:

"How is it possible for the calculations, strategies and programmes formulated within such centers [of government] to link themselves to activities in places and to activities far distant in space and time, to events in thousands of operating theatres, conferences, bedrooms, classrooms, prison cells, work-places and homes?"

His answer is "translation" – Rose uses the term "translation" to describe the relations between micro-practices of *government* ("where authorities of all types exercise their powers over the conduct of others") and what we may call *Government* (legislature/executive/judiciary).

It is through translation processes of various sorts that "linkages are assembled" between Government and the micro-practices of government (Rose 1999:48). "Rule 'at a distance' becomes possible when each can translate the values of others into its own terms,

such that they provide norms and standards for their own ambitions, judgements and conduct" (Rose 1999: 50).

Further, Rose suggests that certain ideas serve to ground, at certain times, "the abstract problematics of rule" (ibid). In the early twentieth century, he says, the notion of "national efficiency" performed this function; in the 1980s in Britain it was the notion of "enterprise".

I suggest that a critical idea that performs this function in the late-20th to early-21st century, globally, is Environment. We must read judicial intervention in the 1990s and after in India, in this context. In an era of corporate capitalist expansion, discourses of Environment serve the Green Judiciary to translate into local contexts, the global will to rule.

In this context, Thomas Lemke has pointed out that the discourse of "sustainable development" is central to "the government of new domains of regulation and intervention":

"One important aspect of the 'new world order' is the reconceptualisation of external nature in terms of an 'ecosystem'. Nature, which once meant an independent space clearly demarcated from the social with an independent power to act, and regulated by autonomous laws, is increasingly becoming the 'environment' of the capitalist system…In an age of 'sustainable development', previously untapped areas are being opened in the interests of capitalization and chances for commercial exploitation. Nature and life itself are being drawn into the economic discourse of efficient resource management" (2002:55).

The key idea here is "regulation" – the environment is to be regulated in the interests of long-term extraction. Within this perspective, even renewable sources of energy are envisaged as ensuring endless consumption; there is no sense that assumptions about consumption, urbanization, and so on will have to be drastically rethought. A characteristic statement illustrating this perspective is Barack Obama's Inaugural address, in which he

declared poetically, "We will harness the sun and the winds and the soil" - to what end? "To fuel our cars and run our factories"![5]

In conclusion then, let me say that I hope through this exercise to have revealed strands of arguments and interpretations not immediately amenable to being recovered within secular-nationalist narratives. This move clearly has the disadvantage of dissolving familiar markers, but the unfamiliar landscape may prove to be more productive for new ways of rethinking our future.

(This paper is an expanded and revised version, drawing on two presentations made in 2008 – one at a conference felicitating Professor Rajan Gurukkal at Mahatma Gandhi University, Kottayam, and another at a conference on The Judicial Nineties by the Alternative Law Forum in Bangalore.)

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GENEALOGIES OF GLOBALIZATION: UNPACKING THE "UNIVERSAL" HISTORY OF CAPITAL

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With the battle over "industrialization" in West Bengal intensifying, the CPI(M) general secretary Prakash Karat evoked the memory of a supposedly heroic Marxist encounter with the Narodniks in 19th century Russia (Karat 2007). In a note at the end of an article published in the party newspaper, Karat defines the Narodniks thus:

> "Narodniks in late 19th century Russia believed that with the overthrow of Tsarism, a traditional village based communal system could go towards socialism. Considering capitalism and industrialization regressive, they idealized the old peasant-village economy. Ultimately they resorted to individual terrorist actions against the Tsar and lost the sympathy of the peasants who were horrified by their actions."

This description of the Narodniks is revealing in more ways than one – not the least of these being the figure of the "Maoist" or the "Naxalite" lurking somewhere in this re-presentation of a nineteenth century Russian phenomenon in twenty-first century

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India. One should not miss the references to "going over to socialism", bypassing capitalism and industrialization or to "individual terrorist action". Anybody even vaguely familiar with Mao"s *Critique of Soviet Economics* and his insistence on China bypassing the capitalist path, should be able to see the resonance of this "Narodnik" idea in the very history of third world Marxism. The CPI (M) has always been uncomfortable with this position, but it never really mattered till recently, when it actually became a practical question.

It might be worth recalling that in the final years of the nineteenth century, Lenin had affected a final closure to that debate, arguing that capitalism and industry were inevitable (Lenin 1899/1977).

West Bengal Chief Minister and politburo member Buddhadeb Bhattacharya repeated the article of faith about the inevitability of industrialization and capitalism in his response to Marxist historian Sumit Sarkar's critique of Bengal's industrialization policy. Bhattacharya said: "The process of economic development evolves from agriculture to industry. The journey is from villages to cities." In a more dramatic assertion of this faith in the historical inevitability of capitalism, he underlines that "*it is incumbent on us to move ahead, otherwise there will be the end of history*."[1]

Let us remind ourselves that what is at work here is a certain narrative of Progress and History that derives from a certain rendering (or reading) of Marx. This narrative involves a well-entrenched notion of what we might call the "universal history of

[1] See Buddhadeb Bhattacharya, "Thousands of young people want jobs…they will shape the country"s future", *Indian Express*, 19 January, 2007, p. 11. For Sumit Sarkar's critique, see "A question marked in red", *Indian Express*, 9 January, 2007. p. 11. It is interesting to note that the term "Narodnik" has been made into such a word of abuse among Marxists that even Sarkar and other Left critics thought it necessary to clarify recently in a press conference, upon their return from Nandigram, that they were Marxists and not Narodniks.

Capital" – a notion shared by both bourgeois economics and this particular brand of Marxism. Economics, as a discipline is of course so thoroughly constituted by capital and capitalism (for which "socialist economics" is destined to remain an oxymoron), that there is no way of producing an "economically rational" argument against capital. We can leave this matter for the time being, as that is not our immediate purpose here, though this is something for any future socialist project to ponder over very seriously.[2]

It is true, however, that a very real problem faces the Left Front and the CPI(M) in West Bengal – as indeed it does the Left in South Africa, Brazil, and now many other parts of the South American continent: how to produce more livelihoods that do not merely stop at reasserting the value of simple subsistence economies. Whether wage-slavery and "jobs" in the bourgeois sense of the term are the best option is of course, open to question. I will also insist here upon the recognition of a trivial historical fact that every child knows but no adult dare acknowledge: as far as unemployment goes, industrialization is the problem rather than the solution. Marxists apparently knew this long ago but seem to have forgotten it since. For instance, in 1938 a publication of the Communist Party of Great Britain noted:

> "Unemployment is a problem as old as the industrial system itself…The fact that the workers need employment in order to live finds no place in the consideration of the employing class when they hire workers."[3]

[2] "Socialism" here must be understood as a project, a search for a world beyond capital, rather than any specific historical form. It is this sense, I believe, that animates the formation of something like the "Movement for Socialism" in Bolivia, whose leader Evo Morales was recently elected President. The Movement for Socialism is like most other South American new Left formations (e.g. the Zapatistas), a movement of the indigenous people rather than a classically Marxist and modernist one.

[3] See, Wal Hannington (1938), *A Short History of the Unemployed*, Victor Gollancz Ltd, London.

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Remember the "industrial reserve army" that Marx talked of? This all-too-obvious link between industrialization and unemployment has now been forgotten by most Marxists, lost under the accumulating deposits of (bourgeois) economics, might one say? Unemployment is created by capitalism and industrialization, and yet they are blindly assumed to be the solution to a problem they necessarily create. The problem of "unemployment", as we will see below, is the fundamental axis around which the current crisis of the Left and of labour movements revolves. The time has come, therefore, to take a closer look at this crisis. In this paper, I wish to argue for a re-reading of Marx as a critical historian of capital and a reassessment of his legacy. I also wish to re-read the received history of capital, in order to interrogate the common sense that has come to dominate our understanding in this respect.

The Mobility of Capital

It may be worthwhile to remember that the current crisis has to do with *the extremely heightened mobility of capital alongside an equally extreme immobility of labour*. We have seen in our own experience how this works against labour struggles. Pre-World War II capitalism was fixed to *place* and was relatively far more immobile, given the predominance of the large factory system. Earlier successes of the working class movement were based on this fact: just like the landlord was tied to the land, so was the capitalist. The situation has changed fundamentally now with global production circuits, subcontracting and flexible forms of industrial organization.

Let me take just two instances of how this earlier immobility of capital has both affected and been affected by the workers' movements. One is the militant workers' struggles in West Bengal in the late 1960s and early 1970s. It is well-known that it was precisely the militancy and the immediate success of those struggles that led to one of the most significant impulses for deindustrialization and massive flight of capital to relatively peaceful states elsewhere in the country. So devastating was the

consequence of this flight (in terms of aggravating the unemployment situation and the weakening of even simple wage struggles) that by the time the Left Front (LF) government assumed power in 1977, it had learnt a lesson: henceforth, it would reign in workers' militancy and try to lure capital back into the state. Only rapid industrialization would be able to provide jobs to the unemployed and for that capital was indispensable – so the LF and the CPI (M) argued. Consequently, capital now finds itself strong enough to dictate terms. So powerful has been the hold of this imagination that the Marxist-led government of the state has decided to dispossess the peasantry and acquire huge tracts of agricultural land for making them available to capital. This is the logic that lies behind the whole range of new developments from Singur to Nandigram, which has been rehearsed once again in Bhattacharya's letter to Sarkar.

Two, take another, global example. Consider the debate on the social clause more closely. Contrary to what many marxists believe, the "social clause" in not just an imperialist conspiracy, meant to browbeat something called the "Indian nation" – or third world nations – into submission. A closer look will immediately make it clear that this move of the Western governments was and is solidly backed by the trade union and labour movements in those countries. And the entire position of northern/western trade unions and left wing groups in favour of higher labour standards for third world workers has all along been propelled by the need to prevent "their own capital" from moving out.[4] There have been instances of extreme abjection where some sections of German

[4] That this is not even a position widely shared by "capitalists" and their spokespersons is also equally revealing. See for instance Lou Dobbs (2004). Dobbs, who hosts CNN's *Lou Dobbs Tonight*, has been scathing in his television programmes as well as in this book against the attempts to outsource America's jobs to Asia. He sees this as an assault on middle class Americans and all this while claiming "I am a lifelong Republican…I am a capitalist…I have not only been a journalist for three decades but also an executive, a businessman and an investor" (Dobbs 2005: 5).

workers, for example, even took wage-cuts to prevent "their capital" from moving out to Asia.[5] When the Western governments placed the demand for including labour standards as part of international trade agreements, this was the imperative they were addressing – given the high social and political costs that heightened unemployment can have.

In both cases, the abjection of the working class was a direct consequence of its past victories. Equally importantly, it was a consequence of the flight of capital: It is worth underlining that beyond a point, capital did not fight back, it simply withdrew, it fled, and thus deprived the working class of its "foundation", namely wage slavery. In a sense, the move from old-style Fordist methods of organization to post-Fordist ones has also been impelled by the same logic: it was becoming extremely expensive to keep workers employed and pay for their upkeep even in times of recession, or to keep up inventories of stocks, raw materials and so on. More to the point however is the fact that those modes of organization tied down capital to a particular place. If capital had to acquire mobility and flexibility, then it had to restructure in a way that it could "farm out" work and simply keep control in its own hands.

It is worth keeping in mind that through the 1970s, 1980s and early 1990s, manufacturing units relocated to third world countries in a big way and it was only much later that services and call centers started moving out. If we look carefully we can see that in an immediate sense, this relocation was the consequence of at least three factors:

Firstly, the *profit squeeze* that capital had been facing during the postwar years of Keynesian welfarism and the New Deal, due to high wages and social security – in other words, *high labour costs*.

[5] See Samuel Brittan, "Globalisation depresses western wages", http://dictionary.reference.com/browse/oxymoron, accessed on 9 November 2006

Secondly, the intense *crisis of accumulation* that surfaced as high labour costs combined with strong environmental regulations, making corporations not only pay more (for cleaner technologies and the like) but also making them answerable to local communities for their air, water and other resources. It is important to keep in mind that *both these costs have been imposed on capital accumulation by the strength of movements* – in one case the labour movement (and the postwar attraction of the idea of socialism); in the other case, the powerful ecological movements that have made the states enact laws and take action.

There was a third factor as well, which falls chronologically speaking, between the first and the second and whose effects were first felt in the United States of America. This was the rise of Japanese corporations like Sony, Toyota and Nissan on the one hand and European corporations on the other, which created unprecedented pressures on US companies like General Motors, Ford and Chrysler – in a range of consumer manufactures leading to widespread closures and "deindustrialization". It is estimated that disinvestment and relocation of industries, in the 1970s alone, in the US led to the disappearance of thirty-two to thirty-eight million jobs (Bluestone 2003: ix).

And so it transpires, capital is not the sovereign, all-powerful entity that we think it is. It has acted on each of these occasions under pressure from the labour, environment and other movements. Moreover, its move to relocate operations in the third world – where there is no infrastructure (abysmal power situation, bad roads), interfering governments and where everything becomes easily politicized – *is primarily a result of its crisis. It is fugitive capital that has run away from one part of the world.*

Yet, such is our conditioning as victims that we fail to see the strengths of the movements that challenge capital. The reason that makes the LF government of West Bengal or the Communist government of China woo capital and that makes western trade/labour unions demand universal labour standards and take

wage cuts, really happens to be the same: *The complete dependence of labour on capital*. And yet, this dependence is not a natural fact; nor is it something ordained by something called History (with a capital H).

"Universal" Capital

Let us be clear however, that what we are dealing with here is not merely an out-of-date Indian edition of marxism which is yet to free itself from this universalist narrative of capital. This idea of capital and capitalism constitutes pretty much the dominant orthodoxies of economic and of global financial institutions. It should also be made clear at the outset that here we are concerned with the discursive object called "Capital" (and "Capitalism"), that is the concept, rather than the thing-as-such and this concept has colonized our minds for close to two centuries. To borrow a statement from Gibson-Graham, "it is the way capitalism is thought, that has made it so difficult for people to imagine its supersession." I will argue that there are two different or alternative discursive constructions through which this hegemony is exercised.

First, the marxist, "Progressivist" discourse of History and "Capital" as its agent that unites the whole world into a new and modern universe, leaving behind the parochialisms and particularisms/ narrow-mindedness of pre-capitalist existence. In this rendering, which suffuses the *Communist Manifesto* and many other Marxian texts, we see capitalism performing not merely an economic function but also a world-historical one of bringing all history-less peoples and societies into the orbit of history and civilization.

Second, the bourgeois economist discourse, which makes no such world-historical claim, but bestows a kind of eternal quality to "capital" and the "market". In this construction, capital and market (used as terms that *necessarily* go together) appear as the most *rational* forms of economy: Market as the embodiment of economic

and indeed some ontological Rationality. In some versions, it will even be claimed that these are the most natural forms as well, since they conform to a "natural" human propensity to maximize self-interest.

Both these discourses underwrite "Capital" as the Agent of Historical Progress and/or normatively desirable in different ways. For the present, I shall be concerned here with the first of these, assuming that the second does not really require any serious challenging except for those – capitalists and their hangers-on – who benefit from this dispensation. There are elements of the second discourse that will automatically come under scrutiny as we proceed with the first.

The idea of capitalism's inevitability virtually assumes the dimension of a Teleology whose enchantment or seduction is impossible to resist – especially for Marxists. So much has this teleology come to determine our idea of capitalism that we literally begin to see capitalism as immanent in society from its very beginnings – the very day human beings begin to enter into relations of exchange.

Thus for instance, Fernand Braudel states: "I have argued that capitalism has been potentially visible *since the dawn of history*, and that it has developed and perpetuated itself down the ages…(cited in Richard Lachmann 2002: 44). Referring to the "Industrial Revolution" and the "formidable transformation" wrought by it, he claims that "capitalism remained essentially true to itself" and what Marx, Weber and their successors describe as the beginnings of capitalism in sixteenth-century England was really no more than a "shift…from the Mediterranean to the North Sea represent[ing] the victory of a new region over an old one" (Lachmann 2002: 43).

It is interesting that not merely someone like Braudel but even those who have lately been involved in writing alternative histories of capitalism, seriously challenging the received Eurocentric

wisdom of Marx, his contemporaries and his followers, have resorted to this narrative of capitalism as a sign of Progress and Modernity. Thus, for John M. Hobson it is not enough to make the important claim that from 500 CE onwards, "the Persians, Arabs, Africans, Javanese, Jews, Indians and Chinese created and maintained a global economy down to about 1800", in which major civilizations of the world were at all times interlinked (hence his term "oriental globalization"). It is also not enough to underline that during this earlier globalization, the various regions were governed by rulers who provided a pacified environment and kept transit taxes low in order to facilitate global trade. It is as though it is almost mandatory to also claim that many of the methods and institutions that were put in place for ensuring the above, were *capitalist*. Thus he goes on to say: " *a whole series of sufficiently rational capitalist institutions were created and put in place after 500 to support global trade."* (32, emphasis added). Hobson cites Janet Abu-Lughod to underline the above point: "Distances as measured by time, were calculated in weeks and months at best, but it took years to traverse the entire [global] circuit. And yet goods were transferred, prices set, exchange rates agreed upon, contracts entered into, credit – on funds or on goods located elsewhere – extended, partnerships formed, and obviously records kept and agreements honoured" (32). And this is said as though it is self-evident that these are the signs of capitalism.

Let me take another instance, nearer home. Jairus Banaji, in a fascinating recent essay, *Islam, the Mediterranean and the Rise of Capitalism*, undertakes, it seems to me, a twofold task: (i) that of writing an *international* history of capitalism and thereby rescuing it from what Sweezy once accused Maurice Dobb of, namely passing off the West European transition experience as the history of (world) capitalism as such. (ii) Equally importantly, rescuing Islam from the West-imposed stigma of being a "backward" religion. In doing so, Banaji traces the history of "mercantile capitalism" in the Arab world through the 9th to the 14th centuries in order to show that Islam and the Islamic world was indeed a pioneer of capitalism, for that alone would rescue it from the

stigma of backwardness. He therefore says: "But when these joint-stock companies [i.e. the Dutch and English East India Companies] were formed on the eve of the 17th century, they in turn built on the legacies of earlier and possibly less internationalized forms of merchant capitalism whose origins lie – in Europe around the 12th century, and elsewhere – in the Islamic world and China – even earlier." Continuing further on the "Arab Trade Empire", Banaji says:

> "Concepts of profit, capital, and the accumulation of capital are all found in the Arabic sources of the 9th to 14th centuries. For example, Shāfi'ī (d. 820) defines the function of partnership as the "expansion of capital" (*namā' al-māl*). *Al-māl* was primarily capital not money, and whenever it is translated as "money" it means capital in money-form or money-capital. Again, discussing the discretion allowed to agents under *commenda* agreements, Sarakhsī (d 1090) writes, "the investor's aim in handing over the capital to him [the agent] is the achievement of profit". In another passage where he defends the usefulness of such contracts, Sarakhsī says the contract is allowed "Because people have a need for this contract. For the owner of capital may not find his way to profitable trading activity, and the person who can find his way to such activity may not have the capital. And profit cannot be attained except by means of both of these, capital and trading activity". A later writer Kāsānī (d. 1191) distinguishes the "creation of capital" from its further expansion, arguing "the need for the creation of capital takes precedence over the need for its augmentation" and defining partnerships as a "method for augmenting or creating capital" (*tarīq namā'al-māl aw taḥṣīlihi*)."

Banaji claims further that the fact that "this vocabulary was part of the wider cultural world of Islam and not confined to the legal schools is shown by other writings." He cites the tenth-century geographer al-Iṣṭakhrī as saying of the traders of Fars in southern

Persia that they had a "passion for the accumulation of capital" (*maḥabbat jam'a al-māl*). "In the *Kitāb al-ishāra ilā maḥāsin al-tijāra*, "Handbook on the beauties of commerce", a manual on trade probably written in the 11th century, the author refers repeatedly to the capitalist as *ṣāḥib al-māl* ("owner of capital")." Banaji even finds, in Ibn Khaldūn (d. 1405), "a clear resonance of the labour theory of value (or *a* labour theory of value)." According to him, in the *Muqaddimah*, vol. 2, Ibn-Khaldun states clearly "labor is the cause of profit" (*sabab al-kasb*). "[H]uman labor is necessary for every profit and capital accumulation", while gold and silver are the only socially acceptable measures of value "for all capital accumulations". He also defines profit (*ribḥ*) as the "extent by which capital increases" (or is increased), and commerce as the "striving for profit by means of the expansion of capital" (*muḥāwala ilā al-kasb bi-tanmiyat al-māl*)."

Banaji's problem, however, is that marxism has no theory of commercial capitalism. That capitalism to it *remains industrial capitalism.* This is what prevents it from recognizing the world-historical role of Islam: "Thus Islam made a *powerful contribution to the growth of capitalism in the Mediterranean*, in part because it preserved and expanded the monetary economy of late antiquity and innovated business techniques that became the staple of Mediterranean commerce (in particular, partnerships and commenda agreements), and also because the seaports of the Muslim world became a rich source of the plundered money-capital which largely financed the growth of maritime capitalism in Europe." In this essay, written in honour of marxist economist Ernest Mandel, Banaji cites Mandel himself to the effect that "the accumulation of money capital by the Italian merchants who dominated European economic life from the eleventh to the fifteenth centuries originated directly from the Crusades, an enormous plundering enterprise if ever there was one." In Mandel's and Banaji's description then, we find another kind of "primitive accumulation" – not one based on the expropriation of the peasant but one based on loot during the crusades. It is Banaji's argument that only if marxism is amended in a way that allows for

a broader understanding of capitalism than industrial capitalism, in other words, one that can incorporate mercantile or commercial activities of the previous centuries, into the history of capitalism, can there be any possibility of rescuing either Islam or even the non-European world from ascriptions of "backwardness."

In other words, in what I consider to be the absolutely crucial and important work of these scholars, there is an assumption that we in the postcolonial world must claim some kind of capitalism in our own history in order to challenge the accusation of backwardness. In the bargain, we might of course, broaden capitalism to mean so many things that the very term seems to me to lose its specificity.

What is capitalism?

We have seen Hobson's and Janet Abu-Lughod's argument that there existed a global economy for many centuries prior to the rise of Western hegemony. In Hobson's words, "the key development" was the emergence of a series of interlinked world empires that enabled a broadly peaceful environment, conducive to global trade. In his opinion: "The rise of T'ang China (618-907), the Islamic Ummayad/Abbasid empire in the Middle East (661-1258), as well as the Fatamids in North Africa (909-1171) were crucial to the emergence of a sufficiently extensive global trading network." He cites Philip Curtin to underline that "the simultaneous power of the Abbasids and the T'ang made it comparatively easy for long distance traders to make the whole journey across Asia and North Africa." He also references the work of Jack Goody, Andre' Wink and Nigel Harris to state that global connections went as far back as 3500 BCE, and insists that all agree that the big expansion of global trade occurred during the post-600 period." (35)

Writing of China, Hobson says, "China's 'industrial miracle' occurred over a period of 1500 years and culminated in the Sung revolution – some *six hundred years before Britain entered its industrialization phase*." He goes on: "The Chinese industrial miracle is worth focusing upon in some detail because it was the single

most important event in the history of global intensive power between 1100 and 1800. For it was the diffusion of the many Sung Chinese technological and ideational breakthroughs that significantly informed the rise of the West." (51)

Among these technological and ideational breakthroughs, Hobson mentions the development of iron and steel technology (600 BCE to 1100 CE); water borne transportations through canals; use of petroleum and natural gas as fuels; creation of a tax system based on cash; invention of paper money in the ninth century, which evolved into "true" paper money by the 10th century; paper and print technology; a general rise of a commercialized economy (54)

Hobson also buttresses his point by invoking Francis Bacon on the antecedents of the "navigational revolution" to the effect that the three most important world discoveries, those of printing, gunpowder and the compass were all invented in China. Noteworthy too, he says, citing Bacon, is the fact that it was the Chinese who discovered around 1000 that magnetic north and true north were not one and the same, which led, by the fifteenth century, to the construction of the most accurate maps then known. (57)

The point I wish to underline here is this – the development of trade, technology and the knowledge that it presupposes, the invention of paper money or an elaborate taxation system – none of these are necessarily specific to capitalism. It is possible to have all these and not have capitalism. Taxation, more specifically, is a matter related to statecraft. I wish to argue that what was specific to capitalism as we know it, was a particular development that took place in nineteenth century Europe – in the same milieu that gave birth to both bourgeois economics and marxism. This was *the disembedding of markets and the economy from social relations* – the emergence of what Karl Polanyi calls the "self-regulating market" that transforms land and labour into commodities up for sale in the market. It is, in other words, a reification of the market, its elevation to something that stands above society and social

relations and establishes thereby a different relationship with production, state, money wealth and so on. This development is of course impossible without the institution of the bourgeois property form – the individual owner whose wealth and property is meant primarily for exchange, investment and accumulation. The reified market can exist only to the extent that bourgeois property has taken root.

The emergence of this new configuration transforms the very logic of production, irrespective of whether it can actually transform the organization of production. Once thins happens, production increasingly takes place for the "world market" rather than for local/ domestic consumption. This is an altogether new development that even high levels of trade, exchange and industry of the past did not do. The problem with the fascinating accounts discussed earlier is that they all tend to reduce all the earlier history of enterprise, industry and exchange to the realm of the pre-history of capitalism. Capitalism remains the desired Telos, the destiny; and all these different episodes from non-Western history can only acquire legitimacy if they can be shown to tend towards capitalism and through it, towards Universal History.

Marxists have celebrated the demise of the old world and the complete victory of capitalism. This means that all other ways of life and modes of living are destroyed, installing capital as the only form of property (ownership) – thus also as the only employer. The only other form of ownership that has been thought about – state ownership – is of course a model that has come to be in serious crisis, apart from being implicated in totalitarian political structures. The state as owner and employer is, also for very sound economic reasons, not a viable proposition. However, from our point of view, the really relevant point here is the first one: what is it that authorizes (or legitimizes) such a celebration of the destruction of all other ways of life and modes of being and the reduction of the entire world to the logic of wage slavery? The answer to this question provided by both neo-liberals and Marxists is very much the same: it lies in this very idea of historical

inevitability, the idea that there is a Universal History that has already played itself out in the West that we cannot but repeat here. We might be prepared now to argue that the history of modernity is not one; that there are alternative trajectories, indeed alternative modernities but when it come to the history of capitalism, we are still overpowered by this idea, thanks in no small measure to Marx himself, the chief historian and theorist of capitalism. That is an idea I wish to unpack here. Not the least because, just when Marxists thought they had defeated the Narodniks, the ghost of Narodism would begin to track them and follow them, right into the twenty-first century – arising now within the marxist or socialist universe itself.

Primitive Accumulation and the Law of History?

Since the onset of globalization, a lot of writings by Marxists have rehearsed and cited many times over, the celebrated passages from the *Communist Manifesto*, where Marx and Engels talk about the "revolutionary" role of capital in exhilarated terms. Recall those famous passages where they talk of "all that is holy is profaned" and "all that is solid melts into air"; the passage where they claim that the "bourgeoisie cannot live without constantly revolutionizing the means of production" and of "building a world in its own image". The triumphalism of a certain nineteenth century understanding of capitalism that sees the whole world being rapidly modernized in the same way as was Western Europe, is palpably evident in these passages. And this is what has been canonized as Marxist orthodoxy over the last century and a half or more. However, as we know today, at least some fragments of an alternative reading of this history are also available in Marx. Let us follow that alternative reading for a while in order to lay out the contours of our argument.

In this alternative reading, let us underline, the rise of capitalism is not the result of an inexorable historical law of Progress that must be celebrated. Marx opens his discussion of primitive accumulation, in the last section of *Capital, Vol. I*, by asserting that

the origins of capitalist private property lie in "*conquest, enslavement, robbery, murder*".

He describes the process of primitive accumulation as "(T)he process…that clears the way for the capitalist system… [and] takes away from the labourer the possession of the means of production", as "a process that transforms, on the one hand, the social means of subsistence and of production into capital, on the other, the immediate producers into wage-labourers."

This so-called primitive accumulation, he asserts, is nothing else but the historical process of divorcing the producer from the means of production. Marx recognizes that while this process frees the serfs "from serfdom and from the fetters of the guilds", it simultaneously produces this new form of enslavement and dispossession. He pours scorn over "our bourgeois historians" who recognize only the emancipatory side of this process. In other words, even when he sees the emancipatory dimensions of Progress and Development, his moral revulsion against the violence and injustice of this process remains apparent. Thus his indignation: "the history of their expropriation, is written in the annals of mankind in letters of blood and fire."

In the rest of the discussion, Marx takes up the specific case of England for discussion. It is important that through this reading of English history, he lays bare the way in which capitalism came to its own through the forcible dispossession of the erstwhile peasant communities. Unfortunately, once again, he universalizes that process with disastrous consequences but let us leave that aside for the time being. He traces the history of the usurpation of common lands first by individual feudal lords through the late 15th and early 16th centuries. The 18th century marks a fundamental change in the process, in Marx's perception. While the 15th and 16th centuries saw the process being carried on through individual acts of violence, the "advance made by the 18th century shows itself in this, that *the law itself becomes the instrument of the theft of the people"s*

land." This is embodied in the Acts of parliament for the enclosure of the Commons.

By the time we reach the 19th century, he remarks, "the very memory of the connection between the agricultural labourer and the communal property had vanished." The so-called "clearing of estates" is then described by him as the "last process of wholesale expropriation of the agricultural population from the soil."

There is a ring of the surreal as one feels in his reflections on nineteenth century England the reverberations of 21st century Bengal: "To say nothing of more recent times, have the agricultural population received a farthing of compensation for the 3,511,770 acres of common land which between 1801 and 1831 were stolen from them and by parliamentary devices presented to the landlords by the landlords?"

Let us underline that the purpose of this exercise of reading Marx and his rendition of English history is not meant to uncover some ostensible Universal History in operation. On the contrary, it is to underline that once presented as Universal History by Marx and his generation, it becomes a self-fulfilling logic. Thereafter, Marxists can only act in one way that is commensurate with this logic; every other way is deemed to be reactionary and against the logic of History. What we will need to excavate from the debris of the political practice of the past two centuries is the manner in which the belief in a certain logic of History, operating as Scientific Knowledge, already laid out the contours within which one could act.

Marx also goes on to discuss the ways in which, from the end of the 15th century onwards, bloody legislations were enacted to keep the displaced population in check. The population which was rendered destitute was "disciplined and normalized", to use a Foucauldian expression, through these laws. The "free" proletariat, created by the "forcible expropriation of the people from the soil", which "could not be absorbed by the nascent manufactures as fast

as it was thrown upon the world", was turned "*en masse* into beggars, robbers, vagabonds, partly from inclination, in most cases from the stress of circumstances."

Marx and the Crisis of Universal History

Marx certainly cannot be exonerated from the responsibility of having produced the Universal History of Capitalism that we are, in a sense, reeling under. However, this was only one side of Marx. Already in 1853, while he was working on and producing this universal history, he already found himself caught in a deep bind – that of explaining the irreducible heterogeneity of the world in his time. Following Eric Hobsbawm"s interpretation of the *Grundrisse (1857-58)*, as outlining a "non-consecutive" map of historical development that allowed for "three or four alternative routes out of primitive communal systems", Teodor Shanin suggests that Marx was "already aware" of the difficulties of this universalism and had therefore "worked out and put to use concepts of Oriental Despotism and of the Asiatic Mode of Production" (AMP).[6] Of course, these were conceptual devices of trying to account for the heterogeneity of "past", "pre-capitalist" forms. In the end, Marx"s position at this time would be to argue that capitalism would, as the first truly universal system, bring in these "societies without history" into the orbit of World-History. The future was still One – all societies inevitably moving inexorably towards the *Telos*, the final goal.

The very concepts of Oriental Despotism and the Asiatic Mode of Production refer back to a Eurocentric and in some ways an Asian-exceptionalist view of History. The notions of Time and World-History that were dominant and which he received from Hegel, provided an excellent way out of the problem posed by this

[6] Teodor Shanin (ed. 1983), *Late Marx and the Russian Road: Marx and the "peripheries of capitalism"*, Routledge and Kegan Paul, London, Melbourne and Henley, pp. 28-29

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irreducible heterogeneity, by suggesting that these societies represented "past forms" that were to soon go out of existence.

More to the point is the strange episode of Marx"s encounter with the Russian peasant communes first through some fortuitous circumstances and then more directly through Vera Zasulich and the Russian Marxists. The latter were involved in a furious debate with the Narodniks who did not merely celebrate these past forms, but as Karat rightly concedes, *posed the question of their becoming the basis of a socialist future*. Teodor Shanin remarks that already in the *Grundrisse*, Marx had shown indications of taking peasant agriculture and "communal land ownership" in "pre-capitalist modes of production" and the problem of "uneven development" seriously (14-15). What is crucially important is that this quest was not resolved in one fell swoop. It pre-occupied him more and more and in 1870-71, he started learning Russian and immersed himself in a study of the Russian social formation, including the writings of such Narodnik theorists such as Chernyshevskii and others like Alexander Herzen. Shanin remarks that "what followed was a long silence…Marx did not publish anything substantial until his death" (7). This, we might underline, was also the period of his intensive study of India and other oriental societies.[7]

It was in this frame of mind, ten years into his studies, that he received in 1881, a letter from Vera Zasulich, a former Narodnik turned Marxist. As mentioned earlier, this group of Marxists was engaged in a serious controversy with the Narodniks over the inevitability of capitalism in Russia and of the significance of the peasant communes to the socialist project. Zasulich therefore wrote to Marx seeking his opinion on the matter. Japanese scholar Haruki Wada has unearthed the entire sequence of events around this

[7] This renewed intellectual search – if not a crisis – for Marx is partly occasioned by the fact that it was during the 1860s and 1870s, according to Raphael Samuel, that an important breakthrough in the social sciences, the discovery of prehistory, "was to lengthen the notion of historical time by some tens of thousands of years, and to bring primitive societies within the circle of historical study" (cited in Shanin: 6).

episode.[8] Marx wrote four drafts of a reply to Zasulich but ended up not sending any. Finally, after his death, Engels sent the fourth draft to the Emancipation of Labour Group to which Zasulich belonged and which was led among others, by Plekhanov and PB Axelrod. The letter was never published, even though after as long as seven months, they replied to Engels that they would, now that the letter had been translated into Russian. All of Engels" efforts went in vain. In 1911, the letter was discovered by DB Riazanov, who deciphered it with the help of Bukharin but then, once again it was left unpublished. In 1923, it was published by BI Nikolaevskii, a Menshevik in exile. Once it was published, it was immediately brought out that very year by Riazanov, where he prefaced it with a remark that "the drafts merely exemplified a decline in Marx's scholastic capability." It was the Socialist-Revolutionaries who enthusiastically picked it up as evidence that "on the question of the future of the peasant communes, Marx was definitely on the side of Populism" (Wada 1983: 41-42).

Wada notes, in this context, that even at the time of the publication of Volume I of *Capital*, Marx's attitude towards Russian populism and the peasant communes was utterly negative. He viewed Herzen's contention that the peasant commune was unique to the Slavic world, as simply laughable, according to Wada (Wada 1983: 43). He cites Marx as saying that "Everything, *to the minutest details*, is completely the same as in the ancient Germanic community…" By the time the French edition of *Capital* was published in 1875, however, Wada notes that there was an interesting change. In this edition, in chapter 26, "The secret of primitive accumulation" Marx struck out a passage about the expropriation of the agricultural producers which gave a sense of a more universal history and in its stead wrote: "It has been accomplished in final form only in England…but *all other countries of Western Europe* are going through

[8] Haruki Wada (1983), "Marx and Revolutionary Russia", in Shanin (ed. 1983). This volume details the events and texts related to this episode through a fascinating documentation.

the same movement". Thus, Wada suggests, Marx allowed for the possibility that Eastern Europe and Russia might not be following the same trajectory (Ibid: 49).

Retarded Capitalism?

It is in the 1960s and 1970s that this theme of capitalism in the peripheries or the third world comes to the fore and the debate on the AMP is resumed. Unfortunately, the entire story of this episode was eventually brought to light in English much later. The 1960s debate, except in Japan, remained by and large untouched by the knowledge of this important engagement. Thus for instance, Susanne D. Mueller could argue in the *Socialist Register* as late as in 1980, writing on "Retarded Capitalism in Tanzania", that it was the "reactionary utopianism of Russia"s Narodniks" that Lenin had effectively demolished a hundred years ago, that was being "institutionalized" and "labelled as socialism" by Nyerere."[9] It is interesting that Mueller"s critique of Tanzanian "socialism" was that the state, in the name of socialism, was acting "to forestall the development of a bourgeoisie and a proletariat by basing accumulation on the expansion of middle-peasant household production" (Mueller 1980: 203). Even more interesting is her assertion (which she underlines by citing another marxist scholar of Africa, MP Cowen) that "by forestalling "the direct separation of household producers from their means of production", the State has "fettered the accumulation of indigenous capital within smallholding production"" (Ibid: 203). Lest we miss the point, it should be underlined that what is being lamented here is precisely the attempt to preserve the property of the peasantry, even if that meant "fettering accumulation" within "smallholding production". This reading of Tanzania's specific history is predicated upon a

[9] See Susanne D. Mueller (1980), "Retarded Capitalism in Tanzania", Socialist Register, 1980, http://socialistregister.com/socialistregister.com/files/SR_1980_Mueller.pdf. Mueller"s essay should merely be seen as an indication of the fact that even in well-informed Marxist sections, this was the common knowledge about Narodism.

desire for the replay of European history and is clearly unable to ask the question as to what the Tanzanian leadership might have been doing with the idea of socialism. In claiming that "capitalism, exploitation, classes and class struggle" were "a unique product of Western colonialism" (quoted in Ibid: 206), was Nyerere possibly trying to do something else – say argue that the bourgeois notion of property was really not commensurate with notions of property or the socio-political conditions extant in Africa? Could his insistence that self-reliance, via a strengthening of the "already socialistic" traditional economy have been something more than merely "cultural" in a narrow sense?[10] Was his insistence and Mueller"s attempt to draw a parallel with the Narodniks, ironically, not very far off the mark, in that case? One could read similar anxieties into the experiments undertaken in China under Mao Tsetung, which attempted to find a balance between "ten major relationships", which included most centrally, that between agriculture and industry. The slogan of "walking on two legs", in retrospect, was an attempt to avoid the violent decimation of agriculture and populations dependent on it. Those experiments may have failed, sometimes disastrously, but they nevertheless signal in a direction that "scientifically" inclined Marxists have tended to ignore. Much like Chernyshevskii who argued that Russia could benefit from the "relative advantages of its backwardness", Mao too emphasized that the fact that the Chinese people were "poor and blank" could be to China"s advantage. Hence his argument, much like that of the Narodniks", that China could avoid the capitalist path and pass on to socialism directly. It is true that the attempts to build steel furnaces in backyards in villages, undertaken during the Great Leap Forward, were completely misplaced and ended up as a disaster. However, the logic of that attempt was clearly to find a more decentralized

[10]This might link up with Karl Polanyi"s argument that what markets and exchange relations always existed but were embedded in existing social relations and thus not a-cultural matters. What he saw as distinctive of capitalism was the disembedding of markets – and the transformation of "the economy" into abstract, acultural spaces.

model of development, and one where the peasants themselves would become capitalists – a bit like Nyerere"s Tanzania. It is also very easy to dismiss the violent and genocidal Pol Pot regime without further ado but the question that the Cambodian tragedy poses too, may linger for a very long time. For once again the desire to inscribe "socialism" (that is, anti-capitalism, embodied in the abolition of money and market relations) in ancient Khmer glory seems to underline another violent rejection of bourgeois property relations. All these instances are indicative of the fact that the so-called universal history of capital and its self-fulfilling logic may have produced anticapitalism in more forms than we recognize; they are also indicative of the fact that this logic may not be all that universal after all.

We also know that during the 1960s and 1970s, there was another very significant debate that raged among marxists – the debate on "underdevelopment", that argued from within a Marxist universe that capitalism does not necessarily produce capitalism and development everywhere. The name of Andre Gunder Frank is associated with the position that "underdevelopment" in the peripheries was not simply a "lack" of development; that it was rather the product of "development" in the center/metropolises. Undoubtedly, in those debates, there was a tone of lament in the fact that capitalist development in the countries in the periphery could not take off or was arrested due to structural connections with the metropolises. But that is precisely the point that interests us here: Capitalist development did not simply emerge everywhere out of some inexorable law of history. Even a few centuries of colonial expansion could not really succeed in implanting it everywhere in the world, though colonization did fundamentally alter the logic of integration of colonized economies into the so-called "world economy".

More recent historians of capitalism have thus made the point that "the transition [from pre-capitalist forms to capitalism] is too long

to have any real meaning as a transition…"[11] They recall the early critiques by Ernesto Laclau and Robert Brenner of Andre Gunder Frank and Wallerstein, where Laclau, for instance, argued that "although capitalist relations of exchange had been universalized across the globe since the sixteenth century, capitalist relations of production were much more unevenly distributed, having a far denser presence in the core than in the periphery." This problem of large parts of the world, deeply integrated and implicated into a world market and yet resistant to a transformation of the actual mode or organization of capitalist production has dogged Marxist thought right from Marx"s own time. We know that this problem was sought to be explained through the distinction between "formal" subsumption of labour under capital (e.g. integration into the world market) and "real" subsumption (reorganization of production along capitalist relations). The idea was used to argue that the whole world, once integrated into capitalist exchange relations, is already irrevocably capitalist; it is thus a matter of time before this formal subsumption is transformed into real subsumption. At one level therefore, this conceptual device helped to mask the very provincial, Western European origin of capitalism and produce it as a universal norm. Thus it was the rest of the world – more than three fourths of it that refused to obey the supposed Universal norm of capitalist development – that remained the "exception" that required explanation.

If this was a way of understanding the "lack" of capitalist development in the so-called peripheries of the world-system, how exactly was development explained, where it did take place? We know that in many of the late-industrializing countries of the "periphery", it was the state that built capitalism and virtually produced a capitalist class. Here again, the project of building capitalism was the project of a state elite that believed that that was the only way to be in the modern world. To explain the rise of state capitalism in states like Brazil and South Korea, marxist as well as

[11] John T. Chalcraft 2005, *Radical History Review*, Issue 91, Winter 2005, pp. 13-39

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non-marxist scholars influenced by marxism deployed the notion of the "relative autonomy of the state" (Fox 1980; Amsden 1990). This "relative autonomy" was defined by EVK Fitzgerald in Brazil"s context as a "state"s capacity to take action against the interests of any one fraction of capital (or even of national capital as a whole at any one point in time) in order to promote the long-run survival and expansion of capitalism as a social formation".[12] Alice Amsden"s study of South Korea shows that were it not for the state, there would neither be capitalism nor a bourgeoisie; it was the state that put the country on the high road to capitalism.[13] And we know today that where the "state" as such failed to spawn and develop capitalism, international financial institutions, especially the IMF and the World Bank, and lately, the WTO, have played that role of transplanting notions (and institutions) of property and market that are commensurate with industrial capitalism. And yet, despite these direct interventions, not to speak of a few centuries of direct colonial rule, capitalism has not yet managed to entrench itself in large parts of the world.

Decentering Capital

However, capitalism as a universal phenomenon continues to structure our understanding of history till this day, partly because not enough has emerged so far by way of producing alternative histories of capitalism that put its rise in perspective. Concepts or formulations such as "retarded capitalism", "dependent capitalism" "arrested development" simultaneously produced capitalism as the norm and the histories of the periphery as histories of Lack, in much the same way as our modernity is a history of Lack – always waiting to be incorporated into the "full-blooded bourgeois" order. That the exception/s were spread over such a large part of the world was not of any consequence in

[12] Cited in Jonathan Fox (1980), "Has Brazil Moved Toward State Capitalism?", *Latin American Perspectives*, Vol. 7, No. 1, Winter 1980, p. 65

[13] Alice H. Amsden (1990), "Third World Industrialization: Global Fordism or a New Model?", *New Left Review*, 182, July-August 1990, pp. 19-25

reconsidering the premises of the theory itself. In fact, throughout the world, marxists were debating about the potentialities of capitalist development in their respective societies before colonialism came along and stunted that growth.

It is interesting in this context, to revisit the well-known Maurice Dobb-Paul Sweezy transition debate and find the latter insisting that what Dobb refers to as the "classic" form of feudalism, would be better described as West European feudalism. It is also interesting to see that in this debate on the transition (origins of capitalism), we can see the difficulties encountered by the protagonists in maintaining a logic of the evolution of the feudal mode into the capitalist mode of production. Thus Sweezy: "The transition from feudalism to capitalism is thus not a single uninterrupted process – similar to the transition from capitalism to socialism – but is made up of *two quite distinct phases* which present radically different problems and require to be analyzed separately."[14] Those familiar with the debate might recall that Sweezy was trying here to emphasize that "feudalism in Western Europe was already moribund" *before* capitalism was born. His argument was that the growth of commodity production had already "undermined feudalism" and that there was a prolonged intervening period of "precapitalist commodity production", before capitalism actually came into existence.

Whether one agrees with this analysis or not, one must recognize at the disjunction that Sweezy seeks to register. Maurice Dobb did not fundamentally disagree with Sweezy in the point that this period between the 14th and 16th centuries was a period of transition – even if he would resist the suggestion that it was neither feudal not capitalist.

We need to also remind ourselves that the concept of the mode of production became, in the practice of Marxist theory, more and

[14]Paul Sweezy (1980a), "A Critique", in Rodney Hilton (1980), *The Transition from Feudalism to Capitalism*, Verso, London, p. 50.

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more difficult to sustain, precisely for the reasons outlined by Sweezy and not quite contested by Dobb himself, namely the prolonged coexistence of different "modes" within the same time-space. Thus was invented the concept of the social formation – the actually existing form that expressed an articulation of more than one mode of production. What Sweezy and Dobb agree was a two-century long transition in Western Europe, would appear to be an endless one, if one were to look at the "world-system" as a whole. A closer look thus reveals that this process of the "rise of capitalism" is rather contingent and not a universal law.

If theoretical marxism remained entrapped, by and large, within the self-fulfilling logic of this universal history, practical marxism did struggle to find a way out, as we saw in the instance of Mao. While the revolutionary struggles of the 20th century broke out invariably in the colonial world as peasant insurrections, theoretical marxism, especially in the West and the former Soviet Union, started expressing deep unease at this "corruption" of Marxism by "peasant consciousness". Any number of studies of that period that deal with the Chinese and Vietnamese revolutions can be cited as evidence of this fact. Not only did Western and Soviet Marxism take this route, event the doctrinal variants adopted by many third world movements [for instance the CPI(M) in India], continued to see their own existence as a sort of illegitimate child of a backward society.

Theoretically speaking, it was in the writings of Louis Althusser and Etienne Balibar, who were among the very few Western marxists to have taken Mao seriously, that the entire question of the history of capital and the question of so-called survivals of "past forms" was reopened in some essays in *For Marx* and later in *Reading Capital*. Balibar"s essay in *Reading Capital* argues persuasively, on the basis of his reading of the *Grundrisse*, that capitalism arises out of the contingent conjunction of two independent and discrete histories – that of free labour and that of capital or "men with money". In other words, Balibar suggests that it is not the "feudal mode of production" that evolves into the

"capitalist mode", but the different elements that comprise the "structure" called capitalism, that come together to form capitalism.[15] It is thus the history of the elements that one must look at rather than the history of the structure. Althusser returns to this question in his elaboration of his "philosophy of the Encounter" and poses the question explicitly as one of the contingency of capitalism.

In the *Philosophy of the Encounter*, Althusser returns with a different gaze as he scans the history of capitalism in Europe and Marx"s understanding of it. Commenting on the coming together of labour and capital and their "taking hold", he says: "We can even go further and suppose that this encounter occurred several times in history before taking hold in the West", as happened at least once in the thirteenth and fourteenth century Italian states. "The elements do not exist in history" he says, "so that the mode of production may exist, *they exist in a "floating" state prior to their "accumulation" and "combination"*, each being the product of its own history…" (Althusser 2006: 198)

In the light of his new philosophy Althusser reads the problematic, teleological parts in Marx as arising out of a conflation of the accomplished fact (capitalism) with its taking-hold or being accomplished – that is, the process of becoming capitalism. This conflation, he suggests, results in seeing the structure as preceding its elements and reproducing them. For the Late Althusser, capitalism is never a fully accomplished fact. It is thus from this angle that he reads the chapters on primitive accumulation and finds them already coloured by the teleology of capitalism's inevitability – even though he considers it to be the "true heart" of *Capital*. He goes on to suggest: "Here we witness the emergence of the historical phenomenon whose result we know – the expropriation of the means of production from an entire rural population in Great Britain – but whose causes bear no relation to

[15] Louis Althusser and Etienne Balibar (1977) *Reading Capital*, New Left Books, London, pp. 297-81.

the results and its effects." The element of contingency and uncertainty arises from the fact that we do not really know what the reason for this expropriation was. That it was eventually diverted by the "owners of money" looking for impoverished manpower, appears to him as rather accidental and the mark of the non-teleology of this process.

The other interesting question that Althusser raises is regarding the "owners of money": where does their money come from? It could it be usury, colonial pillage or mercantile capitalism, he ruminates. But it is the phenomenon of mercantile capitalism that is, according to him, a great mystery – a capitalism before the emergence of a capitalist mode of production and the exploitation of free wage labour. This riddle of the bourgeoisie, "this strange class – capitalist by virtue of its future, but formed well before any kind of capitalism, under feudalism – known as the bourgeoisie" is something that he is intrigued by.

If these are the kind of questions that can be asked with reference to Europe – and there are any number of historical investigations that substantiate Althusser"s questions – what about the so-called Third World? What if, after the Late Althusser, we now ask, why must all exchange relations, and money be necessarily seen as part of some prehistory of capital? The fact that there are relations of exchange need not at all imply existence of any form of capitalism. Exchange, entrepreneurship and by extension, market and money have been present in fairly ancient societies too and are not linked to capitalism in any way. This is a question, we might do well to remember, that intrigues and puzzles Marx too. Merchant "capital" does not always sit easily with capitalism and we could recall the oft-quoted discussion conducted by Marx in *Capital volume III*, of the phenomenon and how it could in fact, even impede the growth of industrial capital. This is not the place for an extended discussion of mercantile capitalism. Suffice it to say that a lot more lies buried beneath its history than is visible to the "naked eye"; a history that is yet to be excavated once the deposits of the teleology of industrial capital"s supremacy are done away with. We might

then be able to see the existence of markets, exchange and entrepreneurship in their own right, not merely as the pre-history of capital. We might then be able to see why newer, post-capitalist forms of property and ownership need not be predicated on a dissolution or decimation of either individual ownership, or indeed common property. We could very easily imagine a society with large sectors of agricultural production that works in tandem with a certain kind of industry, rather than one dominated by an abstract thing called Industry – irrespective of whether it produces poison, nuclear hazards or automobiles – which can only arise by decimating agriculture.

Capitalist property, private property and common property

We cannot however, conclude our argument in this paper without referring to more recent theorizations of property by the ideologues of capital. In a strangely perverse way, they lead us to a very interesting insight into the contemporary crisis of capital as well as to the difficulties of instituting bourgeois property rights as the sole form of ownership. I am thinking here of Hernando de Soto, whose work has provided new impetus to international financial institutions like the IMF and the World Bank as well as to a whole new range of NGOs, obsessed with the idea of instituting formal property titles and "documenting" all property into deeds. The Title of Hernando de Soto's book is telling: *The Mystery of Capital - Why Capitalism Triumphs in the West and Fails Everywhere Else*. As the title itself shows, the book investigates what is sees as capitalism's colossal failure ("failed everywhere"). What de Soto means by this "failure" of course, is precisely that the bourgeois property form has failed to take root everywhere, *frustrated by the modes of living and being in the Third World*:

"Imagine a country where the law that governs property rights is so deficient that nobody can easily identify who owns what, addresses cannot be systematically verified, and people cannot be made to pay their debts. Consider not being able to use your own house or business to guarantee credit. Imagine a property system

where you can't divide your ownership in a business into shares that investors can buy, or where descriptions of assets are not standardized."

This, in de Soto's view, is the general picture of life in the "developing world," home to five-sixths of the world's population. He believes that life in these parts of the world shows how, contrary to the Western perception that sees capitalism as the answer to global underdevelopment, *it hasn't even been tried* here yet. For, "in a capitalist economy, all business deals are based on the rules of property and transactions which do not even exist in the Third World. Their property systems exclude the assets and transactions of 80% of the population, cutting off the poor from the global capitalist economy as markedly as apartheid once separated black and white South Africans."

This last bit might lead us to believe, as it has misled many well meaning NGOs, that the intention here is to draw the poor into the charmed circle of development. "The poor"s assets can also be legally titled and the potential capital trapped inside can be released," he says. Nothing of the sort is actually intended. The real problem, it seems, is that capitalism has entered a serious crisis, largely because, in most of the world it does not have the kind of "market" it wants. This is a very specific market; not a market of consumer goods.

This is best understood in de Soto's own rendering. Some years ago, Hernando de Soto was invited by the Indonesian government to advise it on identifying the assets of the overwhelming majority of Indonesians living in the "extralegal sector" – said to account, according to him, to close to 90 percent of the population. Though no expert on Indonesia, he says, as he strolled though the rice fields of Bali, he noticed that a different dog would bark as he entered a different property. The dogs knew very well which assets their masters controlled. To determine who owned what in Indonesia, he advised the Cabinet to begin by "listening to the barking dogs."

One of the Ministers responded, he says, by exclaiming: "Ah, jukum adat—the people"s law."

Indonesia represented to de Soto all that is wrong with the third world economies. It was the great merit of capitalism in the West, he believes, that governments adapted the "people"s law" into uniform rules and codes that all could understand and respect. "Ownership once represented by dogs, fences, and armed guards is now represented by records, titles and shares." This was what transformed the entire logic of capitalism in the West. With titles, shares and property laws, houses were no more mere use-value (as shelter); they could now be used as capital (security for credit to start or expand a business). (From "The Hidden Architecture of Capitalism", http://www.ild.org.pe/eng/articles_en1.htm).

This is of capital importance. It is not enough to own individual or family property. If it remains simple use-value, it is simply "dead capital". Every bit of property should be able to live a double life – as credit security, as share and such like. If we are really interested in understanding what happened in the West that was really different from previous centuries of trade and industry in other parts of the world, this is where we should look.

The astute eye of de Soto is quick to realize that "(T)hroughout the Third World and the formerly communist countries, neighborhoods buzz with hard work and ingenuity. Streetside cottage industries have sprung up everywhere, manufacturing anything from footwear to imitation Cartier watches. There are workshops that build and rebuild machinery, cars, even buses. In many countries, unauthorized buses, jitneys, and taxis account for most public transportation. Often, vendors from the shantytowns supply most of the food available in the market, from carts on the street or from stalls in buildings they built themselves. The new urban poor have created entire industries and neighborhoods that have to operate on clandestine connections to electricity and water (De Soto, Citadels of Dead Capital, http://www.reason.com/news/show/28018.html). But alas! All

this remains dead capital till it is brought within the fold of the formal economy.

To conclude, it will be worthwhile to reflect briefly on the words "dead capital" a bit. To be sure, from de Soto's own descriptions, this capital is anything but "dead". It is very much alive and happens to provide a livelihood for millions of people across the globe. More importantly, this "capital" is a source of constant anxiety for both "formal capital" and the state, though for different reasons. To "formal capital" it poses a threat to its profits, especially in the figure of the "pirate" that has now become a pervasive metaphor for the illegal, the unruly and the unregulated.[16] The pirate today is one who copies, multiplies and distributes or sells with scant respect for the original except as object of consumption. The pirate produces the "copy" or the "fake" and throws it alongside the "original" into the market, duping the original branded producer. Often, though, s/he who is called the pirate, merely shares information and products with others. In more recent times, the really sharp conflicts around this issue have taken shape around the new possibilities of copying and sharing made available by new digital technologies and the Internet. In this context, "intellectual property", copyright and trade mark have become the new banners of capitalist aggression – as it stands threatened by such pirate or *contraband capital* – its own cheap copy. To the state, it poses another kind of threat by depriving it of what it believes are its legitimate revenues – all the transactions in this domain being completely "off the record". Considering the vastness of this domain, this must surely be a huge loss!

Given all this, in what sense then, can we understand this contraband capital to be dead? Precisely in this, that by being

[16]On this question, my understanding has been fundamentally influenced by the work of the Sarai Programme in the CSDS, Delhi, the Alternative Law Forum, Bangalore and of Ravi Sundaram and Lawrence Liang in particular.

outside the pale of the formal economy, it eludes the mechanisms of disciplining and policing that are put in place by state elites in countries like India in order to bring the entire "economy" within the domain of the "formal". For that alone can ensure that the owners of such capital pay taxes or save and make their money available for investors to play with. This might sound too far fetched but If the experience of countries like India is any indication, big corporations and sections of the bureaucracy have colluded to openly loot such public money that has been kept in their custody as savings.[17] Calculations like de Soto's underline the scale of money and stocks that can become available for states and financial players were these to be made 'formal' and be documented in titles and deeds. It is precisely because it is not available today that ideologues like de Soto would consider such capital "dead". I am not suggesting a conspiracy here but pointing to the fact that contemporary capitalism is today in one of its most serious crises – not in the conventional marxist sense of an imminent breakdown or collapse but rather in that it may have run against the limit of its own development and expansion, living continuously on the artificial respiration of credit and individual small savings for its capital needs.

[17]One can immediately think of what *The Indian Express* called the "Great Indian Bank Robbery" involving leading corporates who owed something to the tune of Rs 110, 000 crores to nationalized banks, waiting to be written off as "non performing assets" (see Halarnkar,Samar; Ritu Sarin, Sucheta Dalal And George Mathew, "Rs 11,00,00,00,00,000: The Great Indian Bank Robbery", *The Indian Express*, 1 December 2002, front page). Similarly, the scandal of the Unit Trust of India's US-64 savings scheme which wiped off crores of rupees worth of savings of small household investors (see, Bidwai, Praful, *Frontline*, July 21-August 03 2001). Allegations were rife that the savings of small household investors were unscrupulously played in the stock market. And then of course, there is the classic case of the theft of the workers' provident fund money to the tune of crores of rupees, by the owners of West Bengal's jute industry owners.

STATE VIS-À-VIS HUMAN SECURITY: ACCOMMODATING PEOPLE'S VOICE IN CONFLICT ZONES

Nanigopal Mahanta *

Security, as scholars have argued, is a contested domain. Bary Buzan has said in *People, State and Fear* that Security is an "essentially contested" concept.[1] Various schools of Thought have emerged to redefine and re-conceptualize the notion of Security. Prof. Steve Smith has referred to six schools of thought within the premise of contested Security Studies. [2]

Conceptual Tool of Security:

Summarizing his points on Security, Prof Smith refers to four strands of Security Studies—"The first involves the extension of security from the security of nations to the security of groups and individuals: it is extended downwards from nations to individuals. In the second, it is extended…upwards, from the nation to the biosphere…In the third operation, it is extended horizontally, or to the sorts of security that are in question…the concept of security is extended, therefore, from military to political, economic, social, environmental, or "human security". In a fourth operation, the

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[1] Buzan, B *People, State and Fear: An Agenda for International Security Studies in the post cold war era*, Harvester wheatsheaf, 1991, second edition, p-6

[2] Steve Smith, "The contested concept of Security"---The Institute of Defence and Strategic Studies, Working paper No-23, Singapore, 2002. These six groups are—The Copenhagen School of Securitization, The Constructivist Security Studies, Critical Security Studies, Feminist Security Studies, Post-Structuralist security Studies and Human Security.

political responsibility for ensuring security is diffused in all directions from national states, including upwards to international institutions, downwards to regional or local government, and sideways to non-governmental organizations, to public opinion and the press, and to the abstract forces of nature or of the market.."[3]

Without going into the debates of Security Schools and trends, it can be said in the words of V. Korkmaz that Security indicates two possibilities- one is situation and the other is process.[4] The former indicates the condition of being free from danger, from doubt, from care –the latter indicates the instruments of being secure. The concepts of Security and Insecurity have relative interpretations in various occasions. For some Insecurity comes from sudden loss of guarantee of access to jobs, health care, social welfare, education etc. All these recent studies on security indicate one basic point, i.e. the realist assumption of the State as the single referent point has been changing. They seek to widen the concept of security beyond military security, to include among others political, economic and ecological security concerns.

Among all the Security Studies, the Human Security School has been gaining preponderance in highlighting the focus on the security of individuals and communities. As Melly C. Anthony has opinionated –"In its broadest form, Human Security takes the concept of Security beyond the traditional defense and military orientation to include the threats and security concerns of individuals and communities, for they have become the new Security referents other than the State".[5] This trend of focus, however, does not take away or abrogate the Security of the State. Human Security school recognizes the 'State' as the ultimate

[3] Ibid.p-10

[4] http://www.mgimo.ru/fileserver/books/rami4konvent/t2-korkmaz.pdf - *How the Understanding of Security changes over Space and Time: the Role of Identity in International Relations (IR)* by V. Korkmaj. Occasional paper.

[5] Melly C. Anthony, "*Re-visioning Human Security in South East Asia"*, Asian Perspective , Vol 28, No-3, 2004, p-159

security provider. As Sharrbanou Tadjbakhsh and Anurdha M. Chenoy have argued-" (State)..is the ultimate organizational institution at the national and international level, and remains the dominant security referent even within the human security framework. It remains the most legitimate actor for providing traditional security to its people, in the traditional Hobbesian social contract."[6]

The articulation of the concept of Human security perspective is attributed to the United Nation's Development Report of 1994 mainly highlighted by famous economist of Pakistan Mahbub-Ul Haq. The report urged that the concept of security must change in two ways-- [7]

- From an exclusive stress on territorial security to a much greater stress on people's security.
- From security through armaments to security through sustainable human development.

The report identifies seven areas or components of Human security --economic security(assured basic income), food security (physical and economic access to food) health security (access to health care, safe environment etc.), environmental security (safe physical environment), personal security (security from physical violence from the State, gender violence, drugs and other means), community security (within family, race, ethno-religious community etc.) and political Security (basic human and democratic rights).[8] The Report notes four main features of the concept: it is a universal concern, relevant to people everywhere because the threats are common to all; its components are interdependent since the threats to human security do not stay

[6] Sharrbanou Tadjbakhsh and Anurdha M. Chenoy, *Human Security-Concepts and Implications,* Routledge, 2007, London, USA and Canada. P-166.

[7] See UNDP report, OUP, 2004.New Delhi.p-24.

[8] Ibid, pp24-35. For a detailed account how the concept of human security is evolving, see Kanti Bajpai, "Human Security : The concept and Measurement", *Kroc Institute of Occasional paper* , August, 2000.

within national borders; it is easier to achieve through early rather than later intervention; it is people centered, in that it is concerned with how people 'live and breathe' in society.

Canada and the European middle power's viewpoints are slightly different from the UNDP report that places greater emphasis on 'freedom from fear'. The Canadian approach mainly focuses on the protection of civilians during the time of war and the resolution of violent conflict (conflict prevention, resolution and post-conflict peace building).[9]

The notion of Human security is, thus, based on two mutually compatible notions—'freedom from fear' and 'freedom from want'. The former view focuses on reducing human costs of violent conflict through measures such as –ban on land mines, using women and children in armed conflict, child soldiers, small arms proliferation and promulgating human rights and international humanitarian laws. The latter view advocated by Japan is closer to the original announcement of Human security by UNDP in 1994. It stresses the ability of individuals and societies to be free from a broad range of non-military threats such as poverty, diseases and environment degradation. The difference between the two conceptions of human security can be hardly overstated, since both regard the individual as the object of security, and both acknowledge the role of globalization and changing nature of armed conflict in creating new threats to human security. Moreover, both the perspectives stress safety from violence as a key objective of human security and both call for rethinking State sovereignty as necessary part of promoting humans security.

As Prof. Amitav Acharya notes, "we have three different conceptions of human security today: one focusing on the *human costs* of violent conflict, another stressing *human needs* in the path

[9] Lloyd Axworthy, Canada and Human Security: the need for leadership', *International journal*, Vol. Lii,pp-183-96 , cited in *Human Security in South Asia* ed. By PR chari and Sonika Gupta, SS Press, p-40, 2003. New Delhi.

to sustainable development. A third conception, approximating the first more than the second, emphasises the *rights* (meaning human rights) dimensions of human security without necessarily linking to the costs of violent conflict".[10]

In this paper we are looking at the plight of the civilians in conflict zones of North-east (NE) India from the conceptual tool of Human security. How the civilians cope with armed violence? NE India has been witnessing one of the worst forms of violations of Human Security both from the State actors as well as from the Non-State armed groups. In other words, this paper is an attempt to assess the security of common people in the light of violent conflict.

Human security is about perceptions as well as realities. Perceived threats can trigger interstate wars, violent civil conflict, political repression and genocide. And governments sometimes play on people's fears and exaggerate or fabricate threats to provide political justification for war or repression. Media coverage can have a strong, sometimes determining, influence on popular perceptions, and fear itself—of both criminal and political violence—can be a debilitating form of insecurity.

North-east India: Militarization –a way of life

North-east India is one such conflict zones where some armed rebellions go back to the days of colonial period. In the post-independence period the first major challenge to the Indian State as one unified nation had come from the North-east (NE) India- a region, which is a conglomerate of seven (now eight with the inclusion of Sikkim) predominantly tribal states. The NE, comprising the states of Assam, Meghalaya, Manipur, Nagaland, Tripura , Arunachal Pradesh and Meghalaya is perhaps the most heterogeneous region of India with 250 social groups and more

[10] Amitav Acharya, 'Human Security in the Asia Pacific: Puzzle, Panacea, or Peril?', unpublished paper referred in Steve Smith, "The contested concept of Security"---The Institute of Defence and Strategic Studies, Working paper No-23,p-10 Singapore, 2002.

than 150 languages .Only 2% of the landmass is connected with India and the rest of the boundaries which is more than 4500 KM international border is shared with South and South East Asian countries like Bangladesh, Nepal, Bhutan, China and Myanmar. The whole region is connected with the rest of the county by a tenuous 22 kilometer land corridor through Siliguri in the eastern state of West Bengal—a link that come to be referred to as the 'chicken's neck'.

The Naga rebellion—sometimes called the mother of the region's insurgencies—began in the 1950s. Though dormant since a ceasefire in 1997, it is one of the world's oldest unresolved armed conflicts. 11A recent World Bank report describes the region as a victim of a low-level equilibrium where poverty and lack of development (compared with the remainder of India and other Southeast Asian nations), lead to civil conflict, lack of belief in political leadership and government, and, therefore, to a politically unstable situation.

The sheer number of armed rebel groups in the region is extraordinary. According to one recent count, there are as many as 115 armed rebel groups. Manipur State tops the list with forty such organizations, six of which are banned, and in addition there are nine "active" and twenty-five "inactive" rebel groups. After Manipur, Assam is next on the list with thirty-nine rebel groups: two of which are banned, with six active and twenty-six inactive armed groups. Meghalaya has armed rebel groups, of which three are active and one inactive. Mizoram has two rebel organizations and both are listed as active. Nagaland has two active and two inactive groups of rebels. Tripura has two rebel groups that are banned, in addition to one active and twenty-two inactive groups.

[11]Baruah, Sanjib 'Confronting Constructionism Ending the Naga War' in Ethnonationalism in India –A Reader ed by Sanjib Baruah, OUP, New Delhi, 2010. p-239

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Only Arunachal, according to this count, has no armed rebel organizations (SATP 2009).[12]

MAPPING HUMAN SECURITY SITUATION IN NE INDIA: THE PERSPECTIVE OF HUMAN SECURITY

Through this proposal we are looking at the plight of the civilians in conflict zones of NE India from the conceptual tool of Human security. The notion of Human security is based on two mutually compatible notions—'freedom from fear' and 'freedom from want'. The former view, initially articulated by Canada, focuses on reducing human costs of violent conflict through measures such as –ban on land mines, using women and children in armed conflict, child soldiers, small arms proliferation and promulgating human rights and international humanitarian laws. The latter view advocated by Japan is closer to the original announcement of Human security by UNDP in 1994. It stresses the ability of individuals and societies to be free from a broad range of non-military threats such as poverty, diseases and environment degradation.

Prof. Amitav Acharaya argues that the difference between the two conceptions of human security can be hardly overstated, since both regard the individual as the object of security, and both acknowledge the role of globalization and changing nature of armed conflict in creating new threats to human security. Moreover, both the perspectives stress safety from violence as a key objective of human security and both call for rethinking State sovereignty as necessary part of promoting humans security. In this proposal we are primarily concerned about looking into freedom from fear and attempt would be made to measure insecurity and fear by adopting both qualitative and quantitative approach. However, further readings of the data generated through field survey would reveal that there is a symbiotic

[12]Compiled by the figure given by Institute of Conflict Management, see http://www.satp.org/ accessed on 15th August, 2010

relationship between the freedom from want and violence in North-East (NE) India.

Mapping of Human Security in Northeast India invites multi-dimensional approaches strategies due to the complex nature of conflict and insecurity in the region. There is straight forward conflict between some insurgent groups and that of the India state as is the case with ULFA. However, there are other forms of conflict where one party is in conflict with many parties. For example, Bodo militancy is in conflict both with the Indian state and also some other insurgent groups within the state of Assam. The nature of ethnic conflict is also multi-dimensional and multi layered. There are inter and intra ethnic conflicts and conflict between ethnic groups and that of Indian state. So, a general theoretical and analytical framework of conflict analysis is dysfunctional in case of Northeast India. A theoretical framework in the context of Northeast India needs a sound empirical foundation. Search for human security in the region needs to be grounded in such an empirical foundation.

A typological analysis of the conflicts in NE India can be made in the following manner—

1. First category is secessionist or exclusivist type. These type of movements, which are essentially violent in nature such United Liberation Front of Assam (ULFA), National Democratic Front of Bodoland (NDFB), NSCN (I-M) etc. want to establish independent homeland.
2. The second type is autonomist in character. Assam movement from 1979-1984 was a non violent way of redefining the relationship between the centre and the periphery. In addition, there are many insurgent groups who want to redefine their relationship within Indian union as an autonomous state or as a separate state or demanding district council within the existing system. The Bodoland, the tribal movements in Tripura and in Karbi Anglong etc. are some of the examples of this type.

3. There are struggles which fight against the dominance by the dominant group within the state. The Bodos fight against the Assamese, the fight between the Nagas and Kukis and Nagas and the Meiteis , the Karbis and the Dimasas, Karbis and Kukis are some of the examples of this type. In many of such inter tribal clashes it leads to massive killing and displacement.
4. There are intra-tribal clashes which also lead to violence in the region. The Nagas for example are fighting not only against the Indian State but also against themselves for dominance and power. The Bodos have significant differences that led to the killing of many Bodos from 1996-2000.
5. There could be another category –those who are fighting for a an autonomous state within constitution of India under article 244 A. The Karbis and the Bodos are demanding this status from time to time.
6. There are some movements which seek to gain some benefits within the Indian constitution such as recognition as the SC and ST. In recent times groups like Chutia, Koch-Rajbangshi, The Adivasis, the Ahoms and the Motok and Moran are demanding ST recognition.
7. There are some movements which are irredentist in its character. The demand for "Nagalim" encompassing the territories of Assam, Manipur and Arunachal Pradesh is the best example of this type. The Bodos in Assam are also encroaching reserved forest land and forcing people to leave in the Bodoland area so that they can form one homogenous homeland in the area.
8. However these movements are not mutually exclusive in their character. Many of violent movements are successfully co-opted and settled within Indian union like

that of the Mizo movement. Even groups like NSCN are now negotiating for a "special Federal relations" with India. Many of the groups referred above are having "suspension of operations" with the Ministry of Home Affairs, GOI.

Needless to say that the common referent point for all the movements is the Indian State from whom they want to derive maximum allocation of resources and benefit.

Defining Armed Conflict:

One of the primary sources of the *Human Security Report*'s armed conflicts data is the dataset created jointly by the Uppsala University's Conflict Data Program and the International Peace Research Institute, Oslo (PRIO). [13]The British Columbia's Human Security Report says-the Uppsala/PRIO dataset is generally selected for a number of reasons:

° Unlike other datasets, it is updated annually.
° It is widely used within the research community.
° It is becoming increasingly recognized in the policy community

With the new data commissioned for the Human Security Report, the Uppsala/PRIO dataset is the most comprehensive single source of information on contemporary global political violence. The Uppsala/PRIO dataset has traditionally counted only 'state-based' conflicts: armed disputes in which control over government and/or territory is contested, in which at least one of the warring parties is a state, and which result in at least 25 battle-related deaths in a year. The category 'battle-related deaths' includes not only combatants but also civilians caught in the crossfire. Conflicts are also categorized according to their intensity. 'Conflicts' have

[13] Human Security Report for Uppsala's analysis of the 2002 and 2003 political violence data, see the Human Security Report website at www.humansecurityreport.info. See also the Uppsala Conflict Data Program's database at www.pcr.uu.se/database/

at least 25 battle-related deaths per year; 'wars' have at least 1000 battle-related deaths per year.

Armed Violence and Human Insecurity in NE India:

All these movements have made serious repercussions leading to profound human insecurity in the region. The Indian federal government and those governing the states in the Northeast have deployed large formations of regular army, federal para-military forces. The inevitable militarization of the region and the murky "covert operations" has been accompanied by rampant human rights violations due to the unrestrained use of terror by both state forces and rebel factions. Extra-judicial killing, ethnic cleansing and large-scale massacres followed by substantial internal displacement—India's northeast has witnessed it all. The growth of the civil society in the strife-torn region has been impeded by the lack of democratic space, because special laws, all very draconian and very unpopular with local communities, have remained in effect in the Northeast to fight the insurgencies. The high level of legislative instability in some of the northeastern states have been compounded by the growing linkages between legitimate political parties and the underground rebel factions or those who have gained state patronage after surrender. Forming a complex matrix, no other region of India, South Asia, or the world for that matter, have seen the existence of the numerous ethnic based insurgent outfits nor the proliferation and mushrooming of militant outfits as in North East India. A small glimpse of groups is given here —

STATEWISE LIST OF MAJOR MILITANT/INSURGENT GROUPS ACTIVE IN THE NORTH EASTERN STATES[14]

ASSAM
(i) United Liberation Front of Assam (ULFA)
(ii) National Democratic Front of Bodoland (NDFB)
(iii) Dima Halam Daogah (Jewel Garlosa) - DHD(J)

[14] Home Ministry Report—2010 , Government of India.

MANIPUR
(i) People's Liberation army (PLA)
(ii) United National Liberation Front (UNLF)
(iii) People's Revolutionary Party of Kangleipak (PREPAK)
(iv) Kangleipak Communist Party (KCP)
(v) Kanglei Yaol Kanba Lup (KYKL)
(vi) Manipur People's Liberation Front (MPLF)
(vii) Revolutionary People's Front (RPF)

MEGHALAYA
(i) Achik National Volunteer council (ANVC)
(ii) Hynniewtrep National Liberation Council (HNLC)

TRIPURA
(i) All Tripura Tiger Force (ATTF)
(ii) National Liberation Front of Tripura (NLFT)

NAGALAND
(i) The National Socialist Council of Nagaland (Isak Muivah)
[NSCN(1/M)]
(ii) The National Socialist Council of Nagaland (Khaplang)
[NSCN(K)]

All the militant outfits mentioned above except the two factions of National Socialist Council of Nagaland, have been declared 'Unlawful Associations' under the Unlawful Activities (Prevention) Act, 1967 (3) of 1967). In addition, the outfits named above in respect of Assam, Manipur and Tripura have also been listed as 'terrorist organizations' in the schedule of the above Act. In addition, other militant groups like the Dima Halam Daogah (DHD) and United Peoples Democratic Solidarity (UPDS); Karbi Longri N.C. Hills Liberation Front (KLNLF), Kuki National Army (KNA) and Zomi Revolutionary Army (ZRA); Naga National Council (NNC) etc. are also active in the North East.

CURRENT STATUS OF MILITANCY IN THE NORTH EAST

Computed from Annual Report, 2010 MOH, Government of India

Head	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010 (till Jan)
Incidents	1335	1312	1332	1234	1332	1366	1489	1561	1288	85
Extremists Killed	572	571	523	404	405	395	2609	3932	3500	171
Security Forces Killed	175	147	90	110	70	76	79	46	42	02
Civilians Killed	600	454	494	414	393	309	498	469	264	12

It would be wrong to say the Indian State resolves the identity and ethnicity issues only through coercive means. Many such violent and Non-violent movements are co-opted within the Indian political system. There are three ways through which basic Human security issues of the people are compromised in conflict zones in Northeast India.—

- The whole region barring a few states are exposed to a terror atmosphere where a situation of anxiety, helplessness, fear of being killed, raped or displaced prevail all around. In addition the promulgation of Nationalist Security Laws such as Armed Forces Special Power Act (AFSPA), National Security Act (NSA) TADA now known as POTA etc. provide immense power at the hands of the Security Forces. Human Rights violation and harassment of the civilians at the conflict areas are some common scenes in NE India.

- However issues that affect the common people at the grassroot level during the time of violent conflict, such as conflict induced-displacement, loss of education, Human rights violations, trauma, rape victims, gender inequality

including single headed family, issues of child soldier, lumpensiation of economy, arms proliferation, drugs , prostitution, extortion etc. are blissfully forgotten both by the State and by the insurgent groups who capture State power after signing accord or agreement with the State. This leads to more Human insecurity in conflict zones.

- This is more aggravated by a "soft State" which is corrupt, failed to deliver basic developmental issues to its own people. The only means though a State gains legitimacy is the governance –the Indian State has failed to govern the region miserably. This is single most insecurity factor to the common people as our analysis on the basis of our field survey would reveal.

The opinion of the people at the grass root level is always taken for granted

Even in the peace negotiations with various insurgents' outfits there is no effort to involve civil society groups be it on the part of the insurgent outfits or on the part of the State. Accord centric peace with an exclusive social group can't bring a durable peace process in the region.

OBJECTIVES AND RESEARCH QUESTIONS:

Human security is about perceptions as well as realities. Perceived threats can trigger interstate wars, violent civil conflicts, political repression etc. And governments sometimes play on people's fear and exaggerate threats to provide political justification of repression. In a situation like that of NE India it will be interesting to see what is the extent of people's fear about physical safety? How do these fears relate to objective risks?

Through this paper we would like to see the following questions—

- Do civilians perceive any threat during armed violence?
- How has violence, killings etc. affected their lives?
- What is the nature of such insecurity or in what way do they feel insecure?
- What are the sources of insecurity?
- How do the civilians cope with fear and insecurity?
- How do they respond to conflict?
- How does the State respond to the insecurity of the people –how the grievances are addressed?
- What according to the people would enhance people's security or peace in the region?

HUMAN SECURITY ISSUES THAT OUR REPORT ADDRESSES :

- Deaths and injuries from insurgency and armed conflict
- Type of insecurity of people in conflict situation
- Nature of security of various groups in the North-east region
- Sources of insecurity –military , militancy and socio-political
- People's perception of peace and security.

Methodology:

The NE India which has been witnessing protracted conflicts for last four-five decades is conspicuous by the absence of any such bottom up perspectives. The one that we are proposing here will be the first of its kind that shall objectively make an attempt to assess the human security scenarios in the region. In order to come from the conceptual to the empirical domain we would like to combine between qualitative and the quantitative research.

As we noted above, Human security is about perceptions as well as realities.

In environments where people have adapted their behaviour to the level of threat, focusing exclusively on the incidence of violent acts can misrepresent the degree of risk. Declining crime rates, for example, may be the result of more people staying off the streets after nightfall rather than a real decrease in the risk of being attacked .

It is this subjective experience of fear and insecurity that urgently requires substantial investigation and better understanding. Perceived threats can trigger interstate and intrastate violent conflicts. And Governments sometimes play on people's fears and exaggerate or fabricate threats to provide political justification for repression and other draconian laws that violate human rights and dignity.

In order to better understand the subjective experiences of people living in conflict zones we have to ask how civilians coped with insecurity and sought to understand how they managed their lives. We selected some basic Human security questions which are assumed to be detrimental to their day to day lives. Purpose of the present study has been to ascertain peoples' views on the situation that they have been confronting for decades together and the ways out they perceive as important to come out of the whole situation. A comprehensive questionnaire for the said purpose has been developed and trained investigators have been sent to the field to reach out the voices of the people. The study has been carried out in three states in North East India namely Assam, Manipur and Nagaland for the field survey as these three states represent the multi-dimensional nature of conflict in Northeast India. Within the three states, a few districts have been selected on the basis of the intensity of conflict experienced in the respective states. Within the districts a few blocks have been selected in random basis so as to represent varied categories of people across locality, gender, age, caste, religion, educational and income categories.

NUMBER OF RESPONDENTS AND NATURE OF REPONDENTS:

District Name	State			Total
	Assam	Manipur	Nagaland	
Kokrajhar	120			120
Tinsukia	357			357
Karbi Anglong	352			352
Nalbari	231			231
Churchandpur		249		249
Imphal East		200		200
Imphal West		62		62
Senapati		271		271
Kohima			186	186
Dimpur			249	249
Phek			248	248
Wakha			7	7
Tuenchung			7	7
Lawnglung			2	2
Mokokchung			7	7
Entered from Nagaland (State Manipur)		4		4
Total	1060	786	706	2552

Data Generated through Field Survey

It may be mentioned that these samples represent different categories of people across locality, gender, age, caste, religion, educational and income categories. In terms of locality village (rural) has got priority over the town (urban) which in conformity with the demographic composition of the society in Northeast India. Out of the total samples selected 82.2% are from villages and 17.2% from the towns. In case of Nagaland, however, the division is a little different as 68% being from the villages and 32 percent from the town. Representation of male is higher than women (66% and 34% respectively). In terms of age, samples represent almost equal proportion of people from different age categories: 18-25

(27.3%); 26-35 (29.6%); 35-45 (23.3%); 45 and above (19.9%). In terms of educational categories too, the samples represent almost equal proportion of people: up to middle class (29.0%); Matriculate (36.7%); BA and above (34.3%). In case of representation of religion Christians constitutes the highest proportion i.e. 50.5% (as 95% and 67.1% of the total samples from Nagaland and Manipur respectively are christinas) followed by Hindu- 43.5% (87.5% of the total samples in Assam are Hindu); Muslim (1.6%); Buddhist (.9%) ; Shikhs (.3) and any other religion (3.1%). In case of caste representation ST constitutes the highest proportion (64.2% and in case of Nagaland ST represents 95% of its total respondents); followed by OBC (21.6%, the highest representation within this category from Assam -32.7%); Upper Caste (11.2%) and SC (3.0%). In case of income categories the middle income category i.e. Rs 2001 to Rs. 5000 represents the highest proportion of the income categories (35.6%) followed by the income category of Rs. 5001 to 10,000 (28.1%); Rs. 1001 to 2000(15.6%); Rs. 10,000 and above (11.4%) and Up to Rs. 1,000 (9.3%). A comprehensive questionnaire was used for the survey. However, for the analytical purpose a few select questions have been used towards understanding peoples' perception on the multi-dimensional conflict situation in Northeast India.

The criteria for selecting the districts were essentially the following—

1. Nature of violence in these districts is relatively higher than others.
2. Population pattern—these districts reflect a mixed population pattern of both tribal and Non-tribal, migrant and indigenous people.
3. They also reflect a very high level of ethnic polarization while trying to assert their identity leading to displacement and inter-ethnic violent clashes.
4. Most of the districts are bordering foreign countries.
5. Incidentally these areas don't have high level of human security.

Regarding Manipur this is what our state coordinator Dr Mangi Singh has to say about the process of district selection—".. I decided to go for four districts as the for valley districts wherefrom we have to select plainsmen as our respondents did not have many blocks. Of the two Districts in Imphal, Imphal East has three and Imphal West two. I decided to take two blocks only from Imphal East as the third i.e., Jiri Block, is separated from the rest of the valley by more than 200 Km and lies across the hills. For the third block, I opted from one of the Imphal East…...

About the hills, the idea was to get respondents from the two major groups of people – the Nagas and the Kuki-Chin-Mizo people. For the Nagas, I decided three Naga dominated blocks of Senapati District viz., Paomata, Purul and Tadubi. Ukhrul was avoided in view of the prevailing misgivings which researchers have about conducting survey there. Tamenglong was also avoided because of the more backward means of transport and communication problems there. About the Kuki-Chin-Mizo inhabited areas, Churachandpur was the obvious choice as it was predominantly inhabited by them. About the villages, from each block, as we decided there were no hard and fast rule about the number of villages wherefrom respondents are to be contacted. The only thing was that we should take different localities, not confine ourselves to any particular locality…."

We can claim a very high level statistical accuracy. There is very little scope for error as we took great care in entering data. The Data analysis was done by a well developed package called Statistical Package for the Social Sciences (SPSS). As all of us know that the greatest strength of this package is one can even verify minutest of information (including the name, age, education of each respondent) cross-verify data, Tabulate it, Cross-tabulate or put it any statistical form. It is one of the most widely available and powerful statistical software packages. It covers a broad range of statistical procedures that allows to summarize data (e.g., compute means and standard deviations), determine whether there are significant differences between groups (e.g., t-tests, analysis of

variance), examine relationships among variables (e.g., correlation, multiple regression), and graph results (e.g., bar charts, line graphs). But we believe –findings need to be further checked and verified by a more a more participative assessment by visiting these areas under study. That would help us in gaining better insights into the issues.

Insurgency & Insecurity

Overwhelming presence of Insurgency is causing grave insecurity to the common people **:** All the three states in Northeast India surveyed for the present study indicates overwhelming presence of insurgency causing grave insecurity to the common masses. As high as 90% of the surveyed districts have reported that their localities have been affected by insurgency. There is negligible variation among the three states in this regard. At the personal level also 67.1% of the respondents have reported that they are affected by insurgency. In case of Manipur as high as 83.9% have reported that their personal life has been affected by insurgency. 39.8 percent of the respondents have reported that armed/insurgent groups have sought shelter in their houses. In case of Manipur 50.1% of the respondents have had such experience. Within those respondents who have been approached for shelter 31.6% have provided shelter to the armed groups. In case of Manipur and Nagaland 52.3% and 53.6% respectively has reported that they have provided shelter to the insurgent groups. However, whoever has provided shelter they did not do it voluntarily but were forced to do so. Only 7.5% have reported that they did it voluntarily although in case of Nagalnad it stands at 23.2%. As high as 58.0 has given no opinion on it. However, 33.7% as a whole reported that they did it under force. In case of Manipur as high as 82.6% of those who provided shelter was forced to do so. Insurgency has also impacted upon the lives of the people in their day to activities like normal movement, going to work place, sending children to the school, movement of women etc. However, the highest impact has been to force people to live in fear, anxiety and suspicion. Altogether 66.9% of the people reported that they

have been forced to live in such a state of environment. In case of Manipur and Nagaland 87.8% and 79.8% respectively has reported that they have been forced to live in a state of fear anxiety and suspicion.

Table 1: Affect of Insurgency on different normal activities of the common people

Nature of activity	Assam	Manipur	Nagaland	Total
a. Normal movement	38.9%	78.8%	71.7%	56.9%
b. Going to work place	35.1%	46.5%	39.2%	39.2%
c. Sending children to school	37.9%	34.1%	32.9%	35.8%
d. Movement of women	30.9%	54.4%	47.1%	40.9%
e. Forcing to change occupation	20.4%	26.8%	18.6%	21.9%
f. Compelling to live in anxiety	50.0%	87.8%	79.8%	66.9%

Out of the total respondents only 6.2% reported that they had lived in relief camp due to insurgency. In case of Manipur it is relatively higher (10.9%) and in case of Assam it is relatively lower (2.9%). However, in some pockets in Assam, particularly in Kokrajhar district there has been huge displacement due to inter-ethnic clash between Bodo and the Santhals forcing thusands of Santhals to live in relief camps for years together.

Presence of Military is also a cause of Insecurity to the common people :

In North East India there has been huge presence of military across the states particularly in Assam, Manipur and Nagaland in the pretext of controlling insurgency. Such a presence has, however,

rather than bringing security, has added insecurity to the common people. All these three states have reported that military operation has taken place and the respondents' houses have also been raided. Total 65.2% of the total respondents from the three states have reported such military operation in their localities. In case of Assam and Manipur 72.1% and 68.7% respectively has reported such operation in their localities. Out of those who have reported military operation in their respected areas from within them 42.8% has reported that their houses have also been raided. In case of Manipur and Nagaland 52.5% and 54.0% respectively has reported such raids by military. Those who reported raids at their house from within them only 1.8% reported that they were comfortable when the raid was carried out. As high as 62.3% reported that they were uncomfortable when such a raid was carried out (40.5% reported to have experienced very uncomfortable and 21.8% reported somewhat uncomfortable).57.9% of the total respondents have reported that there are military camps nearby their villages/towns. In case of Manipur as high as 70.7% of the respondents reported presence of military camps in their surroundings. 37.9% of those who reported presence of military camps in their surroundings have said that such a presence has affected their life. In Manipur and Nagaland 58.2% and 53.4% of the respondents have reported that their normal movement at day and night has been affected by the presence of the military camps and little higher percent from these two states (62.2% in Manipur and 71.7% in Nagaland) have reported that their movement after dark has been affected by such a presence. High percentage of population (54.7% in Manipur and 53.2% in Nagaland) has also reported that they have experienced continuous frisking, harassment and foul languages from military.

***Comparing armed groups with security forces in terms of threat perception: Armed groups being more threatening than the Security Forces* :**

It is evident from the above analysis, both armed groups and the security forces have been a cause of insecurity for the common

people. However, cross verification reveals that people are more afraid of the armed groups than the security forces.

Table 2: Whom people are afraid of most? Armed groups or security forces?

	State			Total
	Assam	Manipur	Nagaland	
Armed groups	28.7%	18.1%	29.8%	25.8%
Security forces	4.8%	6.0%	5.9%	5.5%
More security forces than armed groups	7.5%	10.1%	6.9%	8.1%
More armed groups than security forces	26.5%	9.3%	12.8%	17.5%
Both equally	31.4%	51.5%	35.0%	38.5%
DK		1.7%	2.6%	1.2%
No opinion	1.0%	3.4%	7.1%	3.4%
	100.0%	100.0%	100.0%	100.0%

A very high percentage of the respondents reveal that they are equally afraid of both armed groups and the security forces. Nevertheless, the respondents have clearly said that in comparison, insecurity comes more from armed groups than the Security forces. Despite the threats that people are confronting, they do not perceive themselves very unsafe. Only 3.9 percent reveals that they are very unsafe. They are neither very safe too. As high as 60. 4% of the respondents reveal that they are somewhat safe. In Assam very lower percent (4.3%) perceives them to be very safe compared to Manipur (23.5%) and Nagaland (25.8%). So, given a chance, only 20.9% of the respondents will leave their villages/towns with another 7.7% remaining indecisive in this regard. However, 71.4% of the respondents will continue to live in their village/town. Whoever will leave, among them higher percent of population (16.3%) will leave due to environmental insecurity. In case of

Manipur as high as 47.1% of the respondents have reported that given a chance they will leave their houses due to environmental insecurity. Among armed groups and security forces in Manipur it is reported that relatively higher percent of population (7.4%) will leave their house due to armed groups compared to security forces (5.9%). In Nagaland, however, the responses have been in the opposite direction. (16.1% due to armed groups and 22.6%0 due to security forces).

Table 3: What causes more insecurity to the common people?

	Assam	Manipur	Nagaland	Total
a. Lack of basic facilities like food, house etc.	25.7 %	42.6%	20.6%	29.5%
b. Violence by armed group	61.0%	29.5%	70.2%	53.9%
c. Violence by Security forces	13.3%	27.9%	9.1%	16.6%
	100.0%	100.0%	100.0%	100.0%

This is somewhat interesting that people of the region feel more threatened by the violence by armed groups. That threat perception is again very less from security forces (16.6%) . In case of Assam and Nagaland the armed groups cause 61% and 70.2 % insecurity to the people. However in case of Manipur, 42.6% people feel insecure because of lack basic facilities like food and health to it its people. Their insecurity from the SFs is also high which is at 27.9 %.

***Sources of Insecurity apart from military and militancy: Corruption being the greatest threat*:**

In case of Northeast India security from military and insurgency have obsessed the policy analysts and researchers to the extent that the issues of day to day security have virtually been neglected. Under the UNDP Human security paradigm the issues of food, health, water etc. are priority issues to be taken up in the process of governance. This, however, such a priority need not necessarily

neglect the issues of tackling militancy and achieving internal security. Both these two invites a balanced approaches so that one is not pursued at the cost of the other. In case of North East India internal security has been such a priority for the Indian sate that peoples' day to day security has virtually been pushed to the periphery. In such a context ascertaining peoples' perception on their day to day security assumes great deal of significance towards mapping human security in this conflict-ridden zone.

Non-Military Insecurity Indicators :

Insecurity Indicators	Assam	Manipur	Nagaland	Total
a. Food Insecurity	28.3%	52.1%	9.3%	30.5%
b. Job Insecurity	50.0%	72.7%	39.5%	54.1%
c. Health Insecurity	53.8%	63.5%	22.3%	48.2%
d. Peer group/Family insecurity	8.4%	34.5%	8.3%	16.4%
Water insecurity (contamination)	24.0%	28.4%	10.6%	21.7%
Insecurity from theft & dacoit	26.8%	39.8%	18.2%	28.5%
e. Natural insecurity (drought & flood)	23.8%	32.3%	10.8%	22.9%
f. Insecurity due to bank erosion	10.2%	24.9%	16.9%	16.6%
g. Insecurity due to environmental pollution	31.6%	48.3%	50.9%	42.0%
h. Insecurity due to corruption in public offices	81.7%	89.3%	83.1%	84.4%

In the three state together 30.5% of the respondents reveal that they feel insure due to the lack of enough food. In case of Manipur as high as 52.1% has reported that they are insecure due to lack of

enough food. Job insecurity is as high as 54.1%. It is relatively lower in Nagaland (39.5%) but it is as high as 72.7% in Manipur. In case of Assam it stands at 50.0%. 48.2% of the respondents have revealed that they are suffering from medical insecurity. It is relatively low in Nagaland (22.3%) but high both in Assam (58.3%) and Manipur (63.5%).

In this category, irrespective of all the three states the single most factors which is identified as the source of insecurity is ***corruption in public offices.*** The level is highest in Manipur which is at almost 90%. In both the other states of Assam and Nagaland the figure is at 81.7% and 83.7% respectively. Insecurity caused by these factors act as the most fertile ground for the unemployed youths to take up arms against the State. Number of such studies has confirmed relationship between insurgency and insecurity caused by lack food, employment, health insecurity.

Table 4: Coping with fear and Insecurity

Different means of coping with insecurity	Assam	Manipur	Nagaland	Total
a. Forming voluntary groups	49.2%	64.8%	60.0%	56.7%
b. Approaching police immediately	59.3%	20.1%	42.2%	43.0%
c. civilians taking shelter elsewhere at night	14.6%	19.6%	15.6%	16.4%
d. Fighting out militancy	2.6%	14.1%	29.4%	12.7%
e. Remaining helpless	60.6%	57.3%	43.4%	55.3%

How does the civilian respond to the challenges posed by the militants? Or how do they respond to the insecurity caused by militancy? It's clear from the data that voluntary groups in the form of Civil society plays a prominent role in Manipur and Nagaland which is 64.8 % in case of the former and 60% in case of the latter. Naga Hoho , Naga Mothers Association , Naga Students' Federation , Naga Baptist Church etc have been playing

a pivotal role in addressing the insecurity of the common people. Apunba Lup, Meira paibis etc. are some of the voluntary groups in Manipur that play a proactive role in protecting the civilians from both the armed groups and violation of human rights by the State Security forces . These women groups in Manipur protect the vulnerable villages by torch procession at night. However a substantial portion, i.e. 55.3% in Northeast India remains helpless in front of violence and counter violence.

Table 5 : Causing Insurgency in North East India: Peoples' perception

Causes behind insurgency in North East India	Assam	Manipur	Nagaland	Total
a. Unemployment	86.0%	85.0%	90.9%	87.1%
b. Poverty and lack of basic facilities	74.5%	83.2%	83.6%	79.7%
c. Corruption and Nepotism at Govt. offices	80.3%	83.6%	82.3%	81.9%
d. Exploitative policies of Indian Govt.	82.4%	67.5%	66.2%	73.4%
e. Involvement of ISI	52.7%	22.8%	37.6%	39.4%
f. Weak policies to control insurgency	68.0%	67.8%	60.9%	66.0%
g. Overall social insecurity	64.2%	54.9%	50.1%	57.5%
h. Military operation	36.7%	46.2%	40.4%	40.6%
i. High handedness of security forces	41.6%	54.4%	34.4%	43.6%
j. Ethnic movements	93.7%	62.0%	51.8%	72.5%

We gave people ten options to choose as factors responsible for the growth of insurgency in the region. The first three factors cited by the people are –

1. Unemployment (87.1%)

2. Corruption and nepotism in public offices (81.9%)
3. Poverty and lack of basic facilities (79.7%)

In case of Nagaland and Manipur there are striking similarities – the above factors constitute the three most important factors responsible for the growth of insurgency in those two areas. However in case of Assam –the factors are slightly different. People believe the following factors responsible for insurgency in the state—

- Ethnic movements (93.7%)
- Unemployment (86.0%)
- Exploitative policies of the central government (82.4%)
- Corruption and nepotism in Government offices (80.3%)

Sustenance of Insurgency in Northeast India

In case of Assam, there is a strong perception that (85.8%) insurgency in Assam is receiving foreign patronage. This is hardly surprising as in recent times Assamese News papers and frontal organizations are accusing ULFA for having taken base at Bangladesh. The Assamese elite consider Bangladesh responsible for continuous illegal migration to the region---which is posing great identity threat to the Assamese composite identity . It is believed ULFA in connivance with DGFI (–the intelligence wing of Bangladesh) are planning for bigger strikes in Assam.

Table 6 : Reaching out the People through new policies: The Success trend

	Policies	Assam	Manipur	Nagaland	Total
a.	Benefits from PDS	64.1%	51.3%	31.9%	51.4%
b.	Benefits from NRHM	46.5%	20.0%	16.2%	30.2%

c.	Benefits from NREGA	22.9%	14.2%	9.6%	16.7%
d.	Benefits from RTI	12.2%	10.5%	15.0%	12.4%

How does the State derive legitimacy in the society? It is primarily through the governance that makes the State most acceptable form of authority. As is clear from our findings, Inability of the State to deliver basic services to the people is said to be one of important factors for the growth of militancy in Northeast India. Huge amount of money is siphoned off which is meant for delivering services to the people. A perceptible scholar on Northeast and Journalist Sanjay Hazarika comments—

"--There are varying estimates for the amount of money which has been invested or spent in the North-east by various Central government departments over the past 50 years, and especially in the last decade. This is estimated to run into tens of thousands of crores; one credible figure says Rs. 40,000 crores.(Rs 400 million) ….There are no markers for transparency or accountability in government projects. Some states like Nagaland, Arunachal Pradesh, Manipur and Mizoram are cited for their lack of accountability and poor financial management. This is not my view – it is to be found in the detailed statement of the office of the Comptroller-General of Audit and Accounts in its annual report which tears the veil off the cover-ups by the state governments and the wholesale loot of funds. Not one state comes out looking good".[15]

Public Distribution System (PDS), National Rural Health Mission (NRHM) , National Rural Employment Guarantee Act, (NREGA) which is meant for providing minimum 100 days work to the unemployed in the rural areas etc. are some of the important welfare measures of the government that can ensure food and

[15] Hazarika, Sanjoy, "Governance: Approach Issues Innovatively", in *Dialogue*, June 2004, Volume—5, No—4.

health security in the rural areas. However as our data reflects the implementation of these policies are from satisfactory. Only 16.7% people have benefitted from the much hyped NREGA programme of the Government of India. Records of Manipur and Nagaland in all these parameters are abysmally poor.

Perceiving Peace by People

How to achieve peace	Assam	Manipur	Nagaland	Total
Whether to Negotiate with Insurgents or to suppress them				
1a Negotiating with insurgents	70.7%	73.7%	77.8%	73.6%
1b Suppressing Insurgents	20.0%	15.8%	11.6%	16.4%
Whether to Scrap TADA/AFSPA or to continue with them				
2a Scrapping TADA/AFSPA	31.9 %	53.0%	44.5%	41.8%
2b Continuing with TADA/AFSPA	26.6%	18.7%	22.2%	23.0%
Solving Insurgency problem by the Government alone or by involving the greater society				
3a Solving Insurgency problem by the Government alone	29.0%	24.6%	7.4%	21.7%
3b Solving insurgency problem by involving greater society	68.4%	62.3%	79.4%	69.6%

It becomes imperative from the above analysis that cutting across all the states people wants a negotiated settlement of the vexed insurgency issue in the region. 73.6 % of the total respondents want continuous peace dialogue with the insurgent groups and

suggestion for suppression is very low which is about 16% only. The overwhelming opinion is for scrapping of the AFSPA which caused substantial human rights violations especially in states like Manipur. Total 69.6 % people believe that the Government should involve civil society in resolving insurgency in the region. We have argued elsewhere that peace building process in the region is restricted between two actors—the State and the militants. The third actor –the broad civil society voice is hardly represented in the peace building process.

Other sources of Insecurity : Poople says "No" to Bandhs and "Yes" to Non-Violence :

In North-east Bandhs/road blockade has become an endemic issue to all the states. In short, we can define bandh as a "device resorted to by political parties, organizations and unions to focus attention of people on some issues by disrupting the normal life like closing down shops, banks etc." Various insurgent groups, political parties, innumerable trade unions and different student associations, and women groups would summon bandh in order to push up their charter of demands to the Union Government and the State Governments etc. Bandh is more rampant in our region and it may not be an exaggeration to say that, at least some groups would summon bandh at least in one corner of North- East India almost everyday! Therefore, bandh often paralysed the functioning of the Government offices, business establishments and banks. The student community as a whole is often the innocent victims and the vast marginalized poor people who constituted majority of the population who live from hand to mouth are indeed the worst sufferers.

Various insurgent outfits use blockade and road bloc as a means of ventilating their grievances. We asked people how far economic blockade or bandhs affect their day to day lives.

Road blockade and its affect on people's lives

How does road blockade/bandh call affect their life

Affect	Assam	Manipur	Nagalnd	Total
Food supply	61.2%	90.4%	82.9%	75.1%
livelihood	65.8%	87.6%	67.4%	73.1%
Emergency situations like medical treatment	77.6%	89.8%	69.6%	79.8%

It follows then 71% of the total respondents oppose such bandhs or blockade by insurgent groups. In Assam almost 80 % , in Manipur 76.4 % people oppose such kinds of bandh by various groups. It is worthwhile to mention that out of 2521 respondents a total no of 2143 nos (85% --of the total respondents) have said they prefer Non-violent movement to violent method. It shows that people are increasing becoming exhausted by violent means in the society. 90.7 % people from Assam, 79.7 % from Manipur and 85 % people from Nagaland support Non-violent method as form of protest. This could go a long in removing some of the stereotypes that prevail in the existing thought process of other parts of India that the people of North-east are essentially very violent.

Policy recommendation and conclusion:

When assessing threats to security to security, policy makers and governments often ignore the views of those directly threatened. Although it is imperative the policy of the government should be informed by the concerns and priorities of individuals at risk, bottom up perspectives are notable absent from the agenda. The British Columbia University (BCU) report on Human Security has said—"While objective data on battle death tolls are available, when it comes to measuring fear there is dearth of good research. This is hardly surprising. Usually the purview of small elite, security policy has long been a top down exercise that more often

than not reflects the priorities of governments rather than those of their citizens."[16]

Democratic accountability should be sufficient reason for taking people's security fears seriously. Individuals have the right to participate in decisions that fundamentally affect the safety of the communities they live in. It looks like that the policies in NE India focus more on the containment of violence by policies of counter-violence. Here the focus of the state is on statistical violence—numbers of people being killed, kidnapped etc.---the decreasing number of death according to the State is the reflection of a peaceful era. In environments where people have adapted their behavior to the level of threat, focusing exclusively on the incidents of violent acts may misrepresent the degree of risk. As our findings have shown that majority of the people in the most conflict zones of North-east India live in extreme fear and anxiety. The situation, as we have shown above has affected their day to day lives.

What makes the NE India perpetually under the garb of terrorism and insurgency? There are three types of responses by the writers on the issue—Most of the writings have given centrality to the identity issues—North-east as the victim of defective State building process where issues of ethnicity, distinctiveness of ethnic groups are neglected leading to alienation.

The second kind of writings provides a historical role to the insurgency. According to this group of writings, violent groups like ULFA raises some historically justified questions—against post colonial Indian State.

The third kind of response is typically statist---branding insurgency as nothing but criminal activities promoted by the neighbouring countries.

[16] *Human Security Report – 2005*, University of British Columbia, OUP, Canada, p-19

***MAJOR TRENDS IN THE STUDY OF VIOLNCE IN NORTH-EAST*:**

Essentially there are three major trends for studying terrorism in NE India :

The Statist Security School represented by the writers whose school of thought gets expressed in the journal 'faultlines' published by Institute of Conflict Management (ICM). Here we can also include the views of the policy makers of the State. The writings of the journal are very benign to the role of security forces in the Northeast while dubbing the insurgency groups as a bunch of misguided youths that has made insurgency a profitable industry.[17]

Propaganda manuals offer the state view of ULFA in terms of its manifestations and activities. One such widely circulated document, *Bleeding Assam: The role of the ULFA* asserts[18]:

"…the ULFA was formed by a set of disgruntled persons on April 7, 1979… While ULFA started its movement on an anti-immigrant plank, it changed course midway. The hostility against the Bangladeshi nationals vanished once the ULFA sought sanctuary in Bangladesh and put all the money that they had extorted into Bangladesh banks. You can't have your money in another country and also preach a philosophy against the nationals of that country…"

Such official tracts speak of the ULFA modus operandi as including:

"propaganda aimed at embarrassing the elected government, *Anchal* Committees with the help of armed cadres carry out

[17] For details see the *Faultlines,* published by Bulwark Books and the Institute of Conflict Management, New Delhi. Particularly the vol. 6, 7 and 9.

[18] Report of Home Ministry, Government of India,1995, New Delhi.

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extortion, intimidation and abduction for ransom, use coercive influence over the print media to articulate ULFA's interests, eliminate civilians refusing to toe ULFA's line and among others detonate explosive devices on roads and culverts, causing the death of innocent people and creating a fear psychosis" [19] There are other kinds of writings which are generally sympathetic to the violent politics of ULFA and they attempt to condone the violent and terrorist activities of ULFA.[20] The erstwhile vernacular writings of late Parag Das also belonged to this school. [21] Prof. Samir Das, in his early writings tried to project ULFA and its ideologues as selfless and 'rare or nearly extinct species of human beings who are in the know of, or better say in the thick of things (for they practice what they profess) ....they are the people who in these hard and self seeking days still subscribe to a philosophy of selfless commitment."[22] Prof. Udyan Mishra and Prof. Sanjib Baruah are the two important writers who have written extensively on the issues of Northeast India. [23]

Most of these studies, however, have hardly taken into consideration the plight of civilians in conflict zones. Majority of these studies either are sympathetic to the insurgent groups or

[19] ibid.

[20] One such singer gave an interview in the NETV, Guwahati, that the bombings and explosions of ULFA are crackers of freedom. He of course hurriedly added that 'that does not mean I support the killing of people'-NETV News, 10th March, 2005.

[21] Parag Das, *Swadhinotar Prastab,* published by Parag Das, Guwahati, November, 1993, *Rastradruhir Dinlipi*, Udangshi Prakashan, Guwahati, October,1992. , *Nisiddha Kolom aru Anyanna,* Udangshi Prakashan, Guwahati, February,1994, *Swadhin Asomor Arthanity,* published by Parag Das, Guwahati, December, 1995

[22] -Samir Das –*ULFA-A Political Analysis*, referred above, preface.

[23] Sanjib Baruah, *India against Itself* , OUP, 1999., Udayon Misra, *The Periphery Strikes Back*, IIAS, Shimla, 2000, *Ethnonationalism in India –A Reader* ed by Sanjib Baruah, OUP, New Delhi, 2010. Also see Sanjib Baruah, *Durable Disorder*, -OUP, 2005, New Delhi.; *Beyond-Counter Insurgency*, ed by Sanjib Baruah, OUP, 2009, New Delhi.

opposed to them adopting a more Statist line. Other post-colonial studies in the context of NE India have neglected the issue of people's security in the conflict field of the region focusing mainly on identity issues. In that sense our study could be considered first of its kind that have attempted to analyze from the Human Security perspective. We believe any theory to explain the conflict scenario in the region must be based on sound empirical basis. None to our knowledge have ever tried to understand conflict situation in the region from Human Security perspective.

We have observed in our research civilians in the region face threat from three quarters—the armed groups, the State and trans-national Non-State network.

1ST *SOURCE OF THREAT: THE ARMED GROUPS*

We have observed the people in the region are equally threatened both from the armed groups as well as from the State.

1. It creates a situation where people have to live under constant fear and anxiety.
2. Forcible shelter creates another source of insecurity to the civilians
3. Forcible Extortion is another source of insecurity to the people
4. Frequent declaration of *bandh* mostly by the insurgent groups cause serious problems to the food supply and disrupt communication which is so essential for day to day lives of the common people. Majority of the people want that such tactics should be avoided by the insurgent groups.

It is interesting to note that 85% of the people interviewed favour non-violent movements as an instrument to ventilate grievances .

2ND SOURCE : INSECURITY CAUSED BY THE STATE:

However—the insecurity from the State is manifold—

1. Continuous frisking-harassment in the name of establishing security actually alienates people. Such an overwhelming presence of security forces has, however, rather than bringing security, added insecurity to the common people.
2. There is a wide spread protest to the Draconian laws that give impunity to the Security forces. Majority people interviewed want such laws to be scrapped.
3. Exploitative policies of the central government that alienate people of the region. This is particularly true in case of Assam where there is a strong sense of perceived notion of exploitation by the centre. People of Assam believe that the resources of the state such oil, tea and plywood etc. have been extracted from Assam to benefit the parts of India.
4. Failure of the Government to protect (situation to live in constant fear and anxiety) .
5. Failure of the Government to provide (provide basic socio-economic security like food, shelter and employment and health) .
6. Failure of the Government to empower its individuals and resolve the issues in consultation with the civil society. Failure to provide a more peaceful approach.
7. Deficiency of democracy in the North—east. The best way through the State receives habitual obedience is through governance. The process is simply missing in the region. Corruption, nepotism, unemployment etc. are some of the deficiencies highlighted by the people of the region.

Democracy means participation and trust of the people, transparency of administration, and a democratic and political response to the challenges posed by insurgency. However the State prefers to respond to challenges by force .As people have shown that corruption, nepotism, unemployment etc. are the greatest threat that provide a fertile for the growth of insurgency in the region.

3RD SOURCE : TRANS-NATIONAL NON-STATE NETWORK :

The threats of Trans-national sources are essentially of three types—

1. Issue of Narcotics and drugs
2. Proliferation of arms to the NE region.
3. Providing necessary support and help to the insurgent outfits by Bangladesh and other neighbouring countries of the region.

It is quite intriguing that 66% people of the Northeast are aware about the possession of small arms by the civilians. Assam tops in the list with 74% people expressing their knowledge about the possession of arms by civilians. 51.4 % believe that they are supplied by Drug dealers. 24% believe it comes from foreign countries. It shows that the issues drugs and Arms proliferation have acquired an alarming proportion in the region. Illicit trafficking in small arms is closely aligned with that of narcotic drugs. Arms are usually exchanged for drugs, which can lead to far larger profits and can also be used for laundering money and enriching individual fortunes.

North Eastern India, situated next to Myanmar, belongs to the *Golden Triangle*, a drug producing area where 68 percent of all known illicit opium production and refining takes place. The North Eastern region has a 1,643 kilometer border with Myanmar, the main source of the opium trade. According to the US Drug Enforcement Administration, Myanmar produces 80 percent of the heroin in South-East Asia and is responsible for 60 percent of the world's supply. North East India furnishes trafficking routes for Myanmarese heroin as well. Many heroin labs are located near the border. There are more than 19 trafficking routes from Myanmar to the North East. Manipur, Mizoram and Nagaland together smuggle at least 20 kgs. of heroin every day. Intelligence reports reveal that not all the heroin smuggled into the region is for local consumption. Instead, the bulk of it is sent to different parts of the country for various destinations, including foreign countries like

the United States, Europe and major parts of India. The heroin is sold under different brands such as 'two lions and a globe', 'double globe', 'five stars' and 'dangerous'. n Manipur, narco-trade is referred to as "blood money". The ring of narco-insurgency has spread its shadow across the seven states of North East India. The massive international border which runs through difficult, porous and changing terrain and which touches several nations only further complicates the issue. Narco-trafficking and insurgency, coupled with extortion, form a menacing ring which includes politicians, rebel groups and common people. In fact, one supports the other and has become a way of life.

The ULFA and the NSCN (first the undivided and later the Isaak-Muivah group) had been instrumental for spread of small arms in the north-east as a whole, and Assam in particular, from where it spread to the smaller militant outfits and even among civilians. Most of the stock-pile of these clandestine weapons is still retained by these militant groups. There is no way to ascertain the number of weapons in the possession It is estimated that ULFA has a stockpile of not less than 5,000 sophisticated small arms. It has been the only insurgent group in Assam, whose presence has been felt across the state, although its stronghold still remains the Brahmaputra Valley districts of Assam.

There is a strong perception particularly among the people of Assam that insurgency movements in Assam are supported by Bangladesh and Myanmar. This is primarily due to the fact that the principal insurgent groups in the State like ULFA had ostensibly taken a pro-immigrant stand who are mainly coming from Bangladesh. One of the major threats to the *Asomiya* identity in the state is illegal migration from Bangladesh. So people of the state feel highly frustrated when groups like ULFA take a more pro-immigrant stand. Besides, people believe that the recent killings of Hindi speaking people and their out migration from the state (who are mainly coming from central and northern parts of India) are done by ULFA at the behest of intelligence wings of Bangladesh and Pakistan.

POLICY IMPLICATIONS AND CONCLUSIONS:

The above analysis presents a very dismal picture of the status of Human Security situation in NE India. In all the areas of insecurity the failure of the State is quite palpable. The State in the NE region can at best be described as the 'Weak State'. Weak State according to Human Security approach –" as the one that can't uphold the Hobbesian contract for providing not only Security , but also and especially developmental goods and Human Rights imperatives for its own citizens. State weakness is judged not only on the basis of problems that threaten the security of other regions, or the State itself (such as through armed movements or ethnic strife), but conditions that threaten the physical integrity, welfare, self-determination and opportunities for citizens…" [Human Security– Tadjbakhsh,Chenoy, Routledge, 2007]

Agents of the State are responsible for their actions and accountable for their acts of commission and omission towards social and economic policies which can help in reducing poverty, mitigating fear of conflict, violation of human rights, torture, rape and initiating and sustaining developmental process. The State thus has a primary responsibility to provide its citizen "Freedom from fear" and "Freedom from Want."

The State from the perspective Human Security has three primary responsibilities –

- The primary responsibility of the State is to provide traditional security, prevent threats and protect people from them.

- The second responsibility is to 'provide'—a notion embedded in the upholding people's Rights and Freedoms as well delivering on Social Services in an equitable manner.

- The third is the responsibility to 'Empower'. The strength of the State rests in its responsiveness to people and their needs by enhancing people's ability to act on their own behalf.

In that line, it could be argued that the State in NE India has to protect, provide and empower.

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PLANNING AT THE GRASSROOTS: CONSTITUTIONAL PROVISIONS AND EFFICACY OF GRAM SABHAS

Bhupen Sarmah*

Unequivocally, the seventy-third constitutional amendment envisaged a paradigm shift involving the gamut of hitherto administrative, planning and financial systems, which underpinned the rural life in India. The renewed concern for decentralized planning[1] has now been placed by the Constitution

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[1] Since independence, India has continuously been experimenting with decentralized planning. Starting with the First Five Year Plan, every Five Year Plan has made reference to decentralized planning in some way or other. A number of Committees, Working Groups and Task Forces have been constituted by Government of India and Planning Commission to look at and operationalize the ideals of 'decentralized planning' in the country. One can refer to the most foundational and widely discussed reports of Balwantray Mehta Committee (1957), Ashok Mehta Committee (1978), G V K Rao Committee (1985) and L M Shingvi Committee (1988), texts of which, including a dissenting note on Ashok Mehta Committee Report by E M S Namboodiripad are available at the Planning Commission's website. Besides, Report of the Administrative Reform Commission (1967), Planning Commission's Guidelines (1969), Report of the Working Group headed by Professor M L Dantwala (1978), Report of the Working Group headed by Professor C H Hanumantha Rao (1984) are also worth considering in this context. It may be mentioned that Hanumantha Rao Committee specifically recommended devolution of functions, power and finances for effective decentralization of the planning process. The report of the Sarkaria Commission went a step further in recommending formulation of a State Finance Commission akin to the Finance Commission to look into the

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in an environment of 'democratic decentralisation' by enhancing the status of the Panchayati Raj Institutions (PRIs) from the position earlier assigned by the Constituent Assembly, and recognizing Gram Sabha as the substratum. However, the envisaged archetype, to become a reality, necessarily warrants an attempt to reconstruct the development attitude at the societal level, let alone the institutions and processes.

Functioning of Gram Sabha: An Overview

Most of the states in India, with very few exceptions such as Kerala and Tamilnadu, attempted to institutionalize Gram Sabha through their respective Panchayat Acts enacted much before the seventy-third Amendment of the Constitution[2]. Analysis of the Panchayat Acts of various states as they were prevailing before the Seventy-third Amendment reveals that the functions of the Gram Sabha generally included consideration and power to make recommendations with regard to matters such as the annual statements of the accounts, administrative report of the preceding financial year, the last audit report and replies, report of the development programmes proposed to be undertaken during the current year, mobilization of voluntary labour and contributions in kind and cash for community welfare programmes, and identification of beneficiaries for implementation of the development schemes pertaining to the village (Bhargava and Venkatakrishnan, 1995).

The statutory institutions at the grassroots, nevertheless, did not function and remained dormant in most of the states due to several factors. Besides lack of clear direction, it remained under the

issues of State level devolution of resources to the districts on an operational and objective basis.

[2] Some such statutory provisions made the institution of Gram Sabha quite powerful, vesting the right to 'recall' the Sarpanch. For instance, Bihar Panchayati Raj Act, 1947 and Punjab Gram Panchayat Act, 1952 the Gram Sabhas also had power to recall the Sarpanch.

control of the dominant rural elites to serve their vested interests, and the common citizens, with the little space provided to them, remained apathetic towards its functions. Even when the common citizens show genuine interest, they found that the Gram Sabha's opinion was not binding on the Gram Panchayats, nor the latter was ready to respect opinions of the former (Jain, 1997).

Undoubtedly, the Seventy-third Constitutional Amendment Act has formally recognized the Gram Sabha by way of defining it.[3] Nevertheless, the quantum of its powers and functions has been left to be decided by the Legislature of the State.[4] The Constitution, therefore, essentially wishes to reinstitutionalize Gram Sabha in a new form decreed by legislation by the states. Taking cognizance of the Seventy-third Amendment in its totality, it may safely be said that the ethos of the Indian Constitution is to provide opportunity for active participation of the mass of the rural people in self governance including local level planning, and to institutionalize the political space at the grassroots to ensure some amount of transparency and accountability of the elected functionaries of the panchayats, the instrumentality of 'good governance' below the states.

Such being the ethos of the Constitution, all the states ostensibly attempted to reinstitutionalize Gram Sabhas through their respective Panchayat Acts. The scope and functions of the Gram Sabhas were outlined. The process thus initiated also inspired enormous hope and several euphoric theoretical constructions, often without much deeper probe into the rural context. It was hoped that the constitution of Gram Sabhas consisting of all adult members of a village Panchayat would give 'voice' to the 'voiceless' people living in 6,00,000 villages of India (Gangrade,

[3] Article 243 defines Gram Sabha as 'a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level'.

[4] According to Article 243A 'A Gram Sabha may exercise such powers and perform such functions at the village level as the Legislature of a State may by law, provide'.

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1995). The Gram Sabhas were viewed as the gateway to grassroots democracy (Jain, 1997) and it was expected that it would lead to participatory democracy as distinct from representative democracy (Aram and Ravichandram, 1995). Similarly, it was viewed as one of the basic institutions of new direct democracy at the village level (Narayanasamy, 1998). The reinstitutionalized Gram Sabhas were also perceived as a mechanism to bridge the gape between the civil society and its political wing – the state (Jaamdar, 1995). These are only few instances. Though the attempt made by different states was theoretically eulogized, the reinstitutionalized Gram Sabha had to confront with several basic practical issues.

Owning to lack of a clear constitutional mandate towards operationalization of the grassroots institution, there have been considerable variations across the states regarding structure and jurisdiction of the Gram Sabha, as well as its powers and functions. In most of the states, the jurisdiction of the Gram Sabha has been mechanically determined to cover the entire GP irrespective of the number of villages as well as population it covers (Rai et.al., 2001; Choudhury and Jain, 1999). Considering the small size of villages in India, there is a justification in constituting a Gram Panchayat (GP) covering a group of villages with clearly demarcated constituencies. But, in some of the major states such as Uttar Pradesh, Madhya Pradesh, Andhra Pradesh etc., besides having a considerably high density of rural population, the territorial jurisdiction of the Gram Sabhas becomes coterminous with the GPs. Therefore, for all practical purposes, a Gram Sabha in such states would mean an assembly of considerably a large number of extremely heterogeneous population, where the hitherto castes and class domination is bound to marginalize the voice of the socially and economically oppressed sections of the rural society. Experiencing such difficulties, some of the states have, however, attempted to ensure meaningful deliberations and wider participation at the grassroots by replacing the Gram Sabha with Ward Sabha. Rajasthan happens to be the first state in this direction. Kerala and Orissa have also adopted a similar policy, while West Bengal has introduced the system of Gram Sansad,

which is equivalent to Gram Sabha at the ward level, to guide and advice the GP. Such step would definitely be effective in ensuring participation of the people at large; nevertheless, the question of traditional patterns of domination has remained unresolved.

The frequency of meetings of the Gram Sabha and the prescribed number of members to form its quorum are not merely a matter of technicality. These are two important aspects in order to ensure wider participation of people in local governance ensuring transparency and accountability, and also to make the Gram Sabha the base of Panchayati Raj. The majority of the state legislations have made the mandatory provision to convene at least two meetings of the Gram Sabha in a year, either by the President or the Secretary of the respective GP. Only in case of very few states, the minimum number of meetings in a year is three or four. In many of the states such as Gujrat, Madhya Pradesh, Rajasthan, Haryana, Tamil Nadu etc. the meetings of the Gram Sabha are to be convened on the dates specified by the respective state. Yet in practice, the minimum number becomes the maximum in all states completely ignoring the question of actual requirement of such meetings. A similar ad hocism and narrow technical consideration of quorum for a meeting of the Gram Sabha has also been a stumbling block. Though some of the state legislations have not specified any such quorum, it is no less than one-tenth of the total members of the Gram Sabha in majority of the states. In some of the states such as Himachal Pradesh and Uttar Pradesh, the quorum is even one-fifth of the total members of the Gram Sabha. However, except for Kerala, a mandatory provision for participation of women in the meetings of the Gram Sabha has completely been ignored. Though the quorum is specified in most of the states, usually attendance of the minimum specified number of members is not required for a meeting of the Gram Sabha that has been adjourned for lack of quorum. Such abortive practices reducing the spirit of participation to a question of mere formality or technicality often provide opportunities to abuse the statutory provision.

Many of the state Acts have not clearly defined the powers and functions except for making some vague reference to certain responsibilities such as consideration of administrative and financial reports of the GPs, mobilization of voluntary labour and contribution in kind or cash, and promotion of unity and harmony among all section of people in the village. Even in cash of the Acts, which listed certain functions of the Gram Sabhas, the procedural details in a proper perspective are conspicuously missing. Consequently, identification of beneficiaries for the development schemes sponsored by the Centre has often been the major item in the agenda of the Gram Sabha. Based on the observation of actual Gram Sabha, it is seen that the agenda of the meeting in most cases is limited either to selection of beneficiaries for various poverty alleviation programmes. As a result, attendance in such meetings is limited to potential beneficiaries or persons interested in taking various works on contract (Rai et.al., 2001). Being guided by a very limited approach, the Acts enacted by most of the states have mechanically made the provision of Gram Sabhas, more or less the similar provision that existed in different states prior to the Seventy-third Amendment.

Assam as an Example of Dereliction and Political Maneuvering

Gaon[5] Sabha is not a new addition to the Panchayati Raj system in the state. The Assam Rural Panchayat Act, 1948 made the provision of Primary Panchayats composed of all adults having permanent residence within its area, who formed the electorate for the Rural Panchayats. Every Primary Panchayat was required to elect one representative for every two hundred of its members or a fraction thereof to the Rural Panchayat. The Assam Panchayat Act, 1959 also made provision for Gaon Sabha consisting of all persons of a specified area whose names were included in the electoral roll of the Assam Legislative Assembly. However, the institution of Gaon Sabha, in both cases, did not have much to contribute to the

[5] Gram means 'Gaon' in Assamese.

functioning of the panchayat system, except for electing their representatives to the Rural or Gaon Panchayats.

Reinstitutionalising Panchayati Raj in the state following the constitutional mandate, the Assam Panchayat Act, 1994 made the provision of Gaon Sabha consisting of persons registered in the electoral rolls relating to a village or a group of villages comprised within the area of a GP. The latter may, however, include a revenue village or a group of revenue village or a forest village or a Tea Garden area or hamlets forming part of such administrative units with a population not less than six thousand and not more than ten thousand. The sole criterion for demarcating the territorial jurisdiction of a Gaon Sabha or the Gaon Panchayat, therefore, is the size of population, which is not less than six thousand. Considering the average size of population of such administrative units, a Gaon Sabha means an assembly of the total electorates of not less than four villages covering a geographical area of about six square kilometers on an average.

The Gaon Sabha is required to consider the report in respect of development programmes of the Gaon Panchayat relating to the preceding year, such activities proposed to be undertaken during the current year, and may make necessary recommendations and suggestions to the Gaon Panchayats. The functions of the Gaon Sabha are mobilization of voluntary labour and contribution in kind and cash for community welfare programmes, and identification of beneficiaries for implementation of development schemes pertaining to the village. The other responsibility prescribed for the Gaon Sabha is promotion of unity and harmony among all sections of society in the village.

The Assam Panchayat Act, 1994 was enacted by the then Congress Government[6], its successor, the Asom Gana Parishad (AGP)[7],

[6] The Congress Government headed by Late Hiteswar Saikia from 1991 to 1996.

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which once again came to power in the state in 1996 carefully avoided elections to the PRIs, although the Act was amended several times during the period of its power till 2001[8]. Finally, the elections to the panchayats in the state were held in December, 2001 after laps of more than four years. The people welcomed the move and enthusiastically participated in the elections[9] with a lot of hope and expectations. The Congress, which came back to the power in May 2001, alongside the procedural formalities for holding the panchayat elections, launched the 'Raijor Pudulit Raijor Sarkar' (Redressal of Public Grievances at People's Door, hereafter RPRS) programme involving the state bureaucracy just four months before the polls. While it was projected as an initiative to ensure accountable and transparent administration through community participation at the grassroots along side preparation for the panchayat polls, the 'people-centric development programme' of the government was generally welcomed by a large section of the rural people. The conscious and meticulously calculated political move really worked. In absence of elected panchayats, it generated hope among the mass of the rural people on the one hand and helped the Congress to extend its political

[7] The Asom Gana Parishad is a regional political party, which is a product of the six consecutive years (1979 – 1985) of he Assam Movement, remained in power in Assam for the first time from 1985 to 1990. After a period of political turmoil followed by President's rule in the state, it was defeated by the Congress in 1991.

[8] One of the glaring failures of the AGP government had been its disinclination to conduct the panchayat elections in Assam due since 1997. Projecting this as a deliberate manoeuvre, the Congress in its election manifesto for the Assam assembly elections in 2001 committed itself to holding elections to the PRIs. Finally, panchayat polls were conducted in the last week of December in two phases (first phase of the poll was on 27 December and the second phase was on 31 December, 2001) after a gap of four years, and the ruling Congress decisively eclipsed all its major opponents including the AGP.

[9] Witnessing a considerably high level of political participation of the people in the democratic process, about 70 per cent of the rural voters exercised their franchise in the panchayat polls, and the pattern was more or less similar throughout the state, where the elections were held.

influences on the other. But at the same time, it has also set a dangerous pattern of rural local self-governance to be followed (Sarmah, 2006).

The Congress monopolized the PRIs elected in 2001, and yet, decided to continue with the mechanism of RPRS. The political strategy of domination of the state bureaucracy had not only led to confusion and chaos in the rural political arena but also jeopardized the Gaon Sabha, the constitutionally recognized institution for ensuring accountability and transparency at the grassroots. Therefore, the pyramidal structure of panchayats had grown in Assam on a considerably feeble edifice with a little democratic content in it.

So far as procedural details were concerned, RPRS was to be convened in every quarter of a year, i.e. October, January, April and July. Gaon Sabha was the basic unit for each round of RPRS focusing on a special theme[10]. During each round, called as the RPRS Week, Gaon Sabhas were to be held in all the GPs in the state. A Nodal Team, consisting of the Block/village officials of all the line departments including the Sub-Inspector of police, headed by a Nodal Officer deputed by the Deputy Commissioner of the concerned district was responsible for conducting each round of RPRS, organizing Gaon Sabha meeting in a GP in the specified week. It was the Nodal Officer's prerogative to decide the programme for meeting of the Gaon Sabha, as well as its time and venue.

However, each Gaon Sabha meeting was required to follow more or less an agenda specified by the state government, and the agenda of such one-day meeting normally included a discussion on

[10] The special theme in the first year focused on Women Empowerment, Rural Credit, Health and Hygiene and the strengthening of PRIs. The special themes in the subsequent years kept on changing to cover myriad subjects such as Environment and Forestry, Empowerment of Self Help Groups, Elementary Education, Sericulture, Veterinary and Dairy Farming etc.

the 'theme' of the RPRS Week (two hours), lectures to generate awareness on the government sponsored developments programmes (one hour), selection of beneficiaries (one hour), grievance petitions and discussion on problems (two hours) and distribution of individual/community benefits (one hour). Since the first round of RPRS held (between 8th and 14th October, 2001) in the entire state about four months before the panchayat polls, the convention had been that the meeting of the Gram Sabha always started with a long 'message' from the Chief Minister to the people of the concerned district to be read before the people by the Nodal Officer. The message always contained a long list of 'achievements' in different spheres made by the government in the district[11].

In each round of RPRS, the Nodal Officer was required to accept the petitions, categorize the grievances either as Individual Family Need (IFN) or Community Need (CN) in a prescribed format. This was to be handed over to the Redressing Department with a copy to the Zonal RPRS team constituted for each Development Block headed by a Zonal Officer[12] and the Deputy Commissioner of the concerned district within three days after completion of the RPRS Week. The Deputy Commissioner had to compile the information for the whole district and apprised the government. The basic objective, however, was to ensure monitoring by the Zonal Officer and also to be reviewed by the Deputy Commissioner whether or not the concerned department took steps for redressal. The Deputy Commissioner was also responsible for convening fortnightly review meeting with the Redressal Departments to ensure that the necessary actions had been taken.

The Congress after coming back to the power in May, 2001 had geared up the entire state machinery to launch RPRS in all the

[11] I have observed several such messages, preserved by the GPs, sent by the Chief Minister to the people of different districts before each round of PRPS.

[12] A Zonal Officer is usually a senior officer such as the Additional Deputy Commissioner or the Sub-Divisional Officer of the respective district.

plain districts[13], making provision for disciplinary actions against the officials showing reluctance to it. A good number of officers, for the first time in life, took the pain to visit the remote villages under compulsion[14]. The programme was successfully launched in October, 2001 with the initiatives taken by the officers for mobilization of a large section of rural mass, a difference that generated hope and expectation. The first round of RPRS held about four months prior to the panchayat polls provided a platform for the people to express not only their grievances but also expectations from the newly formed government in the state. And politically, it immensely helped the Congress to articulate expectations of the people when its major opponents remained silent just four months after the defeat they experienced in the Assembly polls.

The initial efforts made by the government to reinstitutionalise Gaon Sabha through RPRS, involving the bureaucracy in absence of elected panchayats, were laudable, and rural people in the state enthusiastically availed the opportunity, at least, to interact with the officials. Nevertheless, when the government decided to continue with the RPRS, a well designed political strategy of bureaucratic domination even after the panchayat polls, it had led to confusion and chaos jeopardizing the spirit of participation. As it was designed, the elected GP President had a very little role to play in the affairs of the camouflaged Gaon Sabha dominated by the officials and panchayat secretaries. The RPRS rounds in each GP had gradually become a ritual alienated from the people at large. In most of the cases, only the potential beneficiaries of different centrally sponsored schemes, especially the IAY, attend the meetings, which often ended with quarrels on the issues related

[13] Till the formation of the Bodo Land Territorial Council under the Sixth Schedule to the Constitution in 2003, all the plain districts of Assam were supposed to have the PRIs.

[14] While discussing the RPRS, some retired senior Civil Servants shared their experiences with me.

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to identification of beneficiaries and distribution of the benefits, hardly arriving at any concrete decision.

It is interesting enough to note that the elected panchayat functionaries including the GP Presidents were guided by the notion that a Gaon Sabha was to be called only after receiving instruction from the Deputy Commissioner of the respective district for holding RPRS round[15]. Presence of the Nodal Officer and his team in the meetings was compulsory, and the first item in the agenda had always been the 'message' from the Chief Minister followed by lectures by the officials on the theme of the RPRS Week. Neither the people found the mere political propaganda attractive in absence any follow up actions on their ventilated grievances, nor did the officials find it interesting or meaningful to deliver a lecture to the inattentive and disinterested audience. Yet, it was responsibility of the concerned GP to bear the entire cost of the political idiosyncrasy, both in terms of money and working hours of the rural poor. When the poorer section used to come with the expectation of getting identified as a beneficiary, the additional financial burden of holding the so-called RPRS had to be 'managed from the limited fund received by the GP for implementation of development schemes'[16]. To be precise, such practices amounted to a big gap between the statutory provisions and the ground realities, not to speak of the constitutional ethos. An objective

[15]The common practice was as follows. Following instruction from the Government of Assam, the Office of the Deputy Commissioner of each district had to send a circular to the concerned officials of the district to organize each round of RPRS with the specific theme. Such circular also specified the agenda for the meeting, asking the Nodal Officer to finalize the date and venue in consultation with the Sr. B.D.O./B.D.O., GP President, AP Member, ZP Member, GP Secretary and Zonal Officer, RPRS. After finalization of date and venue by the Nodal officer, the Sr. B.D.O./B.D.O. had to send a circular to each GP of their respective Block to held the meeting on the specific date and time.

[16]This was revealed by several elected functionaries of PRIs of the districts of Kamrup, Golaghat, Dibrugarh and Goalpara during my discussion with them about functioning of Gaon Sabha in their respective GP.

assessment of the functioning of the PRIs in Assam, including the Gaon Sabha, from October 2001 till the end of 2007 therefore clearly reveals that the Panchayati Raj System in the state that came into being after the Seventy-third Amendment, made the system as a whole overwhelming dependent on the centrally sponsored schemes on the one hand, and consequently made the elected bodies accountable to the bureaucratic structure of the state, a reversal of what has been envisaged by the Constitution, on the other.

The second batch of PRIs in Assam took oath in the early part of 2008[17], nevertheless, the system as a whole still remains as an appendage of the district bureaucracy. To substantiate this point, let us take the example of the present status of district planning in the state. Essentially to fulfill the constitutional mandate, like most of the states, the Assam Panchayat Act, 1994[18] has also made provision for DPC in every district[19] to consolidate the plans prepared by Zila Parishad, Anchalik Panchayats, Gaon Panchayats, Town Committees, Municipalities and Municipal Corporations in the district and to prepare a draft development plan for the district as a whole. While preparing the draft development plan, every DPC shall have regard to the matter of common interest between Zila Parishad, Anchalik Panchayats, Gaon Panchayats, Municipalities or Municipal Corporation as the case may be, and the Town Committees in the district including Sectoral Planning sharing of water and other physical and natural resources, the integrated development of infrastructures and environmental conservation; besides the extent and type of available resources whether financial or otherwise. In deed, this is too big an expectation from a committee comprising mainly the elected representatives of the PRIs and urban local bodies. The Chairperson of every District Planning Committee shall forward

[17]The elections to the second batch of PRIs in Assam were held in 2007.

[18]Chapter II, Section 3(1) of the Assam Panchayat Act, 1994.

[19]The districts under the jurisdiction of the Panchayati Raj Institution, and at present there are 20 such districts out of a total of 27 districts of the state.

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the District Plan, as recommended by such committee, to the Government for approval within a specified period as may be prescribed by the state government.

Notwithstanding the Assam Panchayat Act, 1994 has made provisions for DPC and defined its responsibilities, there is no indication for stuff and fund to be provided to the DPC. Therefore, although the DPCs are constituted in most of the districts, even the elected representatives to the Zila Parishads, in most cases, are not aware of existence of DPC in their respective district. The PRIs in Assam are primarily engaged with implementation of schemes under National Rural Employment Guarantee Act. In most of the districts, the NREGA perspective plan, ideally which should have been a component of the draft district plan consolidated by the DPC, are prepared by the DRDA by engaging outside experts or institutions[20].

With coming up of the second batch of PRIs in the state, the practice of RPRS followed by its predecessor has largely been marginalized. The GPs are now trying to organize Gram Sabha, as it has been observed. Nevertheless, the Gaon Sabha occasionally meets only at the time of preparation of the Annual Plans for NREGA, implementation of which happens to be the soul functioning of the PRIs. Secondly, it has also been observed that the meetings of Gram Sabha, or even Ward Sabha organized by some enthusiastic elected representatives in some isolated cases, are very thinly participated, as the practice of organizing such meetings has perceived as a mere formality by the larger majority of the rural people[21]. Such observations reiterate the basic

[20]For instance, the NREGA Perspective Plan for Barpta district was prepared by the Omeo Kumar Das Institute of Social Change and Development, Guwahati and the same for Dibrugarh was prepared by the National Productivity Council, Guwahati. Such Institutions involved the PRIs in this exercise, but the DPC of the respective districts have played no role it.

[21]These observations are drawn from a series of 93 Gaon Sabha meetings organized in Dibrugarh in the later part of 2009 for preparation of draft

constraints, which have been pointed out earlier, confronted with by the Gram Sabha in different parts of the country.

Proposed Amendment of the Constitution for a Better Future: A Critical Appraisal and Conclusion

Notwithstanding the Ministry of Panchayati Raj came into being in 2004 as an independent Ministry after more than a decade of Constitutional recognition accorded to the PRIs, the Ministry, ever since its formation has continuously been emphasizing on strengthening of the Gram Sabha.[22] The Ministry noted that despite

district plan for the district. It may be mentioned in this context that the author with his colleague (Mr. Joydeep Baruah) prepared a draft district plan for the district in 2009, the first attempt of this kind in Assam strictly following the Planning Commission's Manual and Report of the Expert Group on planning at the Grassroots. This attempt, designed in the overall framework of the 73rd and the 74th Amendments, had made efforts to complete all the phases of district planning viz. district visioning exercise, fifteen year perspective planning five year planning and annual planning mandated by the Expert Group, so as to provide a model to be followed in other districts of the state. The project was conceived by the OKD Institute of Social Change and Development, Guwahati, to which the author is currently affiliated, and financially supported by the State Institute of Rural Development, Assam. For an objective analysis of the theoretical as well as practical constraints of district planning, see Baruah, 2009.

[22]Ministry of Panchayati Raj was set up as an independent Ministry to give an impetus to the strengthening of PRIs in the country. The Ministry convened meetings of the Chief Ministers of the States; took up steps to review the status of actual devolution of powers to the PRIs; and organized seven round tables of State Ministers of Panchayats to discuss the issues and to prepare a time bound road map for effective devolution of functions, functionaries and funds. Recognizing the fact that a strong system of Gram Sabha is the indispensable foundation of good governance through Panchayati Raj, the First Round Table held in July, 2004 recommended the State Governments to review the extent legislation to determine the legislative and other steps to ensure that the 'powers' and 'functions' stipulated in the Article 243A of the

having high potential of Gram Sabha for grounding democracy at the grassroots, the meetings of the Gram Sabhas are not held regularly and are marked by thin attendance particularly of women and marginalized groups. 'The general perception is that the task before the Gram Sabha is approval of the list of beneficiaries, approval for issue of utilization certificates and passing of the annual accounts. Panchayat heads bring their own supporters and potential beneficiaries to attend the meetings so that while the quorum is completed, most of the other electors keep away. Hence a sense cynicism has developed about efficacy of Gram Sabha meetings' – the Ministry observed. Taking cognizance of the empirical reality prevailing across the country, and also realizing that 'Gram Sabha is the key to the self-governance and transparent and accountable functioning of the Gram panchayat', the Ministry, in order to ensure effective functioning of Gram Sabha, issued detailed Guidelines to all the States/Union Territories[23]. However, 'power to the people' through the local bodies remains far from desirable, and therefore, the Ministry now deems it appropriate to re-look at the Constitution and make amendments necessary to realize the dream of 'Gram Swaraj'. The proposed amendments, inter alia, include an amendment to Article 243A and other relevant articles[24]; 'to make the Gram Panchayat

Constitution are adequately incorporated. The Round Table also emphasized on constitution of Gram Sabha and empowering them meaningfully besides regular meeting.

[23]No. J-11011/12/2009- Media, Government of India, Ministry of Panchayati Raj, 2nd October, 2009.

[24]The Ministry of Panchayati Raj has proposed to amend the Constitution, and the major thrust of the proposed amendment has been: (a) to make devolution of power and authority to Local Bodies mandatory, (b) to create elected District Councils substituting the District panchayats, which will have representation from both rural and urban areas (excluding metropolitan areas) in proportion to their population, (c) to make provisions for Ward Sabhas in the Constitution and to incorporate functions of the Gram Sabhas in the Constitution , along the lines of PESA Act., (d) to give directions to the State Governments to make MPs, MLAs and MLCs members of Panchayats be repealed, and (e) to make provision that seats and offices of chairpersons be reserved for two

accountable to the Gram Sabha and also to empower the Gram Sabha on the lines of PESA'. It has also been proposed that provisions for Ward Sabhas be made in the Constitution and functioning of Gram Sabha be incorporated in the Constitution, along the lines of PESA Act.[25] With adequate justifications for the proposed amendment, the Ministry has drafted the proposed Amendment Bill along with a new Schedule (Schedule 13) to be added to the Constitution. Clearly outlining the powers and functions of Gram and ward Sabha,[26] the new Schedule has been drafted broadly in the ethos of the PESA Act.

continuous terms for a particular category and reservation be only in those territorial areas, Panchayats and District Councils where the population of a particular category is 5% or more.

[25]The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) extended Panchayats to the Scheduled Areas of nine states, viz. Andhra Pradesh, Chhatisgarh, Himachal Pradesh, Jarkhand, Maharashtra, Madhya Pradesh, Orissa and Rajsthan. The Gram Sabha in PESA areas has inter alia:

- Competence to safeguard traditions and customs of the people, their cultural identity, community resources and customary modes of dispute resolution;
- Mandatory executive functions and responsibilities to approve all plans, programmes and projects; identify beneficiaries for socio-economic development and issue certification of utilization of funds by Panchayats;
- Right of mandatory consultations in the matters of land acquisition, resettlement and rehabilitation, and mining leases for minor minerals;
- Power to prevent alienation of land and restore alienated land to its owner;
- Power to control institutions and functionaries in all social sectors etc.

[26]Besides some of the mandatory powers and functions of Gram Sabha in PESA areas, powers and functions to Gram Sabha and Ward Sabha in the proposed Schedule 13 inter alia include:

- Competence to resolve disputes in respect of all matters included in the Schedule and other matters that may be specified under Nyaya Panchayat Act,

The amendments proposed by the Ministry of Panchayati Raj are undoubtedly based on quite careful reading of the empirical realities, which have crippled the entire system of Panchayati Raj by alienating people from Gram Sabha. Therefore, if the Amendment Bill is passed by the Parliament, presumably, there will be remarkable change in the rural scenario of India. The proposed amendments have, however, eulogized Gram Sabha in the PESA areas on the one hand and presumed that the dream of 'Gram Swaraj' can be realized by strengthening Gram Sabha through constitutional amendment.

Nevertheless, it would not perhaps amount to cynicism to question the basic premise of the proposed amendments, not necessarily questioning their forms, contents and intended objectives. In India, beyond any doubt, the abstract notion of 'democracy' has been operationalized at the grassroots in its worst possible form. In most of the states, elections to the panchayats are heavily influenced by 'investment capacity'[27] of the candidates besides power of the party the candidate is affiliated to, let alone other considerations such as caste and religion. These issues are, of course, not new in the academic discourses on Indian electoral politics, the fundamental question, however, is how to prevent the process of 'decentralisation of power' from increasing influences of political malpractices. The answer must be sought beyond the present constitutional arrangement, although one may likely project the anticipated move to make PRIs accountable to Gram Sabha as a solution. The set of proposed amendments must include some legal measures, at least, to prevent expenditure in panchayat elections,

- Competence to safeguard and preserve the community resources including land, water, forest and minerals,
- Control over Village Panchayat.

[27]In close discussions with the author, some Ward Members of GP across different districts of Assam revealed that their election expenditure in 2001 was, on average, Rs. 30,000 to Rs.40, 000; which increased to Rs. 75,000 to Rs. 90,000 in the elections held in 2007. On an average, a Ward of GP in Assam has 350 to 400 voters.

so as to make PRIs vibrant institutions of development free from vested interests and accountable to Gram Sabha.

Despite the right ensured to Gram Sabhas under the PESA Act of mandatory consultations in the matters of land acquisition, resettlement and rehabilitation, and mining leases for minor minerals given, displacement of the poor tribal people in the Fifth Schedule areas has been a serious issue. Let us take the single example of Orissa to understand the ground realities. Several MNCs and Indian corporate houses acquired land in the scheduled areas of Orissa through MoU signed with the State Government for mining and setting up of industrial units. The Gram Sabhas in all such cases were even not informed, not to talk about the constitutionally laid down process of consultation. Therefore, an amendment strengthen the Gram Sabha in the line of PESA alone cannot be an answer to the fundamental question of 'power to the people'.

The whole set of amendments proposed by the Ministry of Panchayati Raj is acceptable, but with certain caveats. The amendments are proposed within the existing parameters of Indian fiscal structure, in which, the state is solely responsible for appropriate devolution of funds to the PRIs along with functions and functionaries following recommendations of the State Finance Commission. However, to augment the Consolidated Fund, the states are expected to follow the recommendations made by the Central Finance Commission along with certain conditions. Reinstitutionalization of the PRIs, therefore, does not necessarily imply reconstruction of the pattern of financial relation between the Centre and the states; it essentially implies devolution of functions, functionaries and the required funds from the state governments to the PRIs. However, the primary objective of true devolution has not been to strengthen the states at the cost of the Centre, nor does to strengthen the PRIs at the cost of the states. The objective is to strengthen the Indian State, which includes both tiers of government i.e. the states and the PRIs, so that the Indian State itself can become more accountable to the people and sensitive to

their demands. Therefore, devolution in true sense implies greater devolution of resources from the Centre to the states and thence to the PRIs and decentralized planning. It cannot be seen merely as decentralization of decision-making to the level below the states. Therefore, the proposed amendments must make the basic objectives explicit, to strengthen the entire process of democratic decentralisation in the country and to ensure autonomy of every individual citizens. However, such an attempt would warrant appropriate change in the societal attitude towards democratization, and this is possible in the present context of India with growing literacy and political consciousness, provided that the Constitution becomes instrumental for promoting the desired politico-juridical environment.

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RURAL NON-FARM EMPLOYMENT IN ASSAM AND ITS CORRELATES : A DISTRICT LEVEL ANALYSIS

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Introduction:

Rural transformation in Less Developed Countries (LDCs) is often found to be critically dependent on the growth of the Rural Non Farm Sector (RNFS). A consistent expansion of the RNFS, however modest, is considered to represent a structural shift away from the agricultural sector towards non-agricultural occupations in the rural areas (Coppard, 2001). Such occupational diversification is deemed crucial for relieving the excessive pressure of population on land, alleviating rural poverty and providing sustainable livelihoods to the rural masses in developing countries. In the Indian context, the need for diversification of rural economy through the growth of non-farm enterprises has assumed added significance as a result of economic reforms. The Indian economy grew at an impressive rate in the post–reform period. However, there has been a virtual stagnation in growth of employment during this period. With jobless growth becoming the feature of both agriculture and the organised industrial sector, expansion of the RNFS is considered to be indispensible for absorbing the increasing rural workforce and stemming out migration from the countryside. However, in emphasising on the need to promote and

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strengthen the RNFS, it also has to be recognised that the RNFS is a highly heterogeneous category in terms of the range of activities covered, the technology used and the spatial growth pattern experienced. There is significant regional variation in the growth and composition of the RNFS across the country owing to differences in the initial conditions and the resource endowments. Different factors may account for the growth of the RNFS in different states and regions. Hence, aggregated studies are unlikely to shed much light on the dynamics of rural non-farm employment (RNFE) at the local level.

The present study makes an attempt to understand the dimensions of the RNFS at the district level in Assam over the period 1991-2001. Although there is a large volume of literature dealing with the subject at both national and regional levels, very few studies exploring the trends in the growth of the RNFS and its determinants in Assam are available. Enhancing the performance of the RNFS in the state would call for properly designed and targeted policy intervention. For this it is imperative to understand the pattern of rural economic diversification and to identify the dominant forces underlying such diversification. The present study analyses the importance, growth and determinants of the RNFS in Assam during the post reform period i.e. since 1991.

Review of Literature:

The RNFS is usually taken to comprise of those economic activities which generate self employment and wage employment outside the agricultural sector for the population in villages and rural towns. It includes a wide range of activities including mining, quarrying, construction, manufacturing and a variety of services. Broadly, there are two sets of factors that impel rural diversification : the first set of factors are related to development and are represented by agricultural productivity, growth of incomes, infrastructural development, commercialisation, urbanisation etc; the second set of factors relate to distress such as

poverty or unemployment (Basant, Kumar and Parthasarathy,1998). However, among the development related factors, all indices may not be operative simultaneously in a given region at a particular point of time. In other words, while increases in agricultural productivity may provide the stimulus for growth in RNFS in some regions, factors relating to urbanisation may be more potent in determining RNFE in other areas. Mellor (1976) in the Growth-Linkage theory foresaw a virtuous link emerging between agricultural development and rural occupational diversification. He postulated that in countries and regions experiencing Green Revolution, rising agricultural productivity would generate surpluses for investment in local industry and create strong production and consumption linkages for rural employment diversification. Studies which found a positive correlation between agricultural growth and RNFE in India are Hazell and Haggblade (1991), Bhalla (1993) and Unni (1991). Shankaranarayanan (1980) found a strong correlation between RNFE and agricultural commercialisation at the State level .Vaidyanathan (1986) on the other hand, emphasised that RNFE in India was primarily a distress phenomenon. Singh (1994) found the evidence of distress diversification in Eastern India while Eapen (1995) reached similar conclusion in his study based on Kerala. Abraham (2008) argued for a case of distress diversification on the basis of the fact that the work force participation among females and the aged was increasing in the countryside as a result of the crisis gripping the agricultural sector in recent years. However, it is to be noted that the Residual Sector hypothesis is difficult to test at the intra-state level with secondary data. A positive correlation between RNFE and unemployment rate or poverty levels would be indicative of distress diversification. But disaggregated data on either unemployment rates or levels of poverty are not readily available. Some researchers have refuted the residual sector hypothesis on the ground that wages in the RNFS are higher than in the agricultural sector and the difference is growing over time (Foster and Rosenzweig, 2003).

The growth of RNFE may be propelled by factors emanating from outside the agricultural economy. Education and skill formation have been found to be important for widening the scope of access to RNFE (Lanjouw and Shariff, 2004). Positive correlation between literacy and non-farm employment were also found in Tamil Nadu (Jayaraj, 1994), Orissa (Samal, 1997) and Gujarat (Basant, 1993).Rural infrastructure, urbanisation and government rural development schemes have also been acknowledged as the 'prime movers' of RNFE. Visaria (1995) argues that increasing urbanisation promotes the growth of RNFE in the adjoining rural areas to satisfy non-local demands because of low factor prices in rural areas. Papola (1992) observed that incomes and productivity of RNF enterprises were higher in regions where village towns were more evenly spread than in areas where there were only a few concentrated settlements. On the flip side, urbanisation and the associated improvement in infrastructure may render some rural non-farm activities unviable through greater competition from better quality or cheaper products (Bhalla, 1993). A study by Jha (2005) involving 26 districts spread across thirteen states found that infrastructure was a strong determinant of RNFE. The role of rural infrastructure in maximising rural growth linkages was also emphasised by Harris (1991). Singh (1994) highlighted the importance of rural electrification for development of the RNFS. Also, better and relatively inexpensive transport facilities make it possible for rural workers to take up non-agricultural vocations in adjoining towns without changing their residence (Basant and Joshi, 1991). Studies examining the impact of govt policies on RNFE are limited. Sen (1997) and Ghosh (1995) have argued that public expenditure plays an important role in maintaining the demand for non-agricultural goods during periods of low agricultural incomes. A positive role of administrative, development and social services in generating RNF both directly and indirectly was observed by Samal (1997) in Orissa.

Methodology:

The study is based on secondary data collected from the publications of governmental agencies like Directorate of Economics and Statistics, Directorate of Agriculture, NSS etc. Although the Economic censuses and NSS Surveys generate neat information regarding the various aspects of RNFS at the state level, both sources fail to throw much light on the intra-state variation in RNFE. As the objective of the present study is to analyse the inter-district variation in RNFE in Assam, the foregoing data sources were found to be inadequate. Hence, for the purpose of the present analysis, an estimate of RNFE is obtained at the district level from the population censuses by subtracting the number of cultivators and agricultural labourers from rural workers. A shortcoming of this approach is that the estimate of RNFE arrived at by this technique fails to exclude the number of workers engaged in allied agricultural activities. However, as rural transformation implies the process of gradual transfer of rural workers from agriculture to allied activities and eventually to other non-agricultural vocations, such a conservative estimate becomes acceptable. Thus, in this study, the RNFS is defined to comprise of all activities which generate employment outside the agricultural sector.

While detailed state level data on the number of rural enterprises is obtained from the Economic Censuses, information on the occupational distribution of the rural workforce is contained in the quinquennial NSS surveys on employment and unemployment. However, data on the share of the RNFS in rural incomes is not available from secondary sources. The present study is based on secondary data; it seeks to analyze the status and determinants of RNFS on the basis of the first two indices. The basic data sources are Economic Census (various rounds), NSS surveys (various rounds), and Population Censuses (1991 and 2001).

For ascertaining the determinants of rural non-farm employment in Assam regression equation has been estimated by using OLS

(Ordinary Least Square) method. The variables were identified on the basis of the test of correlation. The detailed specification of the model and the estimated result is shown in section VI.

Agricultural Economy of Assam:

The economy of Assam is pre-dominantly rural in character. As per the 2001 census only 12.9 % of the total population of the state lived in urban areas as compared to 27.8% for the country as a whole. Being overwhelmingly rural in nature, obviously agriculture plays an important role in the state economy. The share of agriculture and allied activities in NSDP stood at 27.56% in 2006-07 at 1999-00 prices. Although the contribution of agriculture to Net State Domestic Product (NSDP) has been declining over time, there has not occurred an equivalent decline in the percentage of workforce engaged in agriculture. This phenomenon is typical in many developing countries and is often attributed to the capital intensive nature of modern industrial production. However, in Assam this can be explained by a near absence of urban manufacturing industries. There are a few modern industries but they operate in an enclave type economy, with few backward or forward linkages (State Human Development Report, 2003). Surpluses generated by the industries have not been invested in the State, especially in the last two decades, due to unstable law and order situation. Infrastructural problems as well as the shortage of capital have also resulted in slow growth in this sector. The secondary sector including manufacturing, construction, electricity, gas and water accounted for 15 percent of the NSDP, in 2006- 2007 (at constant 1999-00 prices).The tertiary sector accounts for the largest share in NSDP(52.4%).

The growth rate of NSDP at factor cost has been slower in the post-reform period than that of all-India NDP at factor cost. Between 1994-95 and 2003-04 for which comparable data is available at 1993-94 prices, NSDP at factor cost increased by 2.95% whereas for the country as a whole NDP at factor cost grew by 6.2% during the same period. Due to sluggish growth in NSDP, the state continues

to lag behind the rest of the country in terms of per capita income, despite a slowdown in the growth rate of population in the last decade. The discrepancy between the rates of growth in per capita income has only widened during the liberalization phase as the state has not been able to reap full benefits from the liberalisation process primarily due to infrastructural constraints. It is observed that the rate of growth in state per capita income has consistently lagged behind the all India per-capita income since 1994-95, with the sole exception of 2000-01. Poverty has increased in the post 1991 period. The State Human Development Report mentioned that the number of people living below the poverty line increased from 7.8 million in 1983 to 9.5 million in 1999-00. According to Planning Commission estimates, the percentage of population living below the poverty line in Assam in 1999-00 was 36.09 which is 10 percentage points higher than the national poverty level of 26.10%. The important point to be noted is that poverty in Assam has a rural face. This can be appreciated from the fact that out of the 9.5 million poor in Assam in 1999-00, 9.2 million were living in rural areas and only 0.3 million were living in urban areas.

Despite the fact that agriculture is at the centre stage of the state's economy, agricultural production and productivity in Assam has grown at a slow pace. The average annual rate of growth in agriculture during 1994-95 to 2003-04 at 1993-94 prices has been a little over 1%.Also there has been huge year to year fluctuations in agricultural production. However, fluctuations in agricultural output have been observed at the national level also (Table 1).

The principal crop is Rice which accounted for about 80% of Net Sown Area in 2004-05. As per latest available data, out of the 23 districts, nine districts were in the medium-low productivity group (1.5-2 tonnes/hectare), another twelve were in the low productivity range (1-1.5tonnes/hectare) and two districts were in the very low productivity range (<1tonne/hectare) (refer table-2). The low productivity of the principal crop may be explained by the limited availability of irrigation facilities and HYV coverage. Only 22 % irrigation facility is available under rice crop. Rice area coverage

under HYV was around 55% in 2004-05. The state also grows reasonable amounts of rapeseed and mustard, jute and potato. Despite immense potential for expansion of horticulture, the sector has failed to take off in a big way due to insufficient storage facilities and weak rural transportation and marketing network

Table 1: Growth of Agriculture in Assam and all-India at 1993-94 prices.

Year	Growth rate of agriculture	
	Assam	India
1994-95	1.46	5.2
1995-96	1.24	-1.4
1996-97	-0.72	10.5
1997-98	6.96	-3.1
1998-99	-5.15	7.1
1999-00	-0.12	-0.3
2000-01	-1.97	-0.6
2001-02	10.48	6.7
2002-03	1.03	-8.6
2003-04	-2.10	10.7
1994-2004	1.11	2.62

Source: CSO, Govt. Of India

Rural Non-farm Employment in Assam:

The importance and size of the Rural Non-farm sector can be gauged on the basis of three parameters viz. (a) Number of rural enterprises (b) Occupational distribution of the rural workforce and (c) Sources of rural income**.** The number of enterprises in Assam by type and location and their Annual Compound Rate of Growth (ACRG) for the third (1990), fourth (1998) and fifth (2005) Economic Censuses is shown in table-3. While the number of rural

non-agricultural enterprises had increased steadily over the three censuses, the number of both rural and urban agricultural enterprises had declined in absolute terms between the third and fourth censuses before staging a recovery again in the fifth census. The decline in the number of agricultural enterprises during the nineties was the fallout of poor agricultural growth experienced during this period. While the growth of rural enterprises in the state was below the national average during 1990-98, the ACRG of such enterprises was much higher at 7.75% during 1998-2005. Rural agricultural enterprises in particular recorded a robust rate of increase of almost 13% during the period.

Table 2: Classification of Districts according to productivity status of Rice, 2006-07

HPD >2.5t/Ha	MPD (2-2.5)t/ha	MLPD (1.5-2)t/Ha		LPD (1-1.5)t/Ha		VLPD <1t/Ha	
		District	Yield	District	Yield	District	Yield
		Hailakhandi	1.96	Karbi-Anglong	1.45	Bongaigaon	0.95
		Karimganj	1.94	Goalpara	1.40	Lakhimpur	0.69
		Dhubri	1.70	Darrang	1.35		
		Cachar	1.63	N.C Hills	1.33		
		Golaghat	1.61	Nalbari	1.32		
		Nagaon	1.60	Tinsukia	1.25		
		Dibrugarh	1.54	Morigaon	1.25		
		Kamrup	1.53	Dhemaji	1.20		
		Sibsagar	1.50	Kokhrajhar	1.15		
				Jorhat	1.15		
				Sonitpur	1.02		
				Barpeta	1.02		

Source: SDDS-DES, Ministry of Agriculture, Govt. of India.

HPD=High Productivity Districts. MPD= Medium Productivity Districts. MLPD= Medium Low Productivity Districts. LPD= Low Productivity Districts. VLPD= Very Low Productivity Districts

A more detailed account of rural enterprises in the state on the basis of the last Economic Census is presented in Table 4. Thus, Own Account Enterprises (OAE) i.e. enterprises operating without the use of hired labour accounted for 82.6% of rural agricultural enterprises while only 17.4% were establishments i.e. enterprises using at least one hired worker. Similarly, 69.46% of non-agricultural enterprises were OAE while the remaining 30.54% were establishments. OAE were more commonly found in rural areas in case of both agricultural and non-agricultural enterprises.

Selected characteristics of rural and urban enterprises in the state are given in Table 5. While the percentage of Non-Perennial rural enterprises has declined in the first half of the present decade, there has been an increase in the percentage of rural enterprises operating without premises. A crucial finding is that 82% to 90 % of all rural enterprises were found to be operating without power during the fourth economic census, and there has been no significant improvement in the situation by the last count in 2005. More than 90 % of OAE and 79% of Establishments were found to be operating without power during the last economic census which is indeed a sad pointer to the poor quality of rural diversification in the state. The power situation is no better in case of urban enterprises as 88% of the urban OAE and 78% of urban Establishments were revealed to be operating without power by the Fifth Economic Census.

Table 3: Number of Enterprises in Assam by Type and Location

No of Enterprises	Location	EC 90	EC 98	EC 05	ACRG Assam 90-98	ACRG Assam 98-05	ACGR India 90-98	ACRG India 98-05
All Enterprises	Rural	330838	404279	681670	2.54	7.75	2.27	5.37
	Urban	149784	188890	302023	2.94	6.93	2.50	3.69
Agricultural Enterprises	Rural	20034	16960	39797	-2.06	12.96	5.44	8.62
	Urban	3760	2529	2669	-4.84	0.77	1.93	4.42
Non-Agricultural Enterprises	Rural	310804	387319	641873	2.79	7.48	1.65	4.56
	Urban	146024	186361	299354	3.09	7.01	2.51	3.67

Source: Economic Census, CSO, Government of India

Table 4: Break up of Enterprises by type of Enterprise (as per Economic Census 2005)

Type of Enterprise	Rural		Urban	
	OAE	Establishments	OAE	Establishments
Agricultural Enterprises	32,890	(82.64)	1,725	(64.63)
	6,907	(17.36)	944	(35.37)
Non-agricultural Enterprises	445,820	(69.46)	157,304	(52.55)
	196053	(30.54)	142050	(47.45)

Source: Same as Table 3

Table 5: Selected Characteristics of Enterprises in Assam

	EC 98 Rural		EC 05 Rural		EC 98 Urban		EC 05 Urban	
	OAE	Estab.	OAE	Estab	OAE	Estab	OAE	Estab
Non-Perennial	15111	6470	18,940	4226	1998	855	2,765	1,053
	(5.76)	(4.56)	(3.96)	(2.08)	(1.81)	(1.09)	(1.74)	(0.74)
Without Premises	65803	8436	165,442	18,203	23974	3097	68,437	12585
	(25.08)	(5.94)	(34.56)	(8.97)	(21.77)	(3.93)	(43.03)	(8.80)
Without Power	235148	117535	433,626	160334	95840	57834	140,319	111,640
	(89.64)	(82.79)	(90.58)	(79)	(87.01)	(73.45)	(88.23)	(78.07)

Source: Same as Table 3

Note: OAE= Own Account Enterprises, Estab- Establishments

A study of the distribution of the rural workforce by type of industry on the basis of NSS data for the last three quinquennial surveys reveals that the share of the RNFS in rural employment has shown a fluctuating trend in the state while at the national level it has manifested a steady increase (refer Table-6).Thus, the share of the non-farm sector in rural employment increased from

20.8% in 1993-94 to 32.3% in 1999-00 but declined again to 25.7 % in 2004-05.

Table 6: Distribution of Rural Workers (PS+SS) in Assam and All India

Activity	Assam			India		
	1993-94	1999-00	2004-05	1993-94	1999-00	2004-05
Agriculture	79.2	67.7	74.3	78.4	76.3	72.7
Mining and Quarrying	0.2	0.3	0.3	0.6	0.5	0.5
Manufacturing	3.5	4.0	3.1	7.0	7.4	8.1
Electricity	0.3	0.1	0.1	0.2	0.2	0.2
Construction	0.7	1.8	2.5	2.4	3.3	4.9
Wholesale and retail Trade	6.9	8.1	9	4.3	5.1	6.1
Transport, Storage and Communication	1.3	2.7	2.4	1.4	2.1	2.5
Financial Services	0.2	0.3	0.2	0.3	0.3	0.5
Other Services	7.7	15.1	8.1	5.4	4.9	4.5
Total Non-farm	20.8	32.3	25.7	21.6	27.3	23.7

Source: NSS Surveys, Various Rounds

The ranks of the 23 districts in Assam in terms of incidence of RNFE in 2001 arrived at following the above methodology is shown in table-7. It is evident from the table that there is significant inter-district variation in the incidence of RNFE in the state. Cachar District had the highest percentage of rural workers in the nonfarm sector (58%) followed by Karimganj while Dhemaji was at the other end of the spectrum. Incidentally, Dhemaji experienced a huge reduction in the proportion of RNFW in 2001 compared to 1991, the average annual rate of decline being close to 2%. Other districts which recorded a decrease in the proportion of non-farm workers during the reference period are Darrang, Lakhimpur, Morigaon and Nagaon. The highest average annual rate of growth in RNFW occurred in Kokhrajhar district followed by Karimganj

and Hailakhandi. The high rate of growth in Kokhrajhar district may be explained by the fact that in 1991, Kokhrajhar has the lowest percentage of rural workers in the non-farm sector.

Table 7: Inter-District variation in RNFE

Districts	% of RNFW in 2001	% of RNFW in 1991	% increase or decrease
Barpeta	39.07 (13)	30.18	8.89
Bongaigaon	36.22 (15)	31.74	4.48
Cachar	58.02 (1)	43.69	14.33
Darrang	36.34 (14)	40.57	-4.23
Dhemaji	16.13 (23)	36.02	-19.89
Dhubri	31.23 (17)	25.18	6.05
Dibrugarh	56.56 (3)	61.73	-5.17
Goalpara	40.69 (11)	32.66	8.03
Golaghat	40.47 (12)	42.66	-2.19
Hailakandi	47.18(7)	37.47	9.71
Jorhat	47.16 (8)	49.70	-2.54
Kamrup	46.69 (10)	44.23	2.46
Karbi-Anglong	21.89 (21)	22.63	-0.74
Karimganj	56.66 (2)	40.17	16.49
Kokhrajhar	30.39 (18)	18.39	12
Lakhimpur	21.48(22)	42.02	-20.54
Morigaon	24.62 (20)	30.63	-6.01
Nagaon	34.39 (16)	37.87	-3.48
Nalbari	46.75 (9)	44.45	2.3
N.C Hills	27.15 (19)	35.81	-8.66
Sibsagar	54.07 (5)	53.44	0.63
Sonitpur	48.22(6)	45.20	3.02
Tinsukia	55.86 (4)	57.74	-1.88
All Assam	40.85	40.39	0.46

Source: Compiled from Population Census Report, 1991 and 2001

Figure in the parenthesis in column 3 indicates district rank

Apart from the inter-district variation in overall RNFE, there is also substantial difference in the access to the RNFS among male and female workers. The RNFS in Assam is dominated by males. Thus, while males had a share of 71.5% in total RNFE in 2001, the corresponding share of females was only 28.5%. The share of female workers in RNFE was highest in Tinsukia at 35.9%, while it was lowest in Dhubri at 16.7% (Table-8). Male preponderance over the RNFS has increased during the 1990's. In 1991, male workers had accounted for 52.87% of RNFW and female workers for the remaining 47.13%. This decline in female non farm workers has been associated with increasing casualisation of the female workforce. This is evident from the fact that female agricultural labourers as percentage of total rural workers have increased from 2.19% in 1991 to 5.1% in 2001. The fact that females are mainly employed in low paid unproductive jobs is also evidenced by the fact that females comprised only 18% of rural main workers and 58% of rural marginal workers in 2001 (Table-9).

Table 8: Sex wise distribution of RNFW across districts, 2001

District	MRNFW as FRNFW as % of TRNFW % of TRNFW	District	MRNFW as FRNFW as % of TRNFW % of TRNFW
Barpeta	72.91 27.09	Karbi-Anglong	65.99 34.01
Bongaigaon	79.66 20.34	Karimganj	76.59 23.41
Cachar	75.16 24.84	Kokhrajhar	68.29 31.71
Darrang	69.38 30.62	Lakhimpur	70.48 29.52
Dhemaji	71.02 28.98	Morigaon	75.98 24.01
Dhubri	83.32 16.68	Nagaon	76.22 23.78
Dibrugarh	64.70 35.30	Nalbari	75.49 24.51
Goalpara	73.19 26.81	N.C Hills	75.66 24.34
Golaghat	66.06 33.94	Sibsagar	68.04 31.96
Hailakhandi	69.78 30.22	Sonitpur	66.85 33.15
Jorhat	69.75 30.25	Tinsukia	64.01 35.99
Kamrup	76.25 23.75	All Assam	71.51 28.49

Source: same as Table 7.

Note: MRNFW=Male Rural Non-farm Workers FRNFW= Female Rural Non-farm Workers, TRNFW= Total Rural Non-farm Workers

Table 9: Inter-Censal Classification of Workers by Gender

	1991		2001	
	M	F	M	F
% of Total Rural Main workers	79.54	20.46	81.42	18.58
% of Total Rural workers	69.41	30.59	70.26	29.74

Determinants of RNFE in Assam:

As male population comprise an overwhelmingly large percentage of RNFW in Assam, the cross-section analysis for the 23 districts corresponding to the 2001 census was restricted to male workers only (both main and marginal). To ascertain the determinants of male rural non-farm employment (MRNFE) in the State, a host of variables relating to agricultural activities on one hand and urbanization and infrastructure, on the other were considered. The agricultural variables considered are yield of rice (in tonnes per hectare) (YRH), the percentage of male agricultural labourers to

total male agricultural workers (PMAL) and the average size of holding (AHS). A significant correlation was observed between MRNFE and the yield of rice per hectare. Interestingly, no significant correlation was found between MRNFE and percentage of male agricultural labourers, which points to the possibility that employment in the RNFS is not a distress phenomenon. However, more disaggregated analysis at the household level is necessary to ascertain this fact. The association between MRNFE and AHS was also very low. Apart from the percentage of villages electrified, RNFE showed very weak correlation with other infrastructure and urbanisation related variables such as percentage of urban population (URB), surfaced P.W.D road length per lakh of population (SPWDR), density of population (DOP), credit-deposit ratio (CDR). A significant positive correlation was observed between male RNFE and the rural literacy rate (Male). On the basis of the results of correlation, three explanatory variables were chosen for fitting the regression viz. percentage of villages electrified (EV), Rural male literacy rate (RMLR) and Yield of rice (in kg per hectare) (YRH) (refer table-10). The following regression equation is estimated:

$$\text{Ln MRNFE} = \beta_1+\beta_2\text{LnEV} + \beta_3 \text{ Ln RMLR}+ \beta_4 \text{ Ln YRH}+ U$$

The result of estimated regression line is shown in table-11. It is evident from the estimated equation that literacy plays a very important role in facilitating employment diversification among rural male workers in the State. A one percent increase in the literacy rate for rural males would increase MRNFE by .964 percent. Rural electrification emerges as another key determinant of MRNFE. Similarly, a percentage increase in the availability of electricity would cause MRNFE to increase by .504 percent. Further, improvement in agricultural productivity also facilitates the expansion of non-farm employment. On an average, a one percent increase in yield of rice (which is the main crop) per hectare would cause MRNFE to increase by .376 percent. The above three explanatory variables taken together explain 67.2% of

the variation in RNFE among male workers. The t values for all the explanatory variables have been found to be statistically significant. The F value is highly significant which demonstrates the usefulness of the model in explaining male rural non-farm employment.

Table 10: District Level Correlation Matrix, 2001

	MRNFW	YR	PMAL	AHS	EV	RMLR	URB	DOP	CDR	SPWDR
MRNFW	1.00									
YR	.488*	1.00								
PMAL	.111	.169	1.00							
AHS	.224	.153	.138	1.00						
EV	.614**	.147	.138	-.074	1.00					
RMLR	.474*	.271	-.544**	-.113	.082	1.00				
URB	.322	.100	.158	.166	-.096	.205	1.00			
DOP	.247	.036	.251	-.137	.703**	-.009	-.173	1.00		
CDR	.149	-.197	.720**	-.064	.443*	-.499*	.178	.311	1.00	
SPWDR	-.206	.064	.082	-.135	-.516*	-.077	.453*	-.677**	-.027	1.00

***,*indicates significant at 0.01 and 0.05 level respectively*

Table 11: Results of Regression Analysis on Male Rural Non-Farm Employment

Variables	Estimated coefficients/values	t-Values
Constant	-2.690	-1.566
EV	0.504	4.63***
RMLR	0.964	2.44**
YRH	0.376	2.05*
R^2	0.672	
Adjusted R^2	0.620	-
F(3,19)	12.986**	

***, ** and * indicates significant at 0.01, 0.05 and 0.10 level respectively.*

Conculsions:

Several issues relating to RNFE in the state are highlighted by the study. The key finding is that rural literacy plays a significant role

in determining rural diversification. Hence, greater investment in improving education and skills of the rural workers is called for as that would facilitate greater access to RNFS. Also, to strengthen the agriculture- nonfarm linkage, it is essential that agricultural infrastructure be improved and more cropped areas are brought under HYV coverage. The rural electrification programme requires special attention given the appalling state of affairs is this regard. Given that 87% of all rural enterprises were found to be operating without power, greater availability of electricity would lead to the adoption of better techniques thereby improving the quality of products and enhancing profitability of these enterprises. There is also a need for focussed policy initiative for pushing up female participation in the RNFS. Improving the human capital base of rural female workers could be the key towards ensuring that more and more women take up non-farm vocations productively and profitably.

Data Sources:

1. Male Rural Non-farm Employment has been calculated from 2001 census data by subtracting the number of male cultivators & male agricultural labourers from total male rural workers.
2. District wise data on Rural Male Literacy rate has been taken from the State Human Development Report-Assam (2003).
3. Data on village electrification was taken from Census Data, 2001.
4. Data on Average yield of Rice was taken from Crop Production statistics for the year 2001-02 compiled by the Directorate of Economics and Statistics, Ministry of Agriculture, Government of India.
5. District wise data on Urbanisation, Density of population, credit-deposit ratio, surfaced P.W.D road length etc were taken from the Statistical handbook of Assam (various years) published by Directorate of Economics & Statistics, Govt of Assam

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WOMEN COLLECTIVES AND MATRILINEALITY: PARADIGMS OF EMPOWERMENT

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Visibility of women in the northeastern part of the country has confused the scholars into believing that we, the women in the north east have a better socio-economic and political living condition. Frankly it has taken a lot of our time convincing people that in spite of 'free' movements of our women, we are indeed, still bounded. We are bounded by the rites-de`- passage, the sanctified and glorified institutions and at the same time by this time archaic trajectories of conflict. Women Collectives or the organized women's groups fighting for justice in Manipur, Nagaland and Assam or the women's bodies in the churches of Mizoram and Meghalaya are existing as well as active because th patriarchal societies to which they belong sanctify them and, therefore, recognise them either as social groups or pressure groups. These collectives work and function essentially under the ambit of the codified laws, traditional structures and societal norms. Matrilineality is another factor which is often cited to show that women's position in the North East is much better and that those raising questions are behaving in an alarmist manner. In the context of the northeastern region of India, barring a few exceptions, there has not been much of a debate on matrilineality and its role in societies like the ones in Meghalaya.

Empowerment is the goal towards which women's organisations work. But what is empowerment? How can one recognize it , or, for that matter, examine and evaluate it? Many use the concept

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very narrowly, using only its specific scholarly discipline or program to inform them. Others do not attempt to define the term at all. As a result, many have come to view "empowerment" as nothing more than the most recently popular buzz word to be thrown in so as to make sure old programs get new funding. Empowerment is a process that challenges our assumptions about the way things are and can be. It challenges one's basic assumptions about power which are usually embedded in the traditional institutions of society. And it is here that we need to understand that women's empowerment issues are bound to come into direct confrontation with the traditions and the social norms.

At the core of the concept of empowerment is the idea of power. The possibility of empowerment depends on two things. First, empowerment requires that power can change. If power cannot change, if it is inherent in positions or people, then empowerment is not possible. Secondly, the concept of empowerment depends upon the idea that power can expand. This second point reflects one's common experiences of power rather than how one thinks about power. To place all this in its correct perspective, one would have to discuss what one actually means by power. Power is often related to our ability to make others do what we want, regardless of their own wishes or interests (Weber, 1946). Traditional social science emphasizes power as influence and control, often treating power as a commodity or structure divorced from human action (Lips, 1991). Conceived in this way, power can be viewed as unchanging or unchangeable. Weber (1946) gives us a key word beyond this limitation by recognizing that power exists within the context of a relationship between people or things. Power does not exist in isolation nor is it inherent in individuals. By implication, since power is created in relationships, power and power relationships can change. Empowerment as a process of change, then, becomes a meaningful concept. A brief exercise makes the importance of this discussion clear. If we quickly, list two or three words that immediately come to mind when we hear the word power, for most people, it will be, 'control' and 'domination'.

Focusing on these aspects of power limit our ability to understand and define empowerment.

Grounded in an understanding that power will be seen and understood differently by people who inhabit various positions in power structures as stated by Lukes, contemporary research on power has opened new perspectives that reflect aspects of power that are not zero-sum, but are shared. Feminists around the world (Miller, 1976; Starhawk, 1987), members of grassroots organizations (Bookman & Morgen, 1984), racial and ethnic groups (Nicola-McLaughlin & Chandler, 1984), and even individuals in families bring into focus another aspect of power, one that is characterized by collaboration, sharing and mutuality (Kreisberg, 1992). Researchers and practitioners call this aspect of power "relational power" (Lappe & DuBois, 1994), generative power (Korten, 1987), "integrative power," and "power with" (Kreisberg, 1992).This aspect means that gaining power actually strengthens the power of others rather than diminishing it such as occurs with domination/power. Kreisberg has suggested that power defined as "the capacity to implement" (Kreisberg, 1992:57) is broad enough to allow power to mean domination, authority, influence, and shared power or "power with." It is this definition of power, as a process that occurs in relationships, that gives us the possibility of empowerment.

As a general definition, however, we suggest that empowerment is a multi-dimensional social process that helps people gain control over their own lives. It is a process that fosters power (that is, the capacity to implement) in people, for use in their own lives, their communities, and in their society, by acting on issues that they define as important. I would like to illustrate this by referring to a conversation of a woman activist in Sri Lanka, which provided a stimulus for Neluka Silva to write the book called "The Gendered Nation". Kamala, a volunteer with a women's group in Colombo city said, "My husband drinks very heavily and beats me up at least two or three times a week. After he beats me up he forces me to do it. I have no choice. Anyway why should I complain, when

our mavrata (motherland) is being raped by the enemy." Now besides the hierarchical social order of gender relations which this conversation displays, it is also subsumed by the 'larger' reality of armed conflict. Furthermore, the nation is signified in gendered terms as the motherland, who is being 'raped'. Considering the trajectories of conflict in the nation, her being raped by her husband is a non- issue, as well as an individualised selfish demand vis a vis the collective larger issue of freedom of motherland. Kamala's use of the term motherland also has the underpinnings of patriotism, and a proclamation of 'good citizenship.'

There is yet another dimension to the gendered discourse in the situations of armed conflict and political violence in the context of nation building. It has been seen the world over that women are increasingly joining both informal and formal armed groups. The lack of recognition of women's active role during armed conflict and political violence means that they are doubly victimized in reintegration interventions for conflict affected populations. Ibanez's study of women ex-combatants in El Salvador as well as various studies of the women combatants in the northeast India reveals that while women as actors are perpetrators during the war, ultimately the same women are also victims. According to Ibanez, women undergo a complex experience in guerrilla groups and the particular trauma related to their reintegration into the society after peace accords are signed. On the one hand, their families and communities penalize them for ignoring female responsibilities (chastity and motherhood) during the war; on the other hand, the leaders designing the demobilization and reintegration programmes fail to recognize women's role during the guerrilla struggle. (Moser & Clark: 2001:p 9)

The zone which we call the Northeast India is no different from the situation of women in Colombo as well as El-Salvador. There are innumerable instances of the feats achieved by women of this region in their quest for justice from the state as well as from the non-state actors. There is always the example of Irom Sharmila,

who has broken all records with her fast running into the tenth year. Yet, today we need to reflect and see as to where our women collectives stand in the above stated paradigm of empowerment. Isn't it significant that the Meira Paibis, who are popular the world over have never been brought on the negotiating table for peace negotiations. It is for everyone to see that in the fat growing market economy the Ima-Keithels of women are increasingly getting marginalized.

In Manipur today, women are mainly driven towards economic pursuits not for their emancipation and their need to get empowered but mainly due to poverty and conflict situation. The number of female-headed households where women are the sole bread-earners are increasing at a really fast rate. According to Davaki Jain, the poorer the community, the higher is the work participation rate of females and children (Jain Devaki: 1980). Today, one needs to do a small survey of the Ima – Keithel to realize as to how many women among them are the sole bread earners of their families. Therefore, one needs to ponder whether the existence of Ima – Keithel can be an index to measure our women's empowerment or inversely are they today the least empowered? One wonders while watching these women sitting in their stalls in the market, as to whether they are formulating strategies for nation building or are just occupied with the thought of arranging the next meal for their children.

Speaking of traditional barriers, it has been observed by various scholars that cultural and religious roots greatly influence women .Traditions of carrying on the customary and the traditional prevail. In other words, women have links with the traditional base, sometimes deriving strength from it and sometimes suffering through these traditions. It is said that they are motivated by fear, ignorance, lack of opportunity and lack of power and hence cling to these legacies. The commonly accepted 'just not done' concept carries within it all the above stated characteristics. Most countries/ communities/ groups have found that the most effective way to resist cultural domination and revive self –

confidence in the citizens is to go back to their roots. And usually in many Asian countries the roots are in religion, customs and traditions and in the laid down norms and voices of resistance and reform are more often than not viewed as unpatriotic. It has been seen that quite often in their fight against colonialism, nationalists too have often viewed gender equality as a threat to the "unique' traditions of a people. Therefore, there is the stress on the need to unthinkingly cling on to one's cultural uniqueness. Given this scenario, the real issues of food, livelihood, health and the vulnerability of women under oppressive structures of patriarchies tend to get deflected, and that too in the name of protecting one's culture.

Coming to the second context of "matrilineality", I recollect that my college days when we were doing our course on the Kinship systems, the most popular question used to be: Is the patrilineal mirror opposite to matrilineal? And in unison we used to say, NO! Today the same argument will enable me explain the institution of matrilineality in relation to the empowerment issues. For the non-sociologists, let me to explain very briefly, that besides the obvious difference that patrilineal follows the male lineage as well as affinal residence by the females and the matrilineal follows the female lineage and the avuncular residence, in the terms of the power structure within the family, the men (father in the case of the first and mother's brother in the case of the latter) are always the decision makers. Therefore, just as in patrilineal structures, matrilineal structures also exist under the realm of Patriarchy. Matriarchy therefore is a utopia. In fact, today the intelligentsia of the Khasi society the women are questioning the discriminatory norms prevalent in the society, especially on the issues of land rights. Custodianship of the ancestral property, which is usually given to the youngest daughter, is seen more as a burden than as a right which can be enjoyed. Men are forfeiting their duties as fathers in the name of the system since the children takes over the mother's name and hence are under the care of their maternal uncles. In many cases, the mother is compelled to become a single parent. In the poorer households, the problem gets compounded as

nurturing the children plus earning a livelihood becomes the sole responsibility of the woman. It is an irony that in Meghalaya today is seriously concerned about the growing crime against women in a matrilineal society! Referring to the position of women in Khasi society, Tiplut Nongbri says: "She is expected to be fully responsible for the nurturance and care of her children. She is the repository of family honour. Daughters in particular should be chaste, obedient, polite and virtuous because family honour and the continuity of the family line depend on them. They are also the custodians of the family rituals. On them rests the responsibility of ensuring that the family rituals are carried out in their due course. (Uberoi ed.: 1994: p.179). Thus, this expected role of women in a matrilineal Khasi society is very similar to the expected role of women in the patrilineal society. In this connection, it is interesting to observe that the traditional Khasi political structures called the durbars, just as in the traditional Naga political institutions, women are completely barred. One is matrilineal and the latter is patrilineal. But both the societies are so patriarchal that women in both cannot even voice their opinion. Many of us are aware of the furore that is raised whenever suggestions for including women in traditional durbars are made. Opposition is swiftly mounted in the name of tradition.

While there is no doubt that the women in the northeast have access to a certain breathing space and that women can be placed in the zigzag puzzle of the societal matrix, yet, nevertheless, her spaces are defined in such a manner that she cannot choose to try to fit into any other space. She will be simply told that she does not fit in. As a reminder, allow me to scroll down the empowerment issue again. Empowerment is a multi-dimensional social process that helps people gain control over their own lives. It is a process that fosters power (that is, the capacity to implement) in people, for use in their own lives, their communities, and in their society, by acting on issues that they define as important. Have the women in their collectivities or in the matrilineages been able to gain control of their own lives? Nevertheless, as I often say that, these two structures dwelt in my paper do provide a trampoline for the

women to jump up, but somewhere, there is a rule saying that you can jump this much and not more otherwise you are out. The strength of the collective and the security of the natal home in the matrilineage need to flow into the spheres of power and give women that initial push. These structures need to become the means to an end rather than becoming an end in itself.

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LABOUR FACTOR IN SUSTAINING A COMPETITIVE ENVIRONMENT: DRAWING IMPLICATIONS FROM LABOUR STANDARD AND LABOUR SUPPLY IN TEA PLANTATIONS OF SRI LANKA

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I. Introduction:

Production regimes of numerous sectors in the world economy are showing experiments to remain competitive in the market. For lack of competitiveness very often the blame falls on labour costs (Majumdar, 1993: Tamm, 2005 etc. on non-flexible unit labour cost and incompetitiveness). The approaches are leaning more towards vertically disintegrated small firms and labour flexibility. However, in a flexible regime derived higher productivity and employment opportunities not necessarily guarantee a decent labour standard. Such approach is basically a labour de-regulation strategy, which may further lower the labour standard generating numerous negative externalities.

This is, however, unlikely that poor labour standard would affect labour supply in a lower end job sector in developing countries. High unemployment and poor human development would force the workers to settle at market clearing wages often nullifying the provisions of the wage ordinances. This facilitates the employers to continue advocating and practice labour flexibility, a rather low road approach (Sengenberger and Pyke, 1992). Contrary to this

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assumption the tea plantation sector of Sri Lanka, both the estate and smallholdings, at present is facing the crisis[1] of labour supply reflecting unattractiveness of the sector. On the other hand, the tea plantation sector of Sri Lanka in recent past has shown a clear structural shift, though gradually, from the estate sector to smallholdings. The smallholdings are defined as size classes of less than 10 acres to be operated by the peasantry. These smallholdings do not come under work ordinances of Sri Lanka. The tea smallholdings now with an average size of less than an acre account for 44 percent of total acreages (compared to about 21 percent in the 1980s), but contribute 62 percent of the total production of tea in the country. This massive structural shift, however, alone cannot explain the sharp decline in labour supply (or absorption!) in the tea plantation sector, more particularly in the estate sector.[2] This is, however, true that the rise of tea smallholdings has helped the estate sector plantations to find a convenient source of outsourcing, restricting utilisation of its acreages and labour absorption. This, to an extent, relieves the crisis of labour shortage and the burden of paying a host of pecuniary and non-pecuniary benefits to the workers as per the work ordinances. At the same time, reducing the quantum of job supplied (even leaving its acreages unplanted) could put the estate

[1] Reports say there is growing reluctances of the resident plantation workers/parents to send their children to plantation jobs. A World Bank study reveals the number of tea workers living in each family of plantation workers has declined from 2.6 workers to 1.9 (Sri Lanka: Labour shortage plunge tea estates into doldrums, IPS news, April 18, 2009). Labour factor assumes prime role in tea sector for quality control and machines will only turn away the quality conscious buyers. Notes 8 and 9 provide more on tea plantation workers of Sri Lanka.

[2] There are basically two reasons for this. The tea smallholdings are ideally peasants' smallholdings of two acres or less, to be operated with family labour. Tea smallholdings are encouraged for wellbeing of the peasantry so that it generates some additional cash income. Secondly, expansions of small holdings in Sri Lanka are not entirely at costs of plantations estates. However, the Land Reform initiated in the country in 1972 had some definite impact in the consolidation of tea smallholding in Sri Lanka; Peiris (1982) for more on this.

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sector in favourble bargaining position. The result is that in the estate sector of tea plantations now one sees significant proportion of unplanted acreages (more than 13 percent) and rising casualisation of workers (about 29 percent at present).

These developments show characteristics of low road approach of a production structure, unsustainable in the long run (theoretically). The Sri Lanka tea plantations soon started to feel the flavour of it in the form of decline in labour supply for field operations than the optimum requirements. Under the domain of labour standard discourses this specific trend assumes importance for certain reasons. On one hand, labour factor assumes critical role in the tea sector, which is not complementary to machines.[3] On the other hand, tea has been an important contributor to the economy (accounts for 3 percent of GDP and 15 percent of foreign exchange earning) of Sri Lanka ensuring livelihood to a large proportion of its workforce directly and indirectly. In a declining labour supply context for field operations this may be important to know how the management of estate sector and the state perceive the labour factor; cost reduction is being the prime motive of the management, livelihood assurance of workforce through this industry being the prime concern of the state.

Present evidences show that the state has started to perceive the importance of labour factor (for economic as well as political reasons[4]) and adopting certain approaches for wellbeing of the workforce in the tea sector. The perceived changes in approach are towards maintaining productivity of the workers and sustaining the labour intensive sector. One now could see the state adopting certain non-statutory regulations and provisions to ensure

[3] Quality of tea processed depends on careful hand plucking of one bud and two leaves. Sheer plucker can be used to clear the flushes but with such mechanized tool quality can not be maintained.

[4] Major trade unions like CWC and Lanka Jathika Estate Workers Union in the plantation sector are now affiliated to the mainstream political parties and their action also governed by the political agenda of their leaders and they too get influenced by the trade unions.

wellbeing of the workers in the estates and make the tea sector more attractive for work.

On the other hand, state initiatives on labour front could relieve the estate sector from certain statutory responsibilities on workers as per the work ordinances reducing the financial burden. This could help the estate sector to concentrate more on raising the field productivity. This has been often cited as an excuse that high cost of production and declining world prices of tea has reduced the profit margin of the estates to invest in maintenance and development of the plantations. Field productivity in tea sector assumes prime importance as labour absorption in the tea sector is largely dependent on it. Moreover, higher field productivity helps to lower the cost of production. The issue is now how the crisis ridden[5] estate sector tea plantations of Sri Lanka take advantages out of it and act towards sustainability and assurance of a decent labour standard. History, however, shows missed opportunities of the estate sector of tea plantations to act sensibly and presently too finding it more convenient to use the smallholdings thoroughly, leaving its acreages unplanted. The state in such context assumes a larger role to play.

Drawing evidences from the trend in labour absorption to the estimated demand for workers, the *second section* of this paper tries to arrive at a conclusion on shortage of labour supply in the estate sector of tea plantations in Sri Lanka. This decline in labour supply may be linked to the missing labour standard as revealed by data and available literatures. In this context, this may be important to explore how labour factor in the tea sector has been perceived by the management and state since the colonial times. The *third section* of the paper has a look on these aspects. The tea sector of Sri Lanka since independence for ideological as well as reasons to remain competitive in the world market has gone through several rounds

[5] Aapart from shortage of labour supply the crisis is in the form of high cost of production to place tea in the highly competitive world market created by new plantations of Kenya, Vietnam, China etc.

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of structural changes. All however failed to grab the opportunities to ensure well being of the workers. The *fourth section* discusses the issues of missed opportunities and present initiatives. Finally the paper draws implications for the tea plantation sector of India, which has started to follow a similar trend.

II. Labour supply and labour demand in tea plantations

In recent times the estate sector of tea plantations of Sri Lanka shows considerable decline in workforce and there is reported shortage of labour to work in the tea plantations. Overall decline in workers in the estate sector in an unlimited labour supply situation (Sri Lanka has high youth unemployment rate of 21.6 percent, figure of 2007) could be because of two reasons – decline in acreages under estate sector of tea plantations and the set norm of requirement of 3 workers per hectare is challenged by technological progress[6] as well as rise in workers efficiency. However, this is also true that labour requirement in the tea plantations increases with rising productivity (or declines with fall in productivity)[7]. Workers in the estate sector of all plantations (including rubber and coconut) as a whole in Sri Lanka had declined from 319.6 thousand in 1994 to 230.1 thousand in 2007. At the same time, area under tea acreage in estate sector had declined from 102,252 hectares in 1992 to 78,508 hectares in 2007. To an estimate of People's Bank of Sri Lanka, in 1995 there were 275.9 thousand workers in the tea estates of Sri Lanka or it had 2.87 workers per hectare of bearing of tea. Even considering this proportion of 1995 that tea workers constitutes 86.3 percent of total workforce in plantation companies, there are at present 2.33 workers for every hectare of tea in bearing in Sri Lanka. The figures

[6] Mechanised plucking methods are used in tea plantations of Sri Lanka to deal with labour shortage. Quality maintenance of the plucks however best maintained only through hand plucking.

[7] The standard norm in Sri Lanka at present is that a worker plucks 18 kg a day to get the stipulated wage. However many factors such as altitude, slopes, field productivity, workers health and motivations explain the variations in the pluck.

indicates sharp decline of workers in the estate sector of tea plantations. This also indicates that the decline in workforce in the estate sector of tea plantation is much sharper (-2.50 percent annually during 1994 to 2007) than the decline in acreage (-1.47 percent annually during 1994 to 2007). This means that, decline in acreage under tea can not alone explain the decline in workforce in the tea sector of Sri Lanka.

On the other hand, as per the norms of work ordinances of Sri Lanka a worker in tea plantation estates is required to pluck on an average 18 kg a day for entitlement of daily wages. Assuming that a worker works 25 days in a month or 300 days a year at present level of production of 149.1 million kg of made tea[8] in the estates and to the fact that to make a kg of made tea there is requirement of 4.65 kg of green leaves, it requires 128.4 thousand workers for plucking purpose alone. Moreover, to the estimates of Tea Research Institute of Sri Lanka (TRI) about 45 percent of the total labour days are required for other maintenance and factory works in the estates. To this estimate, at present there is additional need of labour of 105.1 thousand. Altogether, there are requirement of 233.5 thousand workers in the tea estates of Sri Lanka. However, at present the estimated figure of workers in tea estates is just about 198.6 thousand. In addressing the labour requirement norm here further two factors require consideration. First, productivity of the estate sector (presently around 1400 kg per hectare) is increasing over the year and the smallholding plantations have set a higher productivity norm of 2250 kg per hectare. To raise competitiveness Sri Lanka estate sector also needs to raise its productivity level further. Secondly, labour productivity is also depended on the health and capacity of the workers to render services at optimum

[8] Now about 35 percent production of tea in the estate factories are made from tea bought from smallholdings. The figures of labour involved in smallholdings are not included to have the estimate of labour requirement in the plantation estates. This is for two reasons. One, the tea plantation estates were supposed to use their acreages to optimum extent rather than finding the convenient source in smallholdings. Two, there is no estimate on labour use in the tea smallholdings.

level. In Sri Lanka there is high absenteeism in the tea sector due to health and motivational factor (Illukpithiya et al. 2004) and in actual sense a worker pluck on average just about 16.6 kgs a day (Sivaram, 2001). All reveal that labour supply (or absorption!) in the estate sector of tea plantations at present can not be said adequate. This can strengthen the argument of unattractiveness in tea sector as a source of livelihood in Sri Lanka.

There are certain additional criteria or parameters one needs to consider in determination of optimum labour requirement in the tea plantations. Maintaining quality of the product is a prime factor in market and this assume consideration in fixation of work norms in the tea plantation sector. "The fact that one estate uses less labour per hectare than another might appear in principle to be a sign of higher labour productivity, but that is clearly not the case if corners are cut and the quality of the pluck is lower. Second, it can reflect a trade off between short term and long term goals. If maintenance and development activities are ignored or minimised, labour need would be lower and cost of production will fall; but efficiency will be reduced in longer term" (Dunham et al. 1997).

It may also be noted that there is regional variation in productivity in Sri Lanka and some plantation companies have attained a productivity level of more than 1800 kg per hectare. Labour demand likely to be more in these estates. Betz (1989), however, has observed uniform labour intake irrespective of different area productivity in the Sri Lanka estate plantation sector. This problem, as Betz pointed out is related to the difficulty of moving labour from surplus area to scarcities owing to administrative barriers, workers remittance and trade union pressure. Moreover, at institutional level there is effort to raise productivity of the estate sector and with rising productivity labour demand will increase. Again there is scope to defend that the unused and declining acreage in the estates is due to shortage of labour. On a negative side there is underperformance and absenteeism from work by the workers, as revealed by the figures. Since the year 2000 there is incentive for the workers for attendance at work. Now a worker

gets attendance bonus of Rs. 750/ for being present more than 75 percent days at work and Rs. 850/ if the attendance is more than 85 percent. Considering all these factors and future needs to raise productivity to remain competitive in the world market, it can be said that the situation of labour supply could aggravate further in Sri Lanka. This will have some definite impact on sustaining the labour intensive sector where quality of production of tea largely depends on labour.

III. Missing labour standard in explaining the decline in labour supply: How the labour factor is perceived in tea plantations?

Many studies (Ranasinghe, 1982; Rote, 1986; Breckenridge, 2001; Vijesandhiran, 2001 etc.) on tea plantation labour in Sri Lanka indicate poor labour standards. It can be said that unattractiveness of jobs in the tea plantations sector is fallout of poor labour standards since colonial times. Poverty and poor human development along with absence of alternative job opportunities in other economic sectors had kept plantation community confined in the estates ensuring cheap labour supply till recent past. The situation at present times has changed not entirely due to some progress in human development in plantations but also due to availability of alternative jobs at the lower end of job markets in the country, more particularly since the 1990s. The unattractiveness of plantation jobs in Sri Lanka is revealed by various studies. A study of CARE (1998), confirms that almost half of the plantation youths prefer to out-migrate and work off-estates. Male youth would take up jobs in hotel, boutiques, driving, construction works and more educated female youth would prefer teaching, typing, garment factory work and in some instances overseas work. They are backed up by majority of parents (94 percent in total), who prefer children not to continue working on plantations (Plantation Reform Project, Sri Lanka, 1996). The poor labour standard and

uneven social development[9] has attached a stigma on the plantation labour since long and this factor is responsible for pushing them to others sectors for job. In brief, these are indicative that the plantation workers have failed to attract adequate attentions since the colonial times. In the post independence period, the tea regime of Sri Lanka has passed through several rounds of induced structural changes for efficiency enhancement and the labour factor received differentiated attentions in the changed structures.

The changes that accompanied the agrarian reform in 1972, ushered a new phase of history in the regime of plantation agriculture in Sri Lanka. The nationalisation of tea plantations, operated by the sterling companies since colonial times was not entirely based on an ideological move. Argument was that land crunched Sri Lanka economy must gain from the increasing yield and output of tea from smaller tea acreage of better productive areas and divert the unproductive or least productive tea lands for other suitable farm activities. Such process would require careful overall planning for the country as a whole, which is difficult for the private enterprises (Balasuriaya, **). In later years improved performance expected from the nationalisation of tea plantations in Sri Lanka, however, was never materialised. Due to poor management, higher taxes and fall in world market price which eroded profitability, the tea lands already neglected by the previous owners were further run down after the take over (Social Scientist Association, 1995). Re-privatisation in 1992 (on recommendation of World Bank) put end to a short spell of Sri Lanka's plantation history under public control. In the year 1992, altogether 449 state owned plantations estates out of the total of 502 were handed over to 22 privately managed companies. These

[9] In 1996-97 percentage of literates above secondary level in Sri Lanka estate sector was 20 percent as against 57 percent in rural areas of Sri Lanka; mean monthly income of income receiver in estate sector was Rs. 2600/ as against Rs. 5400 in rural areas; about 4.5 square meters of living space per persons in estates as against 11 square meters in rural areas of Sri Lanka.

22 companies were formed with the anticipation and expectation that the privately managed companies will raise productivity, improve quality leading to revitalisation of the tea sector. The shift to re-privatisation expected to bring a positive impact on productivity and profitability of the plantation sector. This also expected to have an encouraging impact on employment, income and social conditions of the workers. The trade unions (Ceylon Workers Congress and Jathika Watu Sevaka Sangamaya) for this reason did not oppose the move of privatisation (Amerasinghe, 1993). Now, one however, does not observe the expected benefits. What is observed at present is consolidation of the tea smallholdings and the privately managed tea plantations are leaving more of their acreages unutlised finding the cheap source of outsourcing (Table 2).

How the labour factor has been perceived in the tea plantations

From the very inception of the tea industry in Sri Lanka human development factors in tea plantations were not given any priority. This is because low wages could be ensured by an abundant supply of cheap labour. As a result low and stagnate labour productivity become characteristic feature of plantations (Amarasinghe, 1993). Since the inception tea plantations have been described as 'total institutions', where plantation workers live and work in the same place. The workers may be born, work and die on the same plantation (Jain, 1970). This assured labour supply in past when there were limited job opportunities in other sectors as well as there was limited scope for mobility. Moreover, the low level of technical requirements of labour in the plantation production system means that the drive for education in the plantation community arising from the needs of the production system is weak (Little, 2003). In such an enclave situation unless there are some initiations from the employer or outside institutions or through the regulations those are prevalent in a welfare state, a rise in development of human resources is not expected. It was largely

the limited job opportunities in other sectors along with resourcelessness of the poor migrant workers[10], assured unlimited supply of labour in plantation jobs and labour factor was perceived as ubiquitous.

The disenfranchisement of the Tamil plantation workers (most of the tea plantation workers are Tamils emigrated from India, during the colonial period) immediately after the independence of the country in 1948 was one of the major factors in deterring development of the plantation community in Sri Lanka. This deprived their citizenship and of all the rights that accrue from citizenship. The plantation workers became a community under siege, with little access to justice or to redress their grievances (Abeyesekhara, 1997). In the political sphere the period after the nationalisation of the estates witnessed the devolution of the power to the provinces (certain provinces of Sri Lanka are dominated by the presence of immigrant Tamil community) in 1987, granting of citizenship in 1988 and the introduction of proportional representation. These measures, though later have resulted in improved political representation of plantation communities and access to opportunities, the fallout of long deprivation period still visible in Sri Lankan tea plantation sector.

Concrete effort to improve quality of life of the estate population in Sri Lanka began with formation of social welfare division of state run plantations corporations during the nationalisation period in 1978. The state run plantation corporations collaborated with

[10] During colonial times the supply of local labour to the tea plantations of Sri Lanka was scarce and the planters had to depend on indentured labour brought from outside their respective regions. Reasons for movement of labour from South India to Sri Lanka during the colonial times- included the growth of the population of landless agriculture labourers, a decline in agriculture productivity, frequent famines, downward trend in wages and a rise in price of foodgrains. Together these created a condition of chronic poverty, debt bondage and semi-starvation, which in turn contributed to the migration of labour to Ceylon (Wesumperuma, 1986).

UNICEF, IRDP, and the Netherlands government, UNFPA, DANIDA, CARE, World Bank, NORAD in implementing social development programme during 1978-1990. There was realisation during this period that basically the poor housing in the plantation sector is responsible for poor labour standard leading to associated stigma which pushing labor out from the plantations jobs. Present initiative from the government agencies of Sri Lanka (Plantation Human Development Trust, National Housing Development Authority etc.) on housing in plantation sector is reflective of recognition of this fact. The Sri Lanka State Plantation Corporation (SLSPC) also did a review of Social Development during the period 1978-1990 and future needs of the plantation sector. The review reflected further needs to improve staff and workers housing, water supply and sanitation, health and welfare facilities (SLSPC review on social development in the estates, 1991). The importance of better human development in sustaining the regime was reflected in the speech on the eve of re-privatisation of plantations in Sri Lanka made by the Chairman of SLSPC. The Chairman remarked that instead of experimenting with structural changes, the government could have interfered more with better human development and maintained the plantations for better productivity. As argued by the SLSPC chairman restructuring to the re-privatisation was not need of the hour and the state run plantation sector was not non-performing as it was projected (SLSPC Chairman's speech at the Annual General Meeting on 23.12.1991). This was quite evident from the quantum of tax the tea sector was generating even during the nationalisation phase[11]. In general, the nationalisation phase showed some concrete initiatives in social development in the estate sector of tea plantations and the labour factor started to receive some importance.

[11] In the year 1984 the tea sector contributed Sri Lankan Rs. 4808 million to the economy through various taxes. The contribution however declined to Rs. 360.7 million in 1992 due to numerous concessions provided to the tea sector, Under the World Bank directives the taxes on tea was finally abolished in 1993.

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Contrary to this, many of the private management companies after taking over the management of plantations in 1992 claimed that they can make the estates more profitable if they solve the problem of labour (Kumar, 1993). The indication was for approval of using labour in flexible mode in an unregulated environment in the estates. In this context too the World Bank's approach to efficiency enhancement of the tea sector was based on the expectation that the estate sector run on tax reform (abolition)[12] and low labour cost. Such intention or approach of the private management companies is well reflected throughout the regime of re-privatisation. The Socio-Economic Profile of Estate Households in Sri Lanka by the Plantation Support Groups (2000) has found declining trend in regular employment in the estate sector of Sri Lanka. This is found that male regular employment to the total workforce in the estates had declined from 38.6 percent to 30.6 percent during 1986-87 to 1996-97 and in the same period casual workers went up from 9.5 percent to 18.3 percent in the total workforce. On the other hand women regular workers declined from 42.6 percent to 36.8 percent and casual workers had a rise from 6.1 percent to 10.4 percent during the same period.

This is now frequently mentioned that rising cost of production and falling price of tea has compelled the management of the estate sector to give least importance to the upgradation and maintenance aspects of the tea estates. In the nineties as well as in the turn of the century it shows fall in share of profit largely because of high cost of production.[13] The blame however, falls on the rising wage of

[12] On recommendation of World Bank taxes levied on Sri Lankan tea was withdrawn in 1993. This was on consideration to raise efficiency of the sector. Efficiency enhancement programme of Sri Lanka tea sector is now based on donor funded programme as well as loan from outside agencies. However, the huge difference between auction price (Rs. 279 in 2007) and FoB price (Rs. 361) reflects that there is scope for raise cess and even imposition of various duties to generate own source of investment in maintaining the plantation estates .

[13] Since re-privatisation of tea plantations in Sri Lanka in 1992 data show cost of production is increasing alarmingly, whereas, Net Sale Average

labour (Table 1). It is true that in this labour intensive sector labour cost constitutes a major component of cost (about 68 percent of total cost of production). However, a look at the various cost components in the production process of tea reflects that the growth of labour cost component is less compared to many segments such as general administration and marketing (Department of Census and Statistic, Sri Lanka, 2003). Despite all these labour cost during the re-privatisation regime continues to be perceived as main determinant of efficiency enhancement of this sector and finds a favourable source for outsourcing in smallholdings to reduce labour cost.

In 1992, with the privatisation of the management of plantations, a new institutional structure for social welfare provisions (Plantation Human Development Trust) in the estate sector of Sri Lanka was established. The PHDT is working towards improvement of housing, water, sanitation, family health, child development, human resource development to raise living conditions of workers as well as their performance in the tea plantations. The PHDT programmes are though mainly from contribution from the donor agencies, a good component of cost is also raised from plantation estates, communities, banks and government sources. The PHDT targets to construct 193,000 houses in the plantation estates by 2012. The estates of Sri Lanka have over 912,110 resident population attached to 41 regional plantation companies.

Wage factor is explaining labour standard in tea plantations– did the workers gained out of *the* wage ***revisions***

Wages largely determine access to better provisions in life. The Wage Ordinance of 1927 in Sri Lanka recognised for the first time

was not satisfactory till 1996 leading to negative profit margin. Things had started to improve since 1997 but took reverse turn since turn of the century. Average CoP of one kg of tea was increased to Rs. 201 in 2006 to Rs. 247 in 2007, whereas the NSA was Rs. 195 in 2006 and Rs. 259 in 2007.

several importance principles - a minimum rate of wage, a legally defined normal working day, the minimum wage of employment and principle in tripartism in wage determination (Weerakoon, quoted in Sinnathamby, 1984). The Minimum Wages Ordinance was superseded by the Wages Board Ordinance No, 27 of 1941, which include legislations relating to payment of salaries and wages, hours of work, leave, superannuation benefits and other terms and conditions relating to employment. However, in the payment of various allowances, it is claimed that plantation workers were subjected to several discriminations compared to workers in other sectors of the economy in Sri Lanka. The average monthly income of workers in the tea industry of Sri Lanka was considerably lower than the workers in other wage board trades in Sri Lanka. During 1953 and 1969 money earnings was rose by 50 to cent per cent for most of the occupation groups, while the cost of living rose by some 25 percent. Contrary to this, in the estate sector, earning was rose by only 26 percent during 1952 to 1972. In the plantation sector, however, during that period the number of workers gainfully employed was much larger than the other sectors (Sinnathamby, 1984).

Presently due to strong trade union influence wages in tea sector are being revised almost in every year. This however, does not reveal that wages in this sector is reasonably high. Indexing the current wages of the tea plantation sector to the Colombo Consumer Price Index (CCPI) one finds that the plantation workers did not gain significantly from all years of revisions (Table 1).

The average wage the tea plantation workers used to receive in 1952 was Rs. 2.21, which had increased to Rs. 2.98 in 1972. Even in the nationalisation period wages were not favourble for the working class. Wage rate had increased marginally till 1976 and had reached Rs. 3.85 that year. The average wage rate the tea plantation workers used to receive in 1980 was Rs. 14.03 which had increased to Rs. 61.8 in 1992. Considering the new series of CCPI of 1980 the real wage index remained below 100 till 1987. Wage rate till 1992, however, started to show some increase and had reached

Rs. 61.8 in that year, real wage indexing 111.28 at 1980 CCPI. During the nationalisation period the wage index at 1980 base overall remained stagnant (Table 1) and this stagnancy continued even during the re-privatisation period (the post 1992 period) till the turn of the 20th century.

In recent times, wages, however, started to show some encouraging trend in revisions. Average wage rate of plantation workers had reached Rs. 284 in 2006 (there is high disparity in wage rates of men and women workers). The real wage index, which had remained stagnant at around 110 during 1992 to 1999, started galloping and reached 164.2 in 2004 at 1980 CCPI. This, however, declined to 148.8 during 2006. This favourable hike in the wages of plantation sector is due to the fact that the major trade unions like CWC and Lanka Jathika Estate Workers Union in the plantation sector are affiliated to the mainstream political parties. However, despite all these the conditions of the tea plantation workers remained poor. Comparing the per capita monthly income in Sri Lanka, one finds that in estate it was much below (Rs. 1119 in 1996-97) than the rural sector (Rs. 1882, Report on Consumer Finances and Socio-Economic Survey, 1996-97). Even at present, to be above the national poverty line, it requires expenditure of Sri Lankan Rs. 2924 per person per month; earning alone from the plantation job a worker can not meet this standard for the family.

Apart from the wages, a study on plantation labour by Lanka Jathika Estate Workers Union found that economic hardship in the plantations could be the result from working below the norms of 25 days in a month. The study found that, the wages the workers receive for working below 15 days a month (largely because of poor health and motivational factor) were too low to meet minimum living standard (Labour Force Survey- a Study on Plantation Labour by LJEWU in collaboration with Asian American Free Labour Institutes in the 1980s).

IV. Was a high road path achievable in tea plantations? Smallholdings as a mode to bail out the sector

In Sri Lanka, average productivity of the tea sector, dominated by estate plantations though was not high compared to the present norms set by the tea smallholdings their regime was profitable enjoying command in the world market till recent past. China and Kenya, now have emerged as major player in the world market of tea, riding high on new plantations led higher productivity. Moreover, the taxes derived from the tea sector used to contribute to the state expenditures considerably and more importantly the tea industry has been a major livelihood provider in the country. Effort at any level of policy needs ensuring productivity, quality, profitability and decent livelihood in the sector sustainable in the long run. It is said that exploring niche market only through such labour intensive produces help to percolate benefits to the bottom section of people (Brusco, 1990).

The question now arises, was it not possible to follow a high road path in the tea plantation sector investing adequately on human development and field development? This was not impossible as reflected from the enormous amount of tax the tea sector used to generate. The nationalisation period though seemed favourable for the workers the regime was plagued by inefficiency, stagnant productivity and lower profit, a part of which is explained by the imposition of higher taxes. The massive amount of revenue generated from taxes on tea helped to raise the requirement of different social and economic sectors in Sri Lanka, but the plantation estate community received little benefits out of this as indicated by their real wages and poor social development. The tea industry in Sri Lanka had missed opportunity for consolidation as the tax generated from tea export and cess could have been invested back in some required proportion in the maintenance, infrastructure and human development in plantations. Re-plantation (two percent of total acreages of tea needs to be re-planted in a year) and fertiliser application (it requires application of 880 kg fertiliser per hectare; Hettiarachchi, 2003) are the two

crucial aspects in raising and sustaining the productivity failed to get adequate attentions (Table 2).

Establishment of the new institutional structure (PHDT) in the re-privatisation phase in Sri Lanka was the need of the hour as labour productivity started to assume importance. The average quantum of tea leaves plucked by a worker is just 16.8 kg a day (Sivaram, 2001) compared to the standard norm of 18 kg in the country. Moreover, Sri Lanka started to face competitions from the emerging producing countries with higher field and labour productivity (a worker is Kenya tea plantations plucks on an average 30 kg a day). In tea plantations labour productivity is determined by the field productivity (more flush in a tea acreage means more plucking within the specific area and saving of time in movement to another acreage) as well as by health and efficiency of the workers. Presently, emphasis is put on field as well as human development with several donor assisted programmes and labour as an important factor in gaining competitiveness is being recognised. On the other hand, the opening up of the economy has brought new avenues for the people and the ubiquitous labour in the plantation slowly started to become a scarce commodity. This has now compelled the government to intensify effort on human development in plantations. The foundation for a high road path in the tea sector was build in the re-privatisation phase in gaining field and labour productivity, but this now is being thwarted by a different kind of response (outsourcing to the smallholdings) by the estate sector of tea plantations. The result we see that there is considerable decline in tea acreages under the estate sector (Table 2).

This is now evident that the tea smallholdings are being considered and used as flexible and convenient source of outsourcing (Table 2 shows the rising share production of tea made from bought leaf instead of own source of production in estates) associated with low waged irregular supply of jobs. In smallholdings workers are paid about Sri Lankan Rs. 4-6/ for each kg of leaves they pluck. This means that a worker in smallholdings needs to pluck more than

double the amount than the estate sector workers pluck to get the equivalent wage. This is not unusual for the estate sector to use a relatively cheap and convenient source. What is not desired negligence on its part leaving its acreages unutilised not taking advantages of favourable regulations made from time to time[14].

Changing structures and need of a coherent mode for better labour standard

The need of shifting or taking support of a new production structure (from estates to smallholdings) is the result of compulsion to survive in the market by reducing cost in the labour intensive sector. The tendency to rely heavily on smallholdings and demand for a flexible manpower pool or policy by the estate sector is largely result of incapability of management to induce and sustain better productivity in the plantations, explore the niche markets and thereby create enough sustainable and decent jobs. In the post colonial period though government of many de-colonised countries of the world did not interfere with the colonial production mode; in certain sectors of the economy, legalities and regulations were adopted to assure well being of the involved. These regulations however, at present have started to face challenges on the ground of attaining competitiveness (Sivaram**) and eroded competitiveness led the management to go for flexible labour pool. This indicates that working class becomes the casualty in the inefficient production regimes.

The competitiveness or advantage the country now enjoying in the form of smallholdings could face a reverse situation with adoption of certain regulations to ensure some decent standard for the working class in the smallholdings. The smallholdings tea plantations in true sense remain as peasant-smallholdings and the prevailed regulations (the price support formula of green leaf in Sri

[14]At present re-privatisation phase Sri Lanka estate sector has advantages of tax relief and responsibility of human development in plantations has taken over by PHDT.

Lanka) work only if the smallholdings are of about two acres and operate with family members. Defining the size-class of tea smallholdings upto 10 acres in Sri Lanka eventually has led to requirement of hired labour. Hired labour is also required in the tiny smallholdings if the opportunity cost of family members is low to shift to other jobs. Labour in such production mode is in disadvantageous position and the benefits accrued from such low cost production appropriate by a petty bourgeoisie class enjoying certain regulatory supports as well as by the estate sector relying on the bought leaves to make the made tea. There are adopted regulations and institutional supports from possible exploitation of the tea smallholdings from the estate sector in Sri Lanka (linking the price of raw leaves to Colombo auction price of tea is one of them). These regulations could yield wellbeing if the peasant smallholders ideally operate their plantations with family labourers.

As perceived in the tea smallholdings, flexibility in true form should not mean low wage and insecurities; but it is or could be how the workers work with convenient timing without any deleterious effect on productivity (they do this in the smallholdings). There is also enough supply of work as well as adequate working benefits, even though it could be on work rate (these we do not see). This also requires maintaining efficiency of workers- skill as well as good health. This is also important how the production regime place their products in the world market to the changing taste and demand to derive maximum gain. This is important, how the gain from new approaches and efficiency can be passed to the labour force[15]. All these will require adoption of certain regulations to make the production regime mature.

[15]Sri Lanka tea industry is trying to gain maximum from value added tea targeting the upper end consumer market. The question now is to what extent the plantation labourers at field and factory have capability to do jobs associated with value adding process.

V. Where is up to? Perceiving the labour factor in tea plantation of India

India, the old producing giant of tea too has started to face the flavour of incompetitiveness arising from its old plantations, negligence in maintenance and failure to place tea in upper end markets. In India about 44 percent of tea acreages are more than 40 years old waiting re-plantations. Since 1991 no single year shows more than 0.4 percent re-plantation in the tea acreages as against the prescribed annual norm of 2 percent (Tea Board of India data). No doubt these old plantations lead to lower productivity and India has lost the status of largest producer of tea to China in 2006. The share of Indian tea in world market now stands at 11 percent behind Kenya, Sri Lanka and China (this is true that India has a huge domestic market, but this is equally important to capture gain from the niche markets). Moreover, Indian tea at present is not commanding best prices in the world market as compared to Sri Lanka, Kenya, Mauritius and Japan. Overall, we do not see a vibrant picture of this labour intensive industry in India. Indian tea sector did not go through the definite structural changes like Sri Lanka, but now one could see a clear leaning to the tea smallholdings. Area under tea smallholdings in 1991 (captured by the Tea Board of India with size class of less than 8.1 hectare) was just 10,853 hectares or 2.6 percent of total tea acreages. The smallholdings were concentrated mostly in the South India sector. Now smallholdings have emerged in the areas dominated by estates (Assam and West Bengal) and in the year 2006 areas under tea smallholdings constituted 154,099 hectares (27.2 percent of total acreages of tea) with a size class of less than 10.1 hectare (the criterion revised by Tea Board of India) accounting for 25.4 percent of total production. On the other hand, acreages under estate sector of tea declined in India from 409,684 hectare to 401,512 hectare (-1.99 percent) during 1991 to 2006. All these show consolidation of tea smallholdings. Here, labour is being used in flexible mode with no stipulated benefits apart from a meager wage of around Rs. 40

or Rs. 50 a day. No official record is available on the quantum of labour used in the smallholdings. Primary study reveals absorption of labour in tea smallholdings on average stand around 2 persons per hectare, but there is occasional call for 4-5 workers per hectare to clear the flush and maintenance of plantations (Das, 2002). This may provide a rough estimation of labour absorption in tea smallholdings in the country. On the other hand, data on tea labourers on roll (in the organised estate plantations) reveal that during 1991 to 2005 total workers in the tea plantations had increased from 1055 thousands to 1259 thousands registering a growth of 19.3 percent. Here casual workers on role showed an increase from 153.9 thousand to 222.7 thousand registering 44.7 percent growth (Annual Statistics of Tea Board of India).

All these developments reveal two clear pictures. One, there is decline of the estate sector with rising casualisation of workers. Two, the smallholdings indicate absorption of a significant quantum of labour, not captured in the labour roll. This is indicative that the tea sector of India now too tries to bail itself out riding on low labour costs in an unregulated environment on labour front. However, unlike Sri Lanka, India in near future will not face the crisis of labour supply in the tea plantations- estates or in smallholdings. This is because India's poor human development (ranked 132 and is much lower to Sri Lanka's 104) and high unemployment will continue to ensure unlimited labour supply in this labor intensive sector. This at present may not compel the state to provide attention on labour front by inducing and implementing the provisions of Plantation Labour Act and other welfare measures to the workers in the smallholdings. This is also hard to assess to what extent the flagships programmes of the government of India include these underprivileged workers. The unorganized sector workers' social security bill also could provide support to workers in this sector. A major issue here, however, involves on the criterion to define the size of tea smallholdings. Holdings are ideally can be called small if these are of about two acres (manageable with 2-3 workers) in size and operated with family labour. In this context, regulations from the state front, such as

adoption of certain formula on fixing the price of tea leaf to ensure the right price to the peasants would suffice (What Sri Lanka government is doing at present). However, the Tea Board of India's recognition of smallholdings of acreages up to 10.1 hectares only leads creation of a petty bourgeoisie class using the labour in flexible mode. These smallholding can take advantages of concessions on tax and other regulatory supports but workers here remain in an insecure environ. To sum up, in Indian tea plantations, labour is yet to be considered as a factor in attaining competitiveness raising its wellbeing and productivity level.

Contrary to this derived perception on labor front, the state now assumes the responsibility for field development to raise competitiveness of the tea sector. The Government of India has come out with Special Purpose Tea Fund (SPTF) for extending financial support to the needy tea estates for undertaking replanting, replacement planting and rejuvenation of old aged tea bushes to arrest the trend of declining quality and productivity. The scheme aims at covering 2.12 lakh hectares of old tea area (above 50 years of age) over a period of 15 years commencing from the year 2007. Government's contribution towards the programme during the 11th Plan period is Rs. 291 crores comprising Rs. 200 crores as subsidy and Rs. 91 crores as default reserve fund. Along with such measure to rejuvenate competitiveness in the market, one also sees certain contradictory stand of the state. Presently the state governments of Assam and West Bengal are considering to allow the tea plantation companies to use a proportion of unused land for non-tea activities to generate revenue (Economic Times, August 29, 2009). The issue is now, how these approaches will help the labour front. Will all these make the tea sector efficient enough to absorb more labour and field productivity will be right enough to ensure high labour productivity and income? With such development will the estate sector use its unplanted acreages effectively to absorb more labour rather finding a cheap source of outsourcing in smallholdings? This may be likely that field productivity of tea estates could improve in near future at the cost of state exchequer, which is otherwise the responsibility of the

private plantation companies to maintain efficiency of the sector. This is also true that in near future India will not face the crisis of labour supply with prevailing poor human development, and the tea sector using the form of smallholdings will continue to take advantage of cheap labour supply (a low road approach). These indications are not good for wellbeing of workers. In such context two approaches may be required from the state. The first one is to limit the size class to define the smallholdings, manageable by the peasantry with family labour. They will however, would continue availing the prevailed regulatory supports of the state. Secondly, the state requires infusing more investment in human development in the tea sector. This may empower the working community to play some command over the labour market and bring in certain level of equilibrium in the quantum of labour supply and labour demanded in this lower end job sector. Field development along with human development could possibly help in attaining a high road path in tea plantations. These have been ignored for long as the data indicates.

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APPENDIX

Table 1: Real Wage Indices for Tea Plantation Workers in Sri Lanka

Year	Wages in Sri Lankan Rs.	Wage at 1980 base= 100	CCPI index at 1980 base 100	Real wage Index at 1980 base 100	Real wages on 1980 base, Sri Lankan Rs.
1980	14.03	100.00	100.00	100.00	14.03
1981	14.04	100.07	117.98	84.81	16.55
1982	16.42	117.03	130.77	89.97	18.35
1983	17.89	127.51	149.03	85.56	20.91
1984	23.78	169.49	173.82	97.50	24.39
1985	24.50	174.62	176.37	99.01	24.74
1986	26.21	186.81	190.45	98.09	26.72
1987	27.83	198.36	205.15	96.69	28.78
1988	36.52	260.30	233.85	111.31	32.81
1989	40.60	289.38	260.91	110.91	36.60
1990	48.32	344.40	316.97	108.65	44.47
1991	54.24	386.60	355.59	108.72	49.89
1992	61.84	440.77	396.10	111.28	55.57
1993	72.24	514.90	442.61	116.33	62.10
1994	72.24	514.90	480.01	107.26	67.35
1995	83.08	592.16	516.84	114.57	72.51
1996	95.45	680.33	599.21	113.53	84.07
1997	95.45	680.33	656.54	103.62	92.11
1998	115.25	821.45	718.07	114.40	100.75
1999	115.25	821.45	751.76	109.27	105.47
2000	136.15	970.42	798.18	121.58	111.98
2001	187.95	1339.63	911.19	147.01	127.84
2002	198.89	1417.60	998.24	142.00	140.05
2003	221.35	1577.69	1061.28	148.66	148.90
2004	263	1874.55	1141.67	164.19	160.18
2005	259	1846.04	1241.51	148.69	174.18
2006	284	2024.23	1360.35	148.80	190.86

* *Source: Central Bank of Sri Lanka, various years and Sinnathamby (1994)/ and author's calculations*

Table 2: Performance of Estate Sector Tea Plantations in Sri Lanka

Year	Total acr. in hectare	Extent bearing in ha	% of area used	Yield kg/ha	% of prod made from brought leaf	Re-plantation of acr. in the year	Fertiliser uses/ha	Avg Colombo auction price
1980	129387	119426	92.30	1179	13.20	NA	NA	NA
1981	126340	117355	92.89	1340	13.43	1.72	NA	NA
1982	117540	109075	92.80	1188	12.29	1.23	660.1	NA
1983	116819	108207	92.63	1113	12.73	0.85	673.7	NA
1984	121217	111168	91.71	1333	13.01	1.12	792.5	NA
1985	122011	108973	89.31	1327	12.47	1.15	1026.9	NA
1986	117029	105622	90.25	1308	11.89	1.09	761.2	NA
1987	112145	102737	91.61	1316	12.13	1.12	825.4	NA
1988	109929	100230	91.18	1377	12.43	1.31	907.9	NA
1989	111136	98279	88.43	1309	12.94	1.25	877.1	NA
1990	108244	98309	90.82	1367	13.98	1.25	718.1	NA
1991	106592	96789	90.80	1358	13.89	1.51	605.4	NA
1992	106579	95678	89.77	890	16.11	1.05	491.7	61.75
1993	102670	95182	92.71	1217	18.16	1.99	698.3	68.88
1994	105059	95152	90.57	1267	17.24	3.21	446.4	65.12
1995	99995	95104	95.11	1216	18.94	1.32	303.4	72.21
1996	104757	91590	87.43	1250	19.05	0.60	309.4	103.88
1997	103045	90729	88.05	1380	18.93	1.48	330.3	119.40
1998	100474	92529	92.09	1289	21.70	1.79	458.1	134.35
1999	101738	90453	88.91	1342	19.32	1.17	462.3	115.31
2000	99564	89724	90.12	1417	19.80	0.98	392.2	135.53
2001	98882	91080	92.11	1344	21.30	2.69	392.7	143.96
2002	97172	88542	91.12	1384	22.10	0.43	472.8	150.28
2003	93522	86613	92.61	1354	22.44	0.40	453.3	149.05
2004	91384	86650	94.82	1534	22.45	0.35	477.8	180.74
2005	95288	86278	90.54	1565	23.13	0.46	493.7	186.20
2006	97587	86730	88.87	1437	24.80	0.44	793.2	199.84
2007	90752	78508	86.51	1415	27.47	0.57	NA	279.52

LIMITATION OF LAW AS AN INSTRUMENT OF SOCIAL CHANGE: THE CHILD LABOUR ACT IN INDIA

Binoy Goswami*

Traditionally, in economics and related social sciences, law is viewed as something that changes the set of alternatives open to an individual or the returns to certain courses of action that an individual receives (Basu, 2000). For example, in the absence of a law against domestic violence, a husband can use violence as a strategy to obtain dowry from his wife. Imposition of a law prohibiting crime against women will, however, make that strategy a costly and riskier option for him. In terms of the language of game theory, law can be taken as an instrument that changes either the set of strategies or the pay off functions of individuals (Basu, 2000). This view is expressed considering the economy as a game and the individuals as agents. The pay off function of an individual summarizes the returns he gets from every possible strategy that can occur in the game. The same example that has been cited above can also be explained in the parlance of game theory. If law punishes someone for using violence against his wife, his pay off will be different from what he would expect in the absence of law. He has to calculate the probability of being caught and punished and adjust that against his expected profit in order to get the expected net profit (or net returns). Thus, we may consider the traditional view of law as something that changes the economy game. This view of law, implicitly or explicitly, is recognized in all

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branches of social science. While this traditional view of law serves well for certain purposes, it has some limitations too. According to Basu (2000), the traditional definition of law will be true if we make the assumption that the government agents mechanically implement the law and are exogenous to the economy game. But, in reality, the agents who implement the law are also people with their own emotions and all other human characteristics. This will have a repercussion on the implementation of the law. So, the assumption of the traditional view that these agents are exogenous to the game is too restrictive. The implication of relaxing this assumption is that once the enforcers are included in the game, law becomes nothing more than some ink on papers. If all the agents including the enforcers behave as they would have behaved in absence of law, the law becomes virtually non-existent in spite of its presence in the form of written documents. Therefore, while in the traditional version, law has the capacity to change the pay-off of individuals, after relaxing the restrictive assumption, it can be seen that law may not always change pay-off functions of the agents. Let us again take the case of the law against domestic violence. Whether there is a law or not, the strategies available to the agents are same. The husband may or may not use violence as a strategy and likewise the police may or may not catch the man who uses violence against his wife. Now, even after the imposition of the law if the policeman takes the strategy of not punishing the man and the man also takes the strategy of using violence, they will get the same pay-off what they would have got in absence of the law. Thus it can be inferred that law need not necessarily change the pay-off function once enforcers are also included in the game. However, this should not give the impression that law is useless. Although, law may not affect the pay-off function of the individuals, it affects the outcome of the game. Law affects the outcome of the game by creating a focal point[1] and it does so through its effect on the beliefs and opinion of the people. In the above example, the husband can take any one of the two strategies.

[1] Focal point refers to the salient outcome of a game.

In the absence of law, since he believes that the policeman will not punish him, he might take the strategy of using violence. On the other hand, after the imposition of the law, the thought of being caught by police may make his net expected return negative which prevents him from using the strategy of violence. If all husbands think in the same fashion, no one may use violence as a strategy after the imposition of the law. Thus, a new outcome will be experienced after the imposition of the law.

From the above discussion, we have got the impression that law alters the outcome of the game by creating a focal point and it does that through its effect on the norms and beliefs of the society. But one may ask if law can always alter the outcome. Should a new outcome inevitably emerge whenever a law is imposed? This paper attempts to answer these questions. In this context, we hypothesize that a law will alter or result in a new outcome only when such an outcome exists. More precisely, a law designed to dislodge something atrocious from the society or to install something desired will be effective in doing so if a potentially better solution is available to the society. We take the case of the Child Labour (Prohibition and Regulation) Act enacted in 1986 in India to verify the hypothesis.

The paper is organized in 5 sections. Section 2 summarizes a few studies which identifies the determinants of child labour and then highlights some facts about child labour in India on the basis of 2001 census. Section 3 elaborates on methodology and data. Result of the empirical analysis and its discussion are presented in section 4. Section 5 ends with a few concluding comments.

Determinants of Child Labour and Some Facts about Child Labour in India:

The phenomenon of child labour involves a trade off in choosing between current and future consumption. Child labour, especially in poor conditions, interferes with education and harms health of the child which at later stage of life may affect earning capability

and consumption. On the other hand, child labour may supplement household current income and consumption that has a positive effect on future health and earning capacity (Cigno and Rosati, 2005). This trade off makes the issue a complex one. It becomes more complex in a country like India where 27.5 percent (as per Uniform Recall Period, Economic Survey, 2007-08) of the population still suffers from abject poverty.

The existing literature holds poverty and illiteracy as the prime factors responsible for the existence of child labour. Basu and Van (2005), state that children work to supplement their parent's income and without their earnings it will be difficult to maintain the minimum standard of living of their families. On the other hand, Aggarwal (2004) finds that literacy rate and gross enrolment ratio are major determinants of child labour. Besides poverty and illiteracy, there are some other determinants of child labour identified by different scholars among which high fertility rates resulting in more children in a household (Cingo and Rosati, 2005) and lack of educational opportunities especially primary education (Misra, 2000) are the important ones. All the determinants of child labour mentioned above, however, represent the supply side of the phenomenon. There also exist factors that perpetuate the demand for child labour. Child labour being cheap, unorganized and easy to be disciplined, entrepreneurs might demand more child labour especially in those sectors where the work can be done with unskilled workers. Therefore as the economy expands, we can expect the demand for child labour to increase (Kambhampati and Rajan, 2006).

Some Facts about Child Labour in India

The total number of child labour (i.e. workers aged 5-14 years) in India has shown substantial variation over time. While it increased by 28.87 lakhs over the period 1971-81, in the subsequent 10 years, i.e. during 1981-91, the number came down by 23.55 lakhs. Again, in the latest census of 2001, almost 13.81 lakhs have been added to the figure for child labour in the previous census. In terms of the

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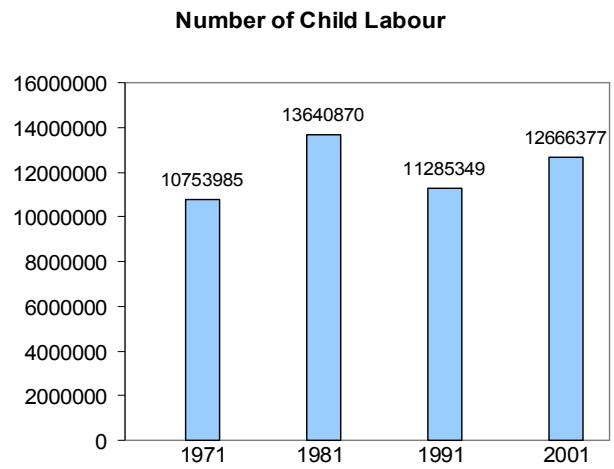
rate of growth, the decadal growth rate of child labour in India was 26.84 percent for the period 1971-81 followed by -17.29 percent and 12.25 percent in the next two decades, i.e. 1981-91 and 1991-2001 respectively. A part of the increase in the total number of child labour in the last census can be attributed to the inclusion of the marginal workers which were not taken into account in the previous three censuses. However, it is still equally disquieting even if the rise in the total number of child labour in the last census is entirely owing to the inclusion of the marginal workers. This by no means makes the problem less severe as the real issue is not the category of child labour rather the total number of them irrespective of the categories they belong to.

Fig.1: Variation in the Number of Child Labour over time



As per the 2001 census, the total work force in the age group 5-14 years in India is 126.67 lakhs. The share of child workers in the total work force of the country is 3.15 per cent. Of the total work force aged 5-14 years, 57.80 lakhs (45.62 per cent) are Main Workers and 68.87 lakhs (54.38 percent) are Marginal Workers. In India, amongst Main Workers in the age group 5-14 years, only 14.07 per

cent workers are reported to be attending educational institutions. The situation of Marginal Workers is better with 36.68 per cent attending educational institutions. But, what is disturbing is the fact that a substantial number (32.35 per cent) of Non-Workers are not attending any educational institution.

Table 1: Distribution of State/UTs as per share of Child Workers in the Respective Work Force

Range (%)	State/UT
0-2	Punjab, Tripura, Maharashtra, Tamil Nadu, Andaman & Nicobar Is., Chandigarh, Daman & Diu, Delhi, Goa, Pondicherry, Kerala and Lakshadweep.
2-4	Bihar, Andhra Pradesh, Arunachal Pradesh, Chhattishgarh, Dadra & Nagar Haveli, Assam, Himachal Pradesh, Uttar Pradesh, Karnataka, Manipur, Haryana, West Bengal, Orissa, Gujarat and Uttarakhand.
4-6	Mizoram, Meghalaya, Nagaland, Rajasthan, Jammu & Kashmir, Madhya Pradesh and Jharkhand.
6 and above	Sikkim.

Source: Child Labour Facts and Figures: An Analysis of Census 2001, ILO

While Sikkim is the state with the highest share of child workers in the work force of the State, the corresponding figure is the lowest for Lakshadweep. In general, it is observed from the above table that the economically backward north-eastern states and the BIMARU states have comparatively higher shares of child labour in their respective work forces indicating an apparent linkage between poverty and the supply of child labour.

The concentration of child workers is the highest in the manufacturing & repairs (22.53%), followed by agriculture and allied (20.28%), financial intermediation & real estate, renting

etc.(10.03%), construction (10.02%) and electricity, gas & water supply (5.75%). It is clear from the above table that majority of the child workers are engaged in such occupations and processes which have been notified as hazardous by the government and therefore wants to prohibit one from employing children in such works.

Table 2: The Distribution of Total Child Work Force as per Census 2001 in Different Industry Categories at All India Level

Industry category	Percentage
Agriculture, Hunting & Forestry & Fishing	20.28
Mining & Quarrying	1.06
Manufacturing & Repairs	48.01
Electricity, Gas & Water supply	0.11
Construction	5.75
Wholesale & Retail Trade	10.02
Hotels & Restaurants	1.71
Transport, Storage & Communications	1.77
Financial Intermediation & Real Estate, Renting etc.	1.26
Public Administration etc. to Extra Territorial Organizations and Bodies	10.03
All Industries	100

Source: Child Labour Facts and Figures: An Analysis of Census 2001, ILO

While all the south Indian states and many of the UTs recorded decline in the total number of child labour in 2001 census as compared to 1991 census, all the north eastern, the BIMARU and many north Indian states shown increase. Many states, particularly the north eastern and the BIMARU states had shown a mammoth and unwieldy increase. Except Assam and Tripura, all the other north eastern states registered more than or around 50 percent increase in total number of child labour. Sikkim recorded the highest increase (193.98 percent) among all states followed by Nagaland (178.43 percent). The reasons for the colossal increase in the number of child labour in the north eastern states and for the

striking north-south divide can further be investigated. This may, however, require going beyond the purview of economics and deep into the socio-cultural scaffolding of different societies.

Table 3: Distribution of State/UTs Showing Percentage Decline/Increase in 2001 Census as Compared to 1991

State/UTs showing % decline in 2001 as compared to 1991		State/UTs witnessing % increase in 2001 as compared to 1991	
Dadra & Nagar Haveli	(-3.22)	Madhya Pradesh	(5.71)
Gujarat	(-7.27)	Assam	(7.27)
Goa	(-11.13)	West Bengal	(20.43)
Karnataka	(-15.74)	Punjab	(24.08)
Orissa	(-16.53)	Tripura	(32.03)
Andhra Pradesh	(-17.97)	Uttar Pradesh	(41.71)
Lakshadweep	(-20.59)	Arunachal Pradesh	(49.11)
Daman & Diu	(-22.53)	Delhi	(53.19)
Kerala	(-24.84)	Andaman & Nicobar	(54.94)
Tamil Nadu	(-27.65)	Meghalaya	(55.75)
Maharashtra	(-28.49)	Mizoram	(60.05)
Pondicherry	(-28.96)	Bihar	(61.82)
		Rajasthan	(63.08)
		Manipur	(74.84)
		Himachal Pradesh	(90.96)
		Chandigarh	(102.09)
		Haryana	(131.10)
		Nagaland	(178.43)
		Sikkim	(193.98)

Source: Child Labour Facts and Figures: An Analysis of Census 2001, ILO

Thus, we can understand from the above that the total number of child labour in India has shown substantial variation over time. As per the 2001 census, the total work force in the age group 5-14 years in India is 126.67 lakhs. The share of child workers in the

total work force of the country is 3.15 per cent. Many of the child workers are not attending any educational institutions. But, what is disturbing is the fact that a substantial number (32.35 per cent) of Non-Workers are not attending any educational institution. It is observed that the economically backward north-eastern states and the BIMARU states have comparatively higher shares of child labour in their respective work forces. While all the south Indian states and many of the UTs recorded decline in the total number of child labour in 2001 census as compared to 1991 census, all the north eastern, the BIMARU and many north Indian states shown increase. It is alarming that majority of the child workers are engaged in such occupations and processes which have been notified by the government as hazardous.

Methodology and Data:

An econometric model has been developed with the objective of assessing the effectiveness of the "Child Labour (Prohibition and Regulation) Act, 1986''. In the model, ratio of child labour to total workers has been regressed on certain determinants of child labour along with law as a dummy variable. The nature of the dependent variable is such that it takes values between 0 and 1. Thus, a logistic functional form would be suitable for the model. The mathematical form of a logistic function is given by:

$$Y = \frac{1}{1+e^{-Z}}$$ Where, Y = ratio of child labour to total workers and

$Z = \beta_0 + \beta_1 HDG + \beta_2 TFR + \beta_3 EXELED + \beta_4 GSDP + \beta_5 L$, in which

HDG = 1 - Human development index which we denote as Human Development Gap. While HDI represents average achievement of a society in three critical dimensions of longevity, education and standard of living, HDG reflects the state of deprivation in these dimensions. HDG is used as proxy for poverty due to unavailability of comparable data on poverty for the time periods under consideration. It can be noted here that as HDG involves

literacy rate, a separate variable on literacy rate is not introduced in the model.

TFR = Total fertility rate which captures the effect of the number of child in households on the supply of child labour.

EXELED = Expenditure on elementary education per 1000 person.

GSDP = Gross state domestic product at constant price which reflects the size of the economy. This variable is incorporated to capture the demand side of the phenomenon.

L = Law which is used as a dummy variable. It takes value 0 for observations before 1986 and 1 for observations after 1986.

The model mentioned above is non-linear in nature. It can be modified (see appendix 1) to make linear and the modified version of the linear regression model to be estimated is

$$\ln \frac{Y}{1-Y} = \beta_0 + \beta_1 HDG + \beta_2 TFR + \beta_3 EXELED + \beta_4 GSDP + \beta_5 L + U,$$

where U is the random disturbance term.

The data used for analysis have been collected from different sources. Data on child labour and work force have been collected from various census reports. Handbook of Statistics on Indian Economy published by RBI provides data on GSDP. Data on TFR, HDI, and EXELED have been obtained from www.indiastat.com.

The observations on the variables consist of fourteen major Indian states for census periods 1981, 1991, and 2001. These time periods have been selected so as to examine if the "Child Labour (Prohibition and Regulation) Act, 1986" were successful in realizing its prime objective. Consequently, observations on the variables before and after the implementation of the act are necessary. These observations have been pooled to obtain a balance

panel and the model is ultimately subjected to OLS regression. The nature of the data warrants the adoption of fixed effect[2] approach.

Table 4: Result and Discussion

Variables	Coefficients	t
Constant	-7.566	-12.284*
HDG	1.107	6.260*
TFR	-.259	-1.540
EXELED	-.205	-1.486
GSDP	.057	.383
L	.151	1.099
	R^2 =	69.2
	D-W statistic =	2.457
	F =	17.108*

**Note: Significant at 1%*

It appears from our analysis that HDG has a highly significant and positive impact on the supply of child labour. This implies that the supply of child labour in India is largely induced by the deprivation in the three critical dimensions included in HDI. All the other independent variables including the dummy for law have no significant impact on child labour, although jointly they are found to be significant. Thus the result of the empirical analysis allows us to infer that in a state of acute deprivation, parents would send their children to work in spite of law being in practice to prohibit or regulate child labour and thereby, making the law indeed ineffective. That is why, a giant conglomeration of children

[2] One of the preconditions for using random effect is that the observations can be described as being drawn randomly from a given population. The data used in the study violate this condition and hence fixed effect approach has been considered. A discussion on this matter is available in Dougherty (2007).

aged 4 to 15 years is still found to be engaged in different types of works in India ranging from very light to works in which they are physically and mentally exploited. This happens as there is no alternative available to parents and therefore they must allow their child to work so as to maintain at least the minimum standard of living of their families.

Although, law has grossly been ineffective in the Indian context to dislodge child labour, this should not give the impression that a law is unwarranted. In fact a stricter law may be formulated with an effective implementing mechanism. But a law alone is not adequate. Recognizing that the supply of child labour in India is privation induced, law has to be supplemented by other policy measures. The thrust of such measures should be in improving the socio-economic conditions of the poor. State[3], in this context has an active role to play.

[3] Law has to be supplemented by state initiatives in order to solve the problem of child labour. Again, state actions should basically be directed towards the socio-economic development of the poor. In fact, the National Rural Employment Guarantee Act (NREGA) initiated by the United Progressive Alliance has already been a right step in that direction. It is expected that an assured income under NREGA, if properly implemented, would improve the economic conditions of the poor. Increased income should encourage the parents to withdraw their children from labour market and send them to schools. However, it need not necessarily be the case that the children withdrawn from labour market will be sent to schools. In India, a substantial number (32.35 per cent) of Non-Worker children are not attending any educational institution. Besides the unavailability of educational infrastructure and many others, one important reason as to why many parents are not sending their children to school may be the imperfection in the labour market. When the labour market is characterized by rampant unemployment, the poor parents may be disinclined to spend in children's education especially in general education in view of the higher cost of education (The direct cost of subsidized education may be a meager figure, yet the total cost of education which includes the opportunity cost of sending children to school might be very high for the poor parents, especially when employment after education is uncertain.).

Thus, in the above case, imposition of law does not alter the outcome as there is no better alternative available. Given the prevailing situations, the existing one is the only achievable equilibrium. As opposed to the Child Labour Act, we can however, refer to the case of the "Child Marriage Restraint Act (1929)"[4] which could result in a new outcome. In the early period of 20th century, parents in Indian society preferred to marry off their child at a very young age which was obviously detrimental to the overall welfare of the society. Parents married off their children at young age as that was the preference revealed by the society. Since a unilateral movement[5] to defy an already established social preference would prove to be costly, no parent unilaterally tried to challenge that even if they knew that it was atrocious. The enactment of the Child Marriage Restraint Act encouraged the parents to defy the then existing preference of early child marriage. Gradually, the number of defiant increased and finally law was able to help the society free itself from the menace of early child marriage to a considerable extent. In this case, the law could alter the outcome since the society already had the scope to move from the inferior to a potentially better outcome. Of course, the society itself could not attain the available better outcome since unilateral effort to defy the prevailing social preference imposed costs on

Hence in addition to subsidizing education, education has to be made rewarding so that the parents get convinced about the benefits of sending their children to the schools. Towards this end, state intervention is imperative. Although under the changed regime of globalization and privatization, governments are getting more inclined towards market, in Indian context, however, time has not come yet for the government to withdraw. The justification for state intervention in education can further be found in the persistence of imperfection in the credit market. Credit market being imperfect, as the cost of education is expected to increase when privatized; those who do not have access to credit will be deprived of education too.

[4] A detailed discussion as to how this act changed the existing outcome can be found in Hatekar et al, 2007.

[5] For a discussion on dynamics of social preference see Kuran, 1995.

individual. But, imposition of the law helped the society break free from the impasse[6].

Thus, it is clear from the above discussion that while the "Child Labour (Prohibition and Regulation) Act, 1986" could not result in a new outcome due to the non-existence of a better alternative, the "Child Marriage Restraint Act (1929)" helped the society move from the inferior to a new and better outcome. This makes our discussion complete and proves that our hypothesis holds good.

Conclusion:

Law can alter the existing outcome in a society by creating a focal point and it does that through its effect on the norms and beliefs of the society. However, law has a limitation in this respect. It can alter or result in a new outcome only when such an outcome exists. More precisely, a law designed to dislodge something atrocious from the society or to install something desired will be effective in doing so if a potentially better solution is available to the society. The above statement has been verified in the context of the "Child Labour (Prohibition and Regulation) Act, 1986". As understood from the empirical analysis, in spite of law being in practice since 1986 to prohibit or regulate child labour, parents are still sending their children to work so that they could supplement household income and thereby, making the law indeed ineffective. In other words, law has been unsuccessful in changing the outcome. This has happened as in the face of acute deprivation there is no better option available. As opposed to the Child Labour Act, the Child Marriage Restraint Act could however alter the outcome in the society. In the early period of 20th century, parents in Indian society preferred to marry off their child at a very young age. The parents

[6] There may still have cases of child marriage In India. The explanation for such cases, however, in our view, should be sought in the circumstances in which they happen rather than considering them as a case of social preference.

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might have known that it was detrimental to the well-being of their children. Yet, they married off their children at young age as that was the preference revealed by the society. Since a unilateral movement to defy an already established social preference would prove to be costly, no parent unilaterally tried to challenge that. In other words, although a potentially better outcome had already been available, pressure from the society did not allow anybody to move away from the existing outcome. The enactment of the Child Marriage Restraint Act encouraged the parents to defy the then existing preference of early child marriage. Gradually, the number of defiant increased and finally law was able to help the society free itself from the menace of early child marriage.

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Appendix

Modification of the econometric model:

The original form of the logit model is -

$$Y = \frac{1}{1+e^{-Z}}$$

Where, $Z = \beta_0 + \beta_1 HDG + \beta_2 TFR + \beta_3 EXELED + \beta_4 GSDP + \beta_5 L$

Now, $Y = \frac{1}{1+e^{-Z}} = \frac{e^{z}}{1+e^{z}}$

$$\frac{Y}{1-Y} = e^{z}$$

Hence, $\ln \frac{Y}{1-Y} = Z$

Thus, after adding a random disturbance term to the above, we have the final model to be estimated as

$$\ln \frac{Y}{1-Y} = \beta_0 + \beta_1 HDG + \beta_2 TFR + \beta_3 EXELED + \beta_4 GSDP + \beta_5 L + U$$

Here, $\ln \frac{Y}{1-Y}$ is the modified form of the dependent variable which does not necessarily take value between 0 and 1. When $Y \to 0$, $\ln \frac{Y}{1-Y} \to -\infty$ and $Y \to 1$, $\ln \frac{Y}{1-Y} \to \infty$.

WOMEN AND VIOLENCE IN CONTEMPORARY INDIAN WRITING : VIJAY TENDLUKAR'S *KAMALA* AND *MANJULA PADMANABHAN'S LIGHTS OUT*

Saurabhi Sarmah*

The word violence has been derived from the Latin 'Violentia', which literally means an intense force. Generally, the word violence is used to refer to the use of physical and emotional force; an aggressive tendency to hurt; or simply violent behaviour that would involve injury and violation to persons, animals and property. However, the notion of violence has been widely discussed in the philosophical discourse since the time of Plato. In its wider use, the term goes beyond the notion of physical violence to cover psychological, institutional violence which includes sexism, racism, economic exploitation, ethnic and religious violence and so on. According to E.K.Englander, the word 'intent' is central to the notion of violence; any form of physical or psychological violence occurred by accident in the absence of intent is not violence (2). Although there are many forms of violence, generally violence has been categorized into visible violence or overt violence and invisible violence or covert violence. Visible violence seems to designate something visible, a happening in the physical world, which can be seen and recognized; and invisible violence is less spectacular, but perhaps more dangerous, having deep psycholological and emotional impact. According to Plato violence grows following a mimetic pattern in which individual wants to possess not because they desire them, but because they are imitating other people around them. These imitations result in conflict which finally leads to social violence (qtd. in Siebers 1-7). On the other hand, René Girard demarcates a

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close relationship between desire and violence. According to him, desire is essentially mimetic and mimetism is a source of continual conflict.[1] According to Charner Perry violence involves harmful forces which could be either natural or human forces. He distinguishes between natural violence and human violence and arrives at the conclusion that natural violence is to some extent self-limiting whereas human violence is self expanding producing counter violence (7-9).[2] However, the notion of violence remains as problematic as it used to be earlier. Violence can not be isolated from the notion of power, which is another problematic concept. In this respect Michel Foucault points to the inseparable link between violence and power. He says that violence is always the outcome of the exercise of physical power. All power is physical and its point of application is the body; and simply power or power not permeated by violence is not physical power (14).

Violence with its multiple manifestations has become an inescapable part of most of the women's lives. Women are victims of violence in almost every phase of their life span and violence against them crosses racial, social-economic, cultural, and ethnic boundaries. Women experience violence either directly or they have to live in a continuous fear of it. Violence against women has been a global phenomenon. Women in Indian society also have

[1] In *Violence and the Sacred* (London: Continuum, 2005) Rene Girard says that mimesis coupled with desire automatically leads to conflict. By making one man's desire into a replica of another man's desire, it invariably leads to rivalry; and rivalry in turn transforms desire into violence (179).He also points out that violence, like sexual desire, always has a tendency to hurl itself on a surrogate victim, if it is deprived of its original object. It is eminently communicable and a contaminating process (31-37).

[2] Discussing Newton Garver's definition of violence, Joseph Betz in "Violence: Garver's Definition and Deweyan's Correction."(*Ethics*.87.4 (July,1977):339-351) says: "If violence is violating a person or a person's rights, then every social wrong is a violent one…If violence is whatever violates a person and his rights of body, dignity or autonomy, lying to or about another; embezzling, locking one out of his house, insulting and gossiping are all violent acts (341).

been victims of exploitation, abuse, torture, and humiliation from the ancient past. But many of these forms of violence are not cognizable offences in our society, and justified by invoking religious, cultural and traditional beliefs. However, from 1960 onwards the discourse has been transformed from the private issue into the public domain. Indian feminists, inspired by the ideas of western feminism have raised their voice of protest against violence perpetuated by patriarchal norms. The proliferation of women's education and institutionalization of Women's Studies have also contributed to create awareness as well encourage activism on this area.

In the preface to *Gender and Violence,* L.L.O'toole and J.R.Schiffman define gender violence as any interpersonal, organizational or politically oriented violence against people due to their gender identity, sexual orientation or location in the hierarchy of male dominated social systems such as families, military organization or the labor force (Preface, xii). In this paper, I have used the term 'Gendered violence' specifically to refer to the violent acts committed against women, primarily because of their socially constructed subordinate gender roles. Gendered violence can be considered as a form of 'human violence' (the term used by Charner Parry) involving man and woman, in which the female is usually the victim. This arises from the unequal power relations between men and women under patriarchy that attributes power to men to subordinate women. In a sense patriarchy itself is a violent system where man being the socially privileged and powerful category, possess power to control and violate woman in all social relations. Different manifestations of gendered violence are noticeable in Indian society, which not only include physical violence but also sexual, psychological and emotional abuse. Physical violence includes wife battering, coerced pregnancy, murder in the form of honor killing, sati, female infanticide, stove burning, acid throwing, kidnapping, domestic, custodial and public assault and so on. Sexual violence includes rape, marital rape, custodial rape and gang rape, incest, public stripping, harassment through language, gesture, or touch, trafficking and forced prostitution. Psychological and emotional abuse include some less overt forms of violence such as forced and child

marriage, forced confinement and restriction on mobility, overwork, humiliation and other forms of verbal abuse. These different forms of violence occurring in different phases of a woman's life, both inside and outside home, create a long lasting impact on her. Violence has been an inescapable fact of women's existence within patriarchy.

This paper reads the representation of violence directed against women in Tendulkar's *Kamala* and Manjula Padmanabhan's *Lights Out*. As a literary form, drama has an immediacy of social and mass appeal than any other literary forms. The intersection between society and literature is evident in drama as the dramatic text is an embodiment of the existing social realities. Most Indian playwrights in the post-independence period are concerned with representing the existing oppressive structures of Indian society such as patriarchy, class, gender and violence, caste and so on. They have used drama as a space to reflect upon these problems. Violence against women is one of these existing social realities, which finds its manifestation in the dramatic texts, written by *both* male and female playwrights. Moreover, the rediscovery of the lost tradition of 'women's theater history' also took place in the 1960s largely influenced by the emergence of feminism. Gradually, from the 1980s onwards the woman playwrights (both in the west and east) started evidently contributing to this field with their plays mainly concentrating on the issues and experiences involving their lives. The act of playwriting itself can be considered as a liberating activity on the part of the woman playwrights to combat their long suppression in the field of drama. Drama and theater are two areas of literary and cultural production which are not free from the socially constructed gender discriminations and this is the reason women's involvement in theatrical activities was hidden for a considerable period of time.

Moving from the notion of controlling the female body through violence to the idea of its 'performance' on stage, the aim of this paper would be to assess this representation in dramatic literature. Given that a dramatic text can not be separated from its performance on stage, gendered violence would be analyzed taking into consideration its textual representation, and

performance on stage. Since my chief materials are the literary texts and the lack of enactment of the chosen plays except a few, this paper will be an endeavour to analyze the 'possible' performance of those plays to which I do not have an access (in performance). It is an attempt to show how the dramatic text and its performance on stage can be used as a medium for representation of violence against women as well as for activism. The idea of performance is used in a broad sense, after 'performance studies' as discipline was formally launched in 1980s and 1990s. It is an open, fluid, and dynamic idea. This notion of performance was first popularized by Richard Schechner, who coined the term 'performance studies', which is currently used as an umbrella term to include anything that is framed, highlighted, or displayed. Performance studies as a discipline is derivative in nature, which borrows a lot from the social sciences. However, the theatrical performance, involving rehearsed artistic actions and an element of consciousness, is only one branch of performance studies. Although, the theatrical performance is a spatial and temporal phenomenon, it is the most visible cultural medium in which triangular relationship between author, text and the receiver can be perceived which, in turn, help in better understanding of the written text. Theatrical performance is repetitive, but never redundant. The idea of performance is almost similar to the idea of 'text' in Roland Barthes – a field of signifiers, production, play, and activities, and not limited by fixities. Similarly, the performance of a written text is also a production and concretization of the text in a variety of ways that opens up numerous possibilities of interpreting the text.

However, the dramatic text acts as an interface connecting the two performances - first violence itself is a kind of performance taking place in the 'social' stage and performed through the agency of the body; and secondly violence as a consciously performed representative work on the theatrical stage. There is an inseparable relation between a dramatic text and its performance on the stage, although this relation between the written text and its performance is still a part of an ongoing debate. However, at the same time, one can not ignore the fact that a text carries the idea of its performance as an inherent feature within it; and the interpretative potentialities of performance are multiple and this performative aspect makes

drama different from the other literary genres. In this respect Ruth Amossy comments that 'text' and 'stage' are the two main components of the 'theatrical relation', and in their peculiar modes of interrelation lies the specificity of theatre. The dramatic text, according to her, becomes only one of the important parts of theatre. She also emphasizes the communicative aspect of theatre and defines it as a signifying practice in which meaning production takes place in the interrelation of the different codes such as voices, lights, gestures, objects etc. along with the actor's body used in performance (6-8). In performance the text is concretized and actualized in a given space and time with the help of various stage components like actor, voice, music, rhythm and many other stage materials. The actor's body becomes a very important component of the performance text. According to Kier Elam, the actor's body and voice, his physical idiosyncrasies – all these are signifying units which influence the spectator's perception and decoding of messages (38). The similar idea of an actor is also noticeable in Patrice Pavis's analysis of the actor and his role in performance in *Analyzing Performance Theatre, Dance and Film*. He says, in performance, the actor draws together the other elements and acts as a living connection between the author's text, the director's introduction and the spectator's perception (57). The body in performance is always in a state of flux and transition and it can be perceived as a multiplicity rather than unity. It becomes readable either as a 'text' or as a 'code'- the source of a multiplicity of information. According to Campbell, the body in performance is a physical presence moving in space and time and making its own distinctive sounds; the body may also manifest itself in verbal traces or in echoes which signify its absence. The physical presence of performers doing something live in the physical presence of 'spectating' others, traditionally constitute the most fundamental prerequisite of theatrical events(4-6). Performance is pre-eminently an activity of bodies. Any performance consists of two sets of bodies-the body scripted by society and the body scripted by theatrical practice and values (Shepherd and Wallis, 191-93).Theatre involves both linguistic as well as non-linguistics signs (visual and corporeal means) to communicate. All these linguistic

and non-linguistic signs along with the 'kinesic' and 'proxemic'[3] factors based on the performer's use of her/his body are taken into consideration while transforming a written text into performance. The performance analysis of a dramatic text opens up the text for various new possibilities. On the other hand the written text also helps in reducing ambiguities in performance. However, when the text is performed on stage, the performance becomes a consciously performed representative act of a certain social reality as the text is nothing but the representative of the functional social realities. In performance, the spectator, although he is not a component of the stage, plays a very significant role. The actions of the actor have meaning in the light of the gaze of the spectator. The production and reception of meaning in performance depend on the spectator's response to the performance, who receives and reconstructs the performance according to his/her social and historical background. Therefore, meaning production in theatre shifts and develops during the reception process, depending on different individual reader's interpretation of the same performance, and renders the performance open for numerous possibilities.

Representation is the core of both dramatic text and theatrical performance which enables the production and distribution of meaning. However, representation is a problematical concept and not free from political implications as well. Language plays a very crucial role in representation. According to Stuart Hall, language is central to the process of representation. Language operates as a representational system consisting of signs which stand for or represent to other people our ideas and feelings. We give things meaning by how we represent them through language. But at the same time meaning is like a dialogue - always only partially understood, always an unequal exchange (1-5). While representing

[3] Kier Elam in *Semiotics of Theatre and Drama* (London: Routledge, 2002) talks about the kinesic and proxemic factors of performance. The kinesic factors of performance include voice, gestures, facial expression, postures etc. while the proxemic factors include groupings and movements of the performance through spatial conventions (50-70).

violence on stage, the representation is twice removed from the actual act of violence. The social reality is represented in the text and later on, the text is concretized on stage; which is another act of representation. The concept of representation always implies an absence, and semiotics - the study of signs and their signifying power substitutes this absence with the help signs and their signification, both in text and on stage. Semiotically, signification is a continuous process and a matter of social convention. While the theatre semiotician deals with the concept of 'absence' being represented, the phenomenologists of theatre give emphasis on the notion of 'presence'. Phenomenologically the actor's body is not a sign; it is a physical presence to be perceived directly by the audience. In this respect, Mark Fortier emphasizes the sensory effects of theater as central to phenomenological concerns. He says that the theatre phenomenologists emphasize the notion of 'presence' or 'unconcealing' of the world for consciousness rather than its disappearance into language, and therefore on the interplay with the real rather than on its inevitable deferral (39-41). According to Bert O States, the phenomenological philosophy can be considered as a constant 'desymbolization' of the world. In theatre the eye confiscates the image directly which is later on interpreted with the help of ingrained conscious located in the human body. States suggests that every object becomes a signifying, exemplary image only in consciousness (23-35). However, both semiotics and phenomenology can be used as tools for representing as well analyzing violence against women. While semiotics works both in the text and on stage, phenomenology works only on stage.

Manjula Padmanabhan's *Lights Out* is based on a real incident of gang rape that took place in Santa Cruz; Bombay in 1982.The play is resonant with sexual violence perpetrated on women by a group of four people at regular intervals, and records the reaction of a small group of upper-middle class people towards that gang rape. With the help of fictional characters, representative of a stereotyped upper-middle class mentality, Padmanabhan has drawn our attention to the bitter and existing reality as to women's lives in contemporary society.

The characters of the play include - Bhaskar, Leela, Mohan, Surinder, Frieda and Naina. None of them comes forward to actually help the victim, who is being gang raped with extreme physical violence. Except for Surinder and Naina, the other characters of the play show no real concern for the victim, and appear to be very much interested in pursuing their personal interests. The screaming of the victim affects Leela terribly and she becomes hysterical, appealing repeatedly, 'call the police', 'call the police'. But ironically she does not do it because of her concern for the victim, but for her individual interest; to get back peace in home. Leela says: "I don't care what they believe. The sounds torture me…I don't care what they do, or who they are-I just want them far away, out of my hearing …out of my life (44).In Leela, the playwright has revealed the moral callousness that women too hold towards the victims of sexual violence. It is interesting to see a woman playwright, revealing how women could also, at some point become apathetic towards their fellow beings. But at the same time a contrast is seen in the character of Naina, Leela's friend, who desperately wants to help the victim, but finally she also moves away. Perhaps she becomes aware of the possible violence that may endanger her *own* family life.

On the other hand, Bhaskar and Mohan are constantly trying to ignore this violent reality by justifying that act as a religious ceremony; a new cult which could be violent initially; a domestic fight and so on. Although both of them are aware of what is actually happening outside the apartment, they do not want to take responsibility or help the victim because, they also, like Naina, are afraid of taking the risk. But unlike Naina, they rather enjoy watching that violent scene and derive pleasure from it. The indication of a woman being gang raped is implied in scene (i) and (ii) of the play. It is in scene (iii) that this entire act is revealed through verbal signs. Here the words act almost as visual images:

> Bhaskar: See, they are kicking her-
>
> Mohan: Yes, around the stomach and the - uh - chest and in the face.

Bhaskar: And there now-they are hitting her with their fist, aren't they?

Mohan: Yes, that too.

Bhaskar: And now ….they are holding her legs apart -

Mohan: One man each leg, spread apart…

(37)

In the play, violence is absent on stage and represented by means of linguistic signs. But this is a daring act on the part of the playwright to represent such a violent crime, which is at the same time personal. After witnessing this violent crime against that poor woman, the spectators still compare her to a 'devil' possessed by demon's power. The moment Naina interferes saying that it is a gang rape accompanied by extreme physical violence, both Bhaskar and Mohan immediately turn the victim into a whore. They argue that the victim could be a whore who can not be raped. Because, according to them, a whore is indecent, has no shame and whose whole livelihood is sex. Generally, in rape the victim is further victimized because of the dichotomous patriarchal view of 'good' woman and 'bad' woman. A good woman is the wife-mother living under husband's protection and the woman who deviates from this norm is bad woman and tacitly assumed to be sexually available because she is 'unprotected' (Kosambi,19-25). Here Bhaskar and Mohan are seen adopting this patriarchal view to justify the gang rape. Besides, their dialogues appear complimentary to each other signifying the characteristic male attitude towards violence against women. At the same time, they are afraid of being physically harmed by the assailants, a fact they want to conceal to maintain their 'male pride'. Commenting on this fear experienced by Bhaskar and Mohan, Sonu Shiva says that both the characters use 'defence mechanisms' to hide their timidity by building up illusionary interpretations to the reality, because they lack real courage to help the victim (Shiva, 278-79). The only character who realizes the issue and wants to take up immediate action is Surinder. He becomes enraged and wants to beat up the assailants. He plans to adopt violent means to prevent that act of sexual violence. Here Surinder's move is an echo of what Girard says about the nature of violence, which is self propagating and

that only violence can put an end to violence (179). But even as he plans his intervention, the assailants go away leaving the victim almost dead. Through his character, Padmanabhan shows that people like Surinder still exist in our society, although their presence do not make much of a difference in eliminating violence against woman. This violent act taking place outside that multistoried apartment also affects the children of Bhaskar and Leela. In a sense, they are also victimized by their parents who keep them locked inside a room all the evening.

Tendulkar's *Kamala*, like Padmanabhan's *Lights Out* is also based on a real-life incident-the *Indian Express* exposé by Ashwin Sarin, who actually bought a girl from a rural flesh market, to present her in a press conference. Set in this historical background, the play is resonant with the theme of violence against women. The play is an attempt by the author to explore the position of women in Indian society, where they are still the victims of different kinds of visible and invisible violence.

Kamala is the story of Kamala-an Adivasi girl whom Jaisingh Jadav, the journalist, buys from a rural flesh market in Bihar for rupees two hundred and fifty. It is ironical to see that Jaisingh, who considers himself a warrior against exploitation of women, buys her with the sole purpose of building his reputation in media. That his intention is neither to bring an end to this flesh trade nor to help Kamala is evident in his dialogues. Jaisingh says to Sarita: "…women are sold in many places like that, all over the country. How do you think all the red-lights districts could operate-with that? That is not the point. The point is how we project Luhardaga - the technique of it. The art lies in presenting the case - not in the case itself…" (15). His speech brings into light the dark facts regarding the condition of women in Indian society where they are still sold and bought, especially the poor and lower caste women. Women are thus reduced to commodified objects that can be used for any purposes by the male governed powerful institutions such as family, media etc. Through Jaisingh's character, Tendulkar reveals the picture of 'gendered' media that victimize women in various ways, instead of helping them. According to Michael

Taussig, the representation of violence always plays a dual role, either by inflicting violence or by healing violence. Although, Taussig used this notion of representation of violence in terms of the colonial context, where it functioned as a high-powered means of domination, this seems to be relevant in this present context (Taussig, 507). Jaisingh's act of presenting Kamala in the press conference, exposing her and compelling her to answer all sorts of vulgar questions raised by his fellow journalists, could be read as media inflicting violence on her. Representing Kamala in the press conference in this way Jaisingh sells her for the second time. She is victimized twice –firstly, she is a victim of trafficking and secondly, by the manner in which she has been represented in the press conference. Finally, Jasisingh takes Kamala to an orphanage to rid himself of the crime of buying a woman. She is a victim of the abuse of power by the media. According to Foucault, power itself is not evil, unless it is used to limit the freedom of others and dominate them. In the abuse of power, one imposes upon others, one's whims, appetites and desires (qtd. in. Heller 103-04). Here Jaisingh is found to impose his power on Kamala to fulfill his desire to earn promotion. She has been treated not as a human being; only as an object by Jaisingh: he uses 'it', instead of using 'she' or 'her' to refer to her: "Jaisingh: I missed the night train - then I chased it in a private taxi…" (7). He sarcastically uses phrases like 'Bride in the mandap', 'Ekdam id ka chand', to talk about Kamala; whom he wants to make the centre of attraction at the press conference with a view to creating a 'nice front page item' out of her. In the press conference Kamala again becomes a victim of verbal abuse by almost all the journalists present there. (29)

In the play, Tendulkar has not portrayed Kamala as a victim of direct, physical violence. Instead, she has been shown as a victim of psychological and sexual abuse, which is much more penetrating. Like, Kamala, the other two female characters, Sarita and Kamalabai are also victimized in different ways inside the family. Sarita is also turned into an object by Jaisingh; she provides him with domestic comfort, social companionship and physical enjoyment whenever he wants. In fact Sarita has hardly any freedom inside the family. She has also become a slave like Kamala. But Kamala was bought for Rs.250, while Sarita's slavery

is the result of her marriage with Jaisingh. She was not sold; rather Jaisingh got a huge amount of money free with her. In a sense her slavery is worse than that of Kamala. Through Sarita Tendulkar makes the shocking revelation that women in Indian society are still victims of the dowry system inside the family and marriage - the institutions governed by patriarchal values and norms. In this respect, Kamala's understanding of her identity in terms of 'slave' 'purchase' 'sale' and her willingness to produce children for Jaisingh, is significant. It shows that the society has shaped her mentality in such a way that she cannot think beyond her being a slave. Kamala's realization as a slave intensifies Sarita's own slavery, her marginalized position in her relationship with Jaisingh. Tendulkar has shown her as a victim of existing gender distinctions which regard women as the inessential and marginalized other; and Jaisingh, being a male chauvinist, does not recognize her condition. Jain's speech clearly reveals Sarita's plight inside the family. He ironically comments on Jaisingh, when he says to Sarita: " Hi, Bhabhiji, I mean an English 'hi' to him and a Marathi 'hai' to you .The warrior of exploitation in the country is exploiting you…Hero of anti-exploitation campaigns makes slave of wife…"(17). Jain calls her a lovely 'bonded labourer'. Kamala's departure makes her more aware of her own slavery. She loses her sleep and is broken up emotionally. Here, her speech becomes a signifier of her disturbed mental state and the exploitations she has suffered. She says: "…He does not consider a slave to be a human being − just a using object. One you can use and throw away …Listen to the story how he brought the slave Kamala and made use of her. The other slave he got free – not just free – the slave's father shelled out the money – a big sum. Ask him what he did with it. Sorry" (46). Saying this, Sarita bursts out into tears, but at the same time tries to hide her tears.

Another woman character, Kamalabai seems to be in a better position than Sarita and Kamala. Although she has to work hard, she is at least paid for her services. She enjoys a sense of freedom which Kamala and Sarita lack. When Kamala asks her whether she is bought or hired, Kamalabai feels that she is losing her self-respect and immediately decides to quit. But, like Kamala and Sarita, she is also treated as an object when Kakasaheb uses the

term 'the poor thing' to talk about her. Like Jaisingh, the other two male characters also appear as the follower of masculinity as the right norm.

To transform the text into performance is always a very difficult and endless task. The written goes through many metamorphoses and becomes one of the components of the entire performance. On stage, the body of Kamala along with the other aspects associated with it could be perceived as a visual image or as a sign signifying her exploited self. She appears on stage with a veil, a dirty and torn white sari .She sits in one of the corners of the stage. She maintains a sense of modesty and silence through out the entire play-all these could contribute on stage to intensify her poverty, slavery, marginalization and exploitation. On stage, Kamala becomes a physical presence that could be perceived directly by the audience and later on reconstructed with the help of their ingrained consciousness. Semiotically, Kamala's body becomes a signifier of violence against woman while phenomenologically the body becomes a lived experience between the individual consciousnesses of the audience and the reality, presenting violence against women as a sensory and mental phenomenon. Similarly Sarita's act of weeping, becoming motionless and twisted in pain, and sitting alone, could be perceived and analyzed as visual images or signs representing her psychological trauma.

Kamala can be considered as an indictment of the male psyche by a male playwright. The women characters are portrayed as marginalized, exploited, and dominated by men in various ways just to show the existing realities of Indian society where women are still victims of different acts of violence under the patriarchal system. Neither upper caste nor lower caste women can get rid of violence against them because of their gender identity. Sarita is also a victim of violence like Kamala - the Adivasi girl. But in Sarita, Tendulkar portrays a modern educated woman who promises to recover herself from this slavery while Kamala even fails to realize that she is being exploited. Perhaps the playwright wants to communicate that poor, uneducated women are more susceptible to violence than the educated ones, such as Sarita, who can at least think of fighting against violence.

***Conclusion**:*

Violence against women is a serious threat to the lives of women at societal and family levels; it has a complex and long lasting effect on women's psyche. Many of these forms of violence are sometimes not recognized, and sometimes ignored or justified by raising religious, cultural and traditional beliefs. But from 1960 onwards the discourse has been transformed from the private issue into the public domain. Indian feminists, inspired by the ideas of western feminism, have raised their voice of protest against violence perpetuated by patriarchal norms. Foucault says that power and resistance are ontologically correlative terms having the capacity for social change. By 'resistance' he refers to the lesser forms of power exercised by the perverse, by students and so on - the counter-hegemonic subject categories (qtd. in Heller 98-100). Women's subordinate position in society places them in counter-hegemonic subject positions because of which their fight against violence becomes a form of resistance against traditional beliefs. In the Indian context, violence against woman can be exemplified as the result of patriarchal violence rather than simply male violence, as women are victimized by men as well as by other women for patriarchal ends. Sometimes violence is 'self imposed' due to some normative religious and socio-cultural attitudes. However, it is noticeable that a vast majority of contemporary Indian playwrights have made a concentrated effort to reflect upon the situation of women in Indian society through their writings. In *Lights Out* and *Kamala*, both the playwrights have used drama as a space to explore the issue of violence against of women in society. In *Kamala*, violence against women is shown as domestic and institutionalized; while in *Lights Out*, Padmanabhan deals with a personal theme of violence, that women may encounter anywhere in society. An element of self consciousness is seen with her emphasis on women's personal and emotional experiences. Although the notion of subjectivity is a fluid one, there is no fixed notion of female subjectivity and male subjectivity, however, it is also noticeable that to a certain extent the gendered subjectivity (which is one of the subject positions) of the playwright influences

her/his writing.[4] Tendulkar's choice of domestic and institutionalized forms of gendered violence, his portrayal of the women characters having no freedom, and the implication that there is no escape for women from the oppressive patriarchal system, could be the result of the ideological position to which the playwright seems to have subjected himself. Like Tendulkar, Padmanabhan in *Lights Out* also shows that poor women are more susceptible to certain forms of violence than women belonging to the middle classes and upper classes. But at the same time, she seems to imply that change is possible, if the majority people of the society think like Surinder. Her desire for activism is noticeable in the play, when she proposes two possible ends to communicate the message to the society. Her gendered subjectivity-a result of a particular social formation, seems to represent the emergent ideology-women and men reacting against gendered violence; although the dominant ideology as represented by Tendulkar does not entirely disappear. However, *Kamala* is laden with visual possibilities that could be used to represent gendered violence on stage, which *Lights Out* seems to lack. In my reading of those two plays, I have tried to analyze how the written text and its performance on stage could be used for representation of social crimes against women. Performance opens up multiple ways of looking at this issue. Both the text and the performance could also be used as a means of questioning and defying the norms and patriarchal structure of the society, which are complicit in the victimization of women.

[4] Catherin Belsey in "Addressing the Subject" in *Critical Practices* (London; Routledge, 2007) deals with the notion of subject and subjectivity. She says, echoing Althusser and Lacan, that subjectivity is constructed in language and ideology; it is always in the process of construction and reconstruction. She points out that 'identity' 'subjectivity' is a matrix of subject positions, which may be inconsistent and or even in contradiction with one another. The subject is not only the centre of initiatives but also a subjected being who submits to the authority of the social formation represented in the dominant ideology. People willingly adopt the subject positions necessary to their participation in the social formation (52-77).

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SOCIAL DEVELOPMENT APPROACH : GLOBALIZATION VERSUS INDIGENOUS CONTEXT-LOOKING THROUGH THE INDIAN SITUATION: A NOTE

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India is currently undergoing a crisis situation due to the fast changing global backdrop which is reflected in the *cultural inconsistencies* manifested in different social configurations across the country. The development process in India is organically linked to this experience. Given the trend of *urbanization* since independence and, relatively recent trend of (economic) liberalization leading towards globalization, are two significant processes that have contributed to the incidences of cultural inconsistencies, the real challenge is to work out an approach that can facilitate a balanced change process as India is struggling with the ever-increasing complexity in the process of rural-urban continuum. A very important dimension of the effect of urbanization on the rural environment is the urban demands for resources and thus contributing to loss of bio-diversity in rural areas. Supplementary to this process is the impact of urban consumerism on the rural society. This trend is precarious because it is helping in fast change in the rural ways of life and attitudes causing loss of traditional knowledge and wisdom that are developed on the basis of collective experiences and intellect accumulated for generations over centuries which could act as a pool of time-tested solutions for sustaining a balance in local

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habitat. The negative impact of this process is evident in the ever increasing rich-poor hiatus.

The phenomenon of urbanization coupled with invasion of technology tends to transform the world population into one global community with a mono-cultural dimension. Denied in the process, the pre-condition for survival and co-existence of all life forms maintaining the balance in the Nature, including the humankind with their culture, which is *diversity*. It is, of course, a global phenomenon. It is well-accepted by the social scientists that the human kind cannot survive with mono-cultural set-up and logically, much emphasized *bio-diversity conservation* initiatives cannot keep off the complimentary aspect of *cultural diversity*. The recent trend of (economic) liberalization leading towards *globalization* is all set to disturb the balance between biological and cultural diversities resulting in phenomena like *identity crisis* and *ever increasing trend of poverty* among marginalized sections, both in rural and urban settings. The indigenous population are the worst affected. In a way, the contemporary global model of development is not an 'inclusive' one. The futurologists have already reacted to the contemporary trend in terms of global scenario in this way, "By changing our relationship to the resources that surround us, by violently expanding the scope of change, and, most crucially, by accelerating its pace, we have broken irretrievably with the past. We have cut ourselves off from the old ways of thinking, of feeling, of adapting. We have set the stage for a completely new society and we are now racing towards it. ……And it is this that calls into question man's capacity for adaptation – how will he fare in his new society? Can he adapt to its imperatives? And if not, can he alter these imperatives?" (Toffler 1971, p18)

The question is, in tune of Toffler's concern, why countries like India are experiencing hic ups in the name of development, particularly in social sector? The genesis of the problems is in the concept of development itself, which has been an agenda conceived by the West, led by the United States of America, to bring 'happiness and peace' to the rest of the world, often described as the 'third world' or the 'South' by the rich and technology-oriented Western countries, through helping them to

overcome poverty and transition from 'traditional' ways of life to 'modern' ways of life to ensure well being and happiness. Obviously, the intended changes are defined and have been defined so far from Western perspective of 'good life and well being', grossly ignoring local perspectives. Even the recent trend of promoting participatory approach advocates mobilization (brainwashing?) of local communities (target groups) to change their mindset to switch over to modern (western?) ways of life. As Schumacher puts it, the ruling philosophy of development over the years have been 'what is good for the rich is good for the poor' (Schumacher, 1993, p63), and hence the underlying notion of the psyche of the development workers, have been whatever is there in rich western countries should be there in the rest of the world to ensure happiness and well-being. Under the great impact of processes of the developmental forces, the local activists too have a biased orientation and they make a clear distinction between traditional and progressive sections of their own country (or region). Questions like "Why are indigenous peoples disproportionately poor? Do indigenous peoples have particular aspirations with regard to the material as well as cultural aspects of development? Do they generally wish to pursue their own development path in accordance with longstanding traditions? Or do they strive to have a more equitable participation in national development and national institutions? …… To what extent, or under what circumstances, should additional measures be taken to protect the economic affairs of indigenous communities from market forces" (Plant 1998) are not and have been rarely asked by the developmental workers to themselves. In short, the understanding of poverty in context has not been taken into seriously in development propositions so far.

Secondly, there have been thoughts emerged in the later decades of 20th century with ecological perspective. According to Capra, as compared to 'holistic perspective', which simply perceives an object or phenomenon under consideration as an integrated whole, a total gestalt, rather than being reduced to mere sum of its parts. In an ecological paradigm, as put by Capra, the main emphasis is on life, on the living world of which we are part and on which our lives depend. "A holistic approach does not need to go beyond the

system under consideration, but it is crucial to an ecological approach to understand how that particular system is embedded in larger systems. …….Similarly, an ecological approach to economics will have to understand how economic activities are embedded in the cyclical processes of nature and in the value system of a particular culture" (Capra 1989, p260-261). The famous speech of Chief Seattle is perhaps the most précised illustration of ecology; the most significant expression in this context is 'The end of living and the beginning of survival'. It is obvious that contemporary development economics does not reflect an ecological approach.

Thirdly, the concept of development does not include the idea of evolution as a change process. Like biological evolutionary process, cultural evolutionary process too has both longitudinal and lateral dimensions. There have been branching out of new elements without loosing the original elements by commission and there may be extinction of original elements by omission, irrespective of any branching out experience though. And that is why, 'as an adjective, 'development' implies a standard against which different rates of progress may be compared, and therefore takes on a subjective, judgmental element in which societies or communities are sometimes compared and then positioned at different 'stages' of evolutionary development schema'(Lewis, 2005). Whatever 'stages' have been retained in the multi-track evolutionary process of a particular culture, there must be certain factors responsible for such retention. As defined by Herskovits, 'culture is the man-made part of the environment' (Herskovits, 1974), and, both the physical and cultural environments together shape the tradition within an ecosystem that make human life possible to move on. It implies that tradition is a dynamic process and it includes status of a culture that is as latest as of today. Change is inevitable and it is a natural process. Any human intervention in this process cannot ignore this natural element. It is a matter of concern that the contemporary concept of 'development' ignores this element. The ignorance is evident in the way the terms modern and traditional are construed as two diagonally opposite concepts in the ambit of development discussions.

It is a fact that current development theories largely focus on economic growth, 'often seen as a question of choosing between 'modern growth' and 'traditional stagnation'. It is a question of finding the right path of development, the Middle Way between materialist heedlessness and traditionalist immobility, in short, of finding the Right Livelihood' (Schumacher, 1993, p45-46). It is quite obvious that as the concept of development itself is ambiguous and widely contested, the outcome of developmental initiatives are resulting in inconsistencies; being sustainable development still a distant dream. The following statement made from a global perspective reinforces the credibility of the discussions made so far – 'That globalization has caused global conditions of inequality and discrimination to worsen is clear even by simply examining the statistical data. UNDP uses the Internet as a prime indicator of the creation of and access to wealth today, and asks the critical question: Who is in the loop? The fact is that the "loop" of globalization has left out the vast majority of the world's citizenry. This means that not only is there further marginalization, but also increasing immigration in a world of ostensibly increasing plenty. If we ask a further question, viz. What is the colour, race or sex of those left out? The connection between globalization and the forces of inequality and discrimination become all the more graphic'(Report, UNHCHR, Clause26).

The core essence of the above discussion is that *diversity* is the norm of nature, and hence conservation of both the diversities is non-negotiable - *bio-diversity on this earth* and *cultural diversity in this world*. And, it is so true for a country like India, which is synonymous of *pluralism*. The challenge is to accept change processes without loosing identities; identities should be retained to maintain diversity. To help people exploring the world through their own ecological paradigm contributes in an intense manner to this cultural diversity conservation process.

In the context of India, a positive attitude is emerging that the western development vision cannot be a universal model. It is a simple fact that the earth does not have enough resources for the entire world to attain the consumption levels of the *developed* west. UNESCO has taken a stand that 'conserving and/or recovering

certain cultural aspects may be as important for social cohesion and sustainability as their transformation or substitution for others. We should neither advocate the myth that all change and everything new is positive nor defend the opposite' (Position Paper on Cultural Diversity). While western developmental paradigm considers greater production and consumption as key to prosperity and stress on individual success more than collective attainment, three aspects of Indian set up are very significant in this regard.

First, the basic spirit reflected in all types of societies existing in India is collectivism. India is predominantly a rural country and each of her villages is more or less a self-sufficient unit based on collective zeal promoting fellow-feeling.

Second, rural India is largely composed of peasant societies; peasantry, primarily with an agrarian economy without a profit motive, denying disproportionate exploitation of natural resources and acquisition of material things more than subsistence requirement.

And, these two aspects perhaps paved the way for emergence of the *third* important dimension of India, which is *unity among diversity*. India is the land of diversities. Based on this diversity scenario and other historical factors, Indian people reflect striking diversity in their language, religion, ethnic population, social organization and cultural life in general. In short, there is diversity in local expressions of traditional ways of life as well. Yet, there is an overall framework of unity and homogeneity.

People in India, as people in traditional societies in the world over, have been conserving local natural resources since time immemorial. An important reason for doing so is that generations of people who have utilized the local bio-diversity realized its importance in their lives and thus have ensured its survival, often through *customary regulatory systems* of 'do's and 'don'ts'. Thus, the traditional wisdom and practices in various dimensions, be it customary or religious or proverbial, are responsible for preserving the balance between biological and human-made parts of environment. All these have been rooted in the *world view* of the

people concerned. In addition, the knowledge base and wisdom in the disciplines like farming and other food gathering practices, medicine, administration and architecture have been shaped up over prolonged experience of trials and errors and thus are time tested as the most efficient schema for survival and further evolve. India is the land of diversified cultures representing various 'stages' of evolutionary process; right from remote tribal populations with little influence of 'modern' elements to the *peasant villages,* further to the *urbanites* (including NRIs). It is possible (and worthwhile either) to understand the evolutionary change processes in the Indian, which is non-western, diversified context through exploring the factors and processes of change across these 'stages'. If we refer to the section above discussing about ecological approach, the deficiency of an ecological approach is quite evident in many actions of Indian policy-makers and planners. That is why huge dams are created with 'simplistic' compensatory plans like rehabilitation of the displaced population, or, natural growths are destroyed to give way to large infrastructures with new plantations. A rehabilitated situation can never create the original ecosystem the people were living in; similar is the case for a new plantation. Often, there emerges a conflict between the 'developers' and 'their critics' on the issue of a balanced act which is not a problem that simple.

Exploring such societies (or segments of societies) to understand (or further enrich existing understanding) the involved change processes is important from *applied* point of view. Such understanding might be helpful in answering questions asked by Toffler and Plant, and, to find out an approach that ensures change without identity loss through balancing between tradition and modern elements. In a way, 'whatever point of view anthropologists may take about development, the concept of development, itself a diverse and highly contested term, remains one of the central organizing and defining systems of our age and will therefore continue to demand anthropological attention' (Lewis, 2005). Of course, at this juncture of ambiguous conflict of 'modern' versus 'traditional', the most crucial question remains - "How do we, for instance, characterize the intellectual worlds of peasant and the subaltern classes who are our contemporaries yet

whose life practices constantly challenge our 'modern' distinctions between the secular and the sacred, between the feudal and the capitalist, between the non-rational and rational?"(Chakrabarty, 2002, p xx).

Finally, globalization is nothing but a process of change; and, the process of globalization has been in existence since early stages of human cultural history through various mechanisms of *universalization* and *parochialization*. Through the ages, the pace and geography of such processes have become increasingly faster and wider respectively. It is the need of the hour that India should find an appropriate approach to deal with this critical challenge through realizing the fact of relativity of change process across contexts and re-interpreting the traditional elements that have relevance in the changing contexts to make development process *sustainable* and *identity-sensitive*.

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Book Review

SPECTERS THAT CONTINUE TO HAUNT

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Specters of Mother India: The Global Restructuring of an Empire, by Mrinalini Sinha, Zubaan, New Delhi, 2006, pp.366, price Rs.595.

When Katherine Mayo's *Mother India* appeared in 1927, it sent self-generating waves across three continents. It was an event that was considered almost unprecedented in the history of the book-publishing business. Mrinalini Sinha in her stupendous research on that historical event, has referred to some 57 books and pamphlets , 88 book-reviews, articles, letters to the Editor and editorials, besides visual representations through cartoons and paintings, published in India, Europe and the US, in immediate response to Mayo's *Mother India.* Collecting such a mass of material from archival sources is itself a mind-boggling feat; but writing an eminently readable historical narrative that brings into focus the relationship between the social and the political in the global discourse on colonialism, is a truly laudable academic achievement.

Mrinalini Sinha describes her book as "an archival reconstruction of a story". The story is not just a part of the "orientalist" discourse about the colonial misrepresentation of the Hindu/Indian society with a subversive agenda of denying political rights to the Indians in the post-World War I situation, or about the expected reaction of the nationalist leaders (Gandhi famously described the book as "a

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Drain-Inspector's Report"); but it is the story of new equations that had developed between British and American imperialism in the post-war context, the impact of the book on colonial policies in India and other colonies, the unexpected ironic reversals that led to the formulation of new nationalist strategies to challenge the views about Indian society projected through Mayo's book, the efforts by Indian women to mobilize a new collective identity of their own that challenged the concept of a gender-neutral community identity, and the story of the political consolidations across the three continents on the eve of the Second World War.

Mayo's proclaimed intention in *Mother India*, as stated in her Preface, was to present a "grimly factual and harrowing picture of India". The original idea behind writing the account was to focus on the abominable health condition prevailing in the sub-continent. But what started as a part of the colonial programme of accumulating data to support the twin colonial agenda of consolidating power by accumulating "useful" knowledge, ended up by becoming a treatise on the unhealthy and abnormal sexual practices of the Hindus. In fact, Mayo's central thesis became the "oversexed culture of the Hindus" (p79) and their abominable sanitary practices that posed a threat to the "world community" (80). It has been shown by Sinha that this revised thesis of Mayo was formulated under the direct guidance of a British officer of the Indian Political Intelligence (IPI) who had the mandate to help Mayo, an American by birth, to build up a case against political reforms in India at a time when the colonial government was under pressure to give more political rights to Indians under the Government of India Act of 1919. The colonial conspiracy to undermine the ability of Indians to take up political responsibility was proved by the significant step taken by the British government of supplying a copy of Mayo's *Mother India* to each member of the Simon Commission (87). The political purpose of Mayo's book therefore did not go unnoticed both amongst the Indian nationalists and amongst the progressive liberals in America. Though Mayo was hoping to garner support from the American public by playing on the public sentiments in the US against Asian immigrants as reflected in Senator Royal Copeland's Hindu Citizenship Bill (1926), the "unpredictable outcome" of the Mayo

controversy soon became visible in the reaction against the pro-British agenda of the book in the USA. "Mayo's book", says Mrinalini Sinha, "brought together international criticism of imperialism, racism and capitalism in the debate about the political future of British India" (106). American feminists, pacifists, radicals and liberals who formed a broad anti-imperialist and pro-Indian common front in the post World War 1 period, voiced their disagreement with Katherine Mayo's thesis on India .So, right from the beginning ,Mayo's "political brief" failed to achieve its ideological purpose in the US (107).

In her chapter on the adverse reactions to Mayo's book from unexpected quarters (chapter 3), Mrinalini Sinha raises the interesting issue of the role of "facts" in the controversy centered around the book. Mayo had tried to capture the attention of social scientists in America and Europe by building on what Sinha calls the "rhetoric of facts". But, many of these "facts" failed to impress scholars across the globe who pointed out the unreliability of her statistical data and misrepresentation of various individual opinions from India. Amongst her severest of critics who reacted sharply to the manipulation of "facts" by Mayo to suit her own agenda, were the Irish feminist Margaret E. Cousins and the British writer Ernest Wood. However, most of the Indian critics of *Mother India*, including Gandhi, while admitting that some of Mayo's "facts" may have been true, asserted that the "explanatory framework" of the book was false. Mrinalini Sinha's research brings out the unexpected response to the book from Indian nationalists and feminists who accepted the challenge posed by the sordid "facts" about Indian society presented in the book. The demand for a ban on the book which came from some quarters was opposed by the nationalists and feminists. Rather, they advocated the widest circulation of the book in India and creation of a national debate around it. The focus of this debate, as suggested by Gandhi and Lala Lajpat Rai, was to be on the economic causes for the dismal social condition prevailing in India and imperialism was to be made the target of attack for its apathy towards political and economic reforms in India. The debate thus turned the table on the critics of the Hindu/Indian society by supporting the precedence of political reforms over social reforms. Thus the

controversy over the book helped in the emergence of an alternative voice that sought to give a political explanation to social ills in India.

By far the most interesting sections of Mrinalini Sinha's book are the ones devoted to the emergence of the "new public discourse by and for women in India" as a response to Mayo's book. Mayo's depiction of Indian women as helpless victims of an oppressive social system was vigorously challenged by the new organized voice of Indian women represented by organizations such as the All India Women's Conference (AIWC) and the Women's Indian Association (WIA) at the national level and a host of mahila samitis at the regional level. It is ironical that Mayo's book, which did not try to incorporate the views of Indian women who were articulating in favour of the "Woman Question" even before the publication of *Mother India*, "helped crystallize a new public discourse—beyond both colonialist and nationalist articulations of the women's question—on Indian women" (p.137). Sinha gives a detailed account of the whole debate centered on the book in which a large number of middle-class educated women belonging to Hindu, Muslim and Christian communities, participated in a vigorous manner. Amongst the most articulate voices were those of Sarojini Naidu, Latika Basu, Charulata Devi, Sarla Devi Chaudhrani, Begum Shah Nawaz, Uma Nehru, Muthulakshmi Reddi and many others. The numerous protest meetings organized by the women against Mayo's book helped to project the Indian woman as a subject with a capacity to create a discourse of her own. But, Sinha , while reconstructing the whole trajectory of the women's movement in India in the pre-Independence period from archival sources, also offers a view of the paradoxical outcome of the process of collective political mobilization that the "Mother India" debate had engendered amongst the women. What began as a conscious break from the concept of a gender-neutral collective identity of women which was reified in colonial sociology, ended in a tame compromise when the women's movement was appropriated by the nationalist discourse and fell a victim to the communal politics that once more split up the cross-community solidarity of women which had been consolidated by the Mother India controversy.

One of the central chapters of Mrinalini Sinha's book is on the attempt to "refashion" Indian womanhood through the enactment of the Sarda Act (The Child Marriage Restraint Act of 1929) which was pushed forward under the initiative of the Indian legislators in the Legislative Assembly. This was the first piece of legislation after the anti-sati Act of 1829, which saw state intervention in the domain of the "inner" world of Indians, a sphere which had so far been left outside the purview of the colonial state. It is significant that the colonial administration had relegated all matters which affected the rights of women, to the "inner" domain of the respective communities and refrained from framing uniform civil laws that would have affected this space. The Mother India controversy saw the emergence of, what Sinha terms, "a new vocabulary of rights" amongst Indian women which helped to constitute women as a separate constituency in the democratic space that was being gradually created for Indians under the Government of India Act of 1919. The support that the Sarda Act received from a large section of the Indian nationalists belonging to the educated urban elite of the society was a direct outcome of the Mother India controversy. Significantly, this piece of legislation was the first in British India which was applicable to all communities of India which are otherwise governed by their own personal laws regarding marriage. "The Sarda Bill", says Sinha, "representing the nationalist appropriation of the domain of the state, provided an unprecedented opportunity for aligning the political with the social sphere in colonial India". (p.163) The emerging political voice of Indian women took full advantage of the debates generated by the Sarda Bill across the country, to construct the base for a women's collective agency.

Mrinalini Sinha's historical study of the debates generated by Katherine Mayo's *Mother India*, brings up tantalizing issues which are of contemporary relevance in India; but the author, true to her position as a professional historian, refrains from drawing the parallels. For example, the post-*Mother India* debate on the women's suffrage issue, which ultimately ended with the "containment of women's political agency" (198), was deeply embroiled in the question of community rights over seats in the

legislatures. The original demand of women's organizations like the AIWC and the WIA for reserved seats for women in the Assemblies, had to be given up, on the eve of the Government of India Act of 1935, on the face of severe opposition from those who feared that making special provision for women in the legislatures would go against the interest of the minority groups and the depressed castes. Thus the resonances of the debate on the question of reservation of seats for women that had started during the post-*Mother India* suffrage movement, can be heard in recent times in the controversies centered round the Women's Reservation Bill which came up before the Parliament in 2009.

Another unresolved issue of the *Mother India* controversy which continues to impact the question of women's individual rights as equal citizens of a democracy, is the relationship between women, the community and the state. Mrinalini Sinha has argued convincingly in her book that the *Mother India* controversy, followed by the debate round the Sarda Bill, had successfully mobilized a separate political identity for women which was distinct from and often opposed to their community identity. But, within a decade, that alternate identity was compromised with by the women themselves when they were accused of betraying the interest of their community. A similar compromise was evident, 36 years later during the Shah Bano case when the historic judgment of the Supreme Court in 1985 concerning maintenance for divorced Muslim women was ultimately nullified by the Government by passing a bill known as the Muslim Women (Protection of Rights on Divorce) Bill. This was ironically the first piece of legislation on Muslim Personal law after the Shariat Application Act of 1937 and the retrogressive nature of the legislation which put the community above the individual rights of women, was a political step taken under pressure of the traditional patriarchal religious authority of the Muslims. Thus, Indian politics once more showed a tendency to continue the policies of the colonial era even forty years after Independence. Syeda S.Hameed, a member of the National Commission of Women, in her report on the effect of the Act on the Muslim population has said, "A section of the progressive Muslim opinion declared this enactment to be the most retrograde step for all Muslims". The Shah Bano case, resurrected

some of the key-issues of the *Mother India*- debate: it brought up the demand from the feminists for a state intervention in personal laws to safeguard the rights of women, but on the face of a similar demand for a uniform civil code from the right-wing BJP, the Indian feminists compromised their stand and sacrificed their demand for progressive personal laws at the altar of communal politics. Significantly, the CEDAW Committee of the UN (Convention on the Elimination of all forms of Discrimination Against Women) was critical of the Indian government's stance of nonintervention in the personal laws of the religious and ethnic communities , stating that the personal laws of ethnic and religious groups often tend to be incompatible with women's rights and therefore go against the principles of the convention. The CEDAW Committee has emphasized the secular modernity of a uniform civil law against the religion-based oppressive personal laws of different communities. Though Mrinalini Sinha's book does not take up these contemporary issues, it provides a historical perspective on important questions relating to women, traditional laws, citizenship rights and the appropriateness of state intervention on matters relating to personal laws. The work is therefore a path breaking one because it shows how responses to a book can be read as an important historical event having resonances across regions and communities.

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