

JOURNAL OF POLITICS

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- The Role and Efficacy of observers in India Election : A Research Note.
- Global Issues and Concerns
- Meaning and Consequences of State's Withdrawal From Higher Education
- A Theory of Marx's Alienation : Understanding Status of Man in Capitalist Society
- Women's Right and Social Change in the Context of Domestic Violence Bill, 2004
- Thoughts On Contemporary Terrorism : An Overview
- Ethnic Assertion and Politics of Identity : A Case study of Adivasis in Assam
- Schools of Feminism : An Analysis

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This volume of the
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of Politics
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Prof. T. C. Bora
who was a
former Prof. and Head
of the Department
of Political Science,
Dibrugarh University.

The Role and Efficacy of Observers in Indian Election: A Research Note

Partha S. Ghosh

Introduction

The system of observing and monitoring elections, particularly by foreign observers, is increasingly gaining currency in the Third World. Since most of the Third World nations are still in the process of building democratic institutions and almost all are socially plural with ethnic and other societal diversities, elections are often controversial. Some of these states, therefore, find it convenient to invite foreign observers to put a stamp of legitimacy on the process. Sometimes the initiative is taken by foreign countries themselves to send observers during the elections and report back to their respective governments or their funding agencies, as the case may be. The basic idea behind these exercises is to understand the stability of these nations so as to give an early warning to the investors and other interested parties.

The earliest experiment of monitoring elections was probably done in Zimbabwe in 1961. It was indeed a successful experiment. Later, in the Philippines when Corazon Aquino ousted President Ferdinand Marcos in a democratic coup the National Action Movement for Free and Fair Elections played an important role in setting the 'official count' of the votes right which otherwise would have resulted in the return of Marcos to power. In Chile had it not been for the presence of a multinational observer group Augusto Pinochet Ugarte would not have respected the resounding 'negative' vote against him. In Pakistan, following the sudden demise of President Zia-ul Haq in a mysterious plane crash de-

mocracy was restored. But in this restoration an international observer group in close cooperation with the local Human Rights organizations played a major role. In the late eighties, observer teams drawn from SAARC countries and the local People's Action for Free and Fair Elections (PAFFREL) monitored and reported on both the presidential and parliamentary elections in Sri Lanka. Subsequently, the Election Commission of Sri Lanka itself invited international observer groups to monitor the presidential and parliamentary elections that were held in the first half of the nineties. Lately, it has become a common practice with some of the NGOs in the advanced democracies in the West to send their monitoring teams to the developing world to oversee elections there. Sometimes they also encourage Third World monitors to oversee their own elections.

Though India is a Third World nation it has neither invited foreign observers nor has it encouraged them to come to India and pass judgments on its electoral institutions. It has instead developed its own system of internal observation. This system of internal monitoring has evolved out of a specific historical reason. Following the long-drawn-out nationalist movement, which was both peaceful and highly intellectual in its orientation, when India became independent in 1947 there were two concerns uppermost in the minds of the leaders within the overall rubric of their nation building strategy. One was to build India's own democratic institutions without any support from the West and the other was to make its democracy as much mass based as possible. At the core of both these mottoes was the conduct of free and fair elections. How to ensure them, given the country's large population, massive size, mass illiteracy, rampant superstition, and abject poverty, was the most challenging task. In spite of all these problems, Indians were strongly opposed to any idea of receiving some sort of certification from other nations about their capability in organizing elections. Moreover, since at the time of India's independence almost the entire world, which we now call the Third World, was still under colonial yoke, foreign observers would have actually meant observers from the West, to which India had natural reservations. Against this background the system that seemed acceptable was to send internal observers to monitor the proc-

ess and report back to the Election Commission, which alone was entitled to take corrective measures. In this paper an effort has been made to discuss this institution and make a critical assessment of its efficacy.

The Establishment of Election Commission

To understand the role of the Election Observers, the status and function of the Election Commission has to be understood first, for after all the Election Observers are the babies of the Election Commission itself. The Election Commission of India was established in 1950 in pursuance of the provisions of the Constitution of India which came into being on 26 January 1950. The Article 324 of the Constitution declared: 'The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections of Parliament and to the Legislature of every State and of elections to the offices of President and Vice-President held under this Constitution shall be vested in a Commission (referred to in this Constitution as the Election Commission).' Originally there was only one Election Commissioner but now there are three. In case of difference of opinion amongst them the majority opinion would prevail. To underscore the autonomy of the commission the constitution provides that 'the Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court and the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment.' It has been further provided that 'any other Election Commissioner or a Regional Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner.' Since a large number of elections are to be conducted by the Election Commission, and that too in a large country, in the following section this massivity has been discussed just to give an idea about the stupendous task it performs almost continuously.

Massivity of Indian Elections

It is said that the holding general elections in India amounts to holding polls in Australia, Canada, Europe and the United States put together. If one takes the state assembly elections and the by-elections

into account the figures become really staggering. There are more than 3.2 million directly elected people's representatives spread over various tiers of government. India held its first general election in 1952. It was not the first election of its kind in the Third World for that thunder had already been stolen by Sri Lanka as early as in 1931, the first experiment in adult suffrage ever experienced in the developing world though that phase was unknown then. Still, the Indian experience was a class apart by dint of its sheer massivity. The central figure behind this huge exercise was Sukumar Sen, a member of the Indian Civil Service since 1921. Just to fathom the enormity of the task he had set out to accomplish, let us consider the following facts:

- * The size of the electorate was as large as 176 million of which 85 per cent were illiterate.
- * 4,500 elections were to be conducted which included both the parliament and the state assemblies.
- * Each voter had to be identified, named and registered. (Explanation about 'named'-many women in north India were identified as A's mother or B's wife, etc. Sen was outraged by this 'senseless relic of the past' and directed to insert the names alone instead of 'mere descriptions of such voters'.)
- * 224,000 polling stations were constructed and they were equipped with 2,000,000 steel boxes, requiring 8,200 tonnes of steel.
- * 16,500 clerks were appointed on six-month contracts for typing and collating the electoral rolls, constituency-wise.
- * 380,000 reams of paper were used for printing the rolls.
- * 56,000 presiding officers were chosen to supervise the voting. An another 280,000 supporting staff aided them.
- * 224,000 police men were put on duty to prevent violence and intimidation.
- * There were only six cases of violence in the entire country. (A *Manchester Guardian* correspondent reported that for the most part the 'behaviour was of an orderliness elsewhere found only in English queues. The canvassing, too, was quiet and dignified. Indeed the entire tone of the elections, even on the Communist or

Hindu Mahasabha platforms, was reminiscent of Hyde Park on a rainy day.' Indeed, a veteran Chennai editor was not so charitable. He complained that 'a very large majority (will) exercise votes for the first time: not many know what the vote is, why they should vote, and whom they should vote for; no wonder the whole adventure is rated as the *biggest gamble in history.*'¹

The population of India in 1951 was 361,100,000. The same India has a billion-plus population now; it was 1,027,000,000 as per the 2001 census. These two figures may be juxtaposed to the number of parliamentarians elected in 1952 and 1999. In 1952 the number of seats in the parliament was 489, which means on an average one MP represented approximately 740,000 people. In 1999 the number of seats in the parliament was 543, which means on an average one MP represented approximately 1,900,000 people.² One can well imagine the huge mass of people a prospective MP is supposed to influence to get elected. The uneven sizes of the constituencies distort the picture further. For example, even in Delhi itself the Outer Delhi constituency has approximately 2,820,000 electors whereas the Chandni Chowk constituency has only 360,000 electors approximately. In terms of size the Outer Delhi constituency is bigger than all the six remaining constituencies of Delhi put together. According to the Delimitation Act of 1972, the Delimitation Commission was supposed to readjust the constituencies on the basis of the 1971 census. However, the Constitution Amendment Act, 1976 placed an embargo on fresh delimitation till the publication of the 2001 census figures. There have been no revisions of constituencies since then because of this embargo, which has now been extended by another 20 years.

While it is a Herculean task for a parliamentary candidate to canvass his candidature in such a huge constituency, the task of the Election Commission is even more daunting. This task has grown multifold over the years. This is more so because of the increasing popular participation in the democratic process. Here are some comparative figures.

* In 1952 the size of the electorate was 176 million, in 1999 it was almost 602 million.

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- * In 1952 the number of polling stations was 224,000, in 1999 they were 7,74,607 in number.
- * In 1999 there were as many as 169 political parties and a total number of 4648 candidates in the fray.
- * In 1952, an election staff of 336,000 was required to conduct the voting, the same figure was 5,000,000 on a rough calculation.

Challenges to Fair Polling

To conduct such a massive exercise is not an easy task. Moreover, being a Third World nation where resources are scarce and all social groups are fiercely competing with each other to have a relatively larger share in the national cake, which is any way small, it is inevitable that politics would have the primacy. Elections being the only vehicle to political power, which means economic power as well, everyone develops a major stake in winning them for his interest representatives. In such a situation, corruption and criminalisation of the process become the acceptable norm for all political parties for the end of winning the elections by whatever method justifies the means. The necessity of raising funds for ever-growing election expenses further distorts the scene. Losing an election is not viewed as a normal feature of the democratic process because the loser at the same time also loses a huge sum of money which his supporters have invested through him hoping for a dividend against that investment once he is elected. No wonder that all studies on corruption give so much importance to the bane of growing cost of electioneering.

The overall situation has been characterised as a combination of 3 MPs (money power, muscle power and Mafia power) and 4 Cs (criminalization, communalisation, corruption and casteism). There are other challenges too. The party in power to perpetuate its hold on the political process tends to distort the system by manning all the critical positions in the government so as to perpetuate its hold on the bureaucracy and the developmental process even if it is voted out of power. If the party concerned is an ideology-based party, such as the CPM or the BJP, the chances of such distortions are even more. This development poses serious challenge to fair polling as the personnel on whom the

Election Commission has to depend for the conduct of elections have to be found from amongst them. Besides, there was a tendency noticeable with all ruling parties across the board that just before the elections they offered sops to the voters in terms of raised salaries or other direct or indirect financial benefits to influence the outcome of the polls. To meet these challenges the Election Commission came out with a model code of conduct to check unfair campaign and misuse of authority during the election campaign, though it still does not have legal sanction.

Model Code of Conduct

After considerable deliberations at the political level all parties agreed to a model code of conduct as early as in 1968. But because of many problems associated with its implementation it could not be announced. But the exercise was on and several recommendations were made from time to time, namely, the Goswami Committee on Electoral Reforms (1990), the Indrajit Gupta Committee on State Funding of Elections (1998), and the Law Commission's report on Reform of the Electoral Laws (1999). Besides, there were many studies and articles by NGOs and concerned individuals. Election Commission on its own also documented its own thoughts on the matter. In 1991 it put into effect some of these thoughts in what came to be known as the Model Code of Conduct for the Guidance of Political Parties and Candidates. It shook the political system and made the ruling parties aware of the fact that they were not supposed to use the state resources to influence the voters prior to the polls.

The Model Code has seven parts under the headings-General Conduct, Meetings, Processions, Polling Day, Polling Booth, Observers and Party in Power-and has altogether 35 points. Some of the important ones are as under:

- * All parties and candidates shall avoid scrupulously all activities which are 'corrupt practices' and offences under the election law, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and convey-

ance of voters to and from polling station.

- * Excepting the voters, no one without a valid pass from the Election Commission shall enter the polling booths.
- * The Election Commission is appointing Observers. If the candidates or their agents have any specific complaint or problem regarding the conduct of elections they may bring the same to the notice of the Observer.
- * From the time elections are announced by the Commission, Ministers and other authorities shall not announce any financial grants in any form or promises thereof, or (except civil servants) lay foundation stones etc. of projects or schemes of any kind, or make any promise of construction of roads, provision of drinking water facilities etc., or make any ad-hoc appointments in Government, Public Undertakings, etc.
- * Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorised agent.

The Model Code of Conduct serves as the bible for the Election Observers and it is this code that they are expected to see being adhered to. According to M.S. Gill, the Chief Election Commissioner of India from 1996 to 2001, 'in the last 4 years, the Election Commission has worked hard, to frame a comprehensive set of guidelines and directions, for the Central Observers, and for the code of conduct application, in order to ensure, that it served the true purpose of democracy, in a fair and balanced manner. It is the Commission's belief, after 1996, 1998 and 1999 Parliamentary elections, and numerous State elections, that a steady, firm and correct use of the code of conduct has been more or less established. The Commission has also framed comprehensive guidelines for the work of Central Observers.'³

How Can Elections Be Rigged?

In spite of the existence of the Model Code of Conduct, elections can be rigged. Ordinarily it can be done in the following ways:

1. By creating a law and order problem in such pockets which

might vote for the rival candidates. This would result in low voter turn out in those areas. In contrast, by making all possible arrangements to maintain law and order and to provide best facilities for voters to come and vote in those polling stations where the votes are expected to be cast in favour of the ruling party/parties.

2. By influencing the presiding officers and his colleagues to stamp the unused ballot papers as desired in case the polling agents of the rival parties are not present.
3. By bribing and buying the polling agents of other parties, or by intimidating them of dire consequences, thereby allowing rampant bogus voting to take place. This practice is known as 'friendly rigging'.
4. By capturing polling booths through the use of muscle power and see to it that the presiding officers do not recommend re-poll.
5. By impersonating the voters in massive scales. This is possible if the political climate is favourable to the party that is rigging. It happened in 1977 when massive bogus voting took place in favour of the Janata Party, which was in opposition and making a bid for power at the cost of the ruling Congress party led by Indira Gandhi. The latter was demoralized and the Janata Party was upbeat.

Role of Observers

To thwart the above possibilities and thereby ensuring free and fair polling the Election Commission appoints Election Observers. It does so under the powers conferred upon it by Section 20B of the Representation of the People's Act, 1951. In August 1996 this section was added to the Act. Prior to that the observers were appointed under the plenary powers available to the EC under Article 324 of the Indian Constitution, to which reference has been made above. Section 20B of the Representation of the People's Act, 1951, reads as follows:

- (1) The Election Commission may nominate an Observer who shall be

an officer of Government to watch the conduct of elections in a constituency or a group of constituencies and to perform such other functions as may be entrusted to him by the Election Commission.

- (2) The Observer nominated under sub-section (1) shall have the power to direct the Returning Officer for the constituency or for any of the constituencies for which he has been nominated, to stop the counting of votes at any time before the declaration of result or not to declare the result if, in the opinion of the Observer, booth capturing has taken place at a large number of polling stations or at places fixed for the counting of votes or any ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the Returning Officer or are accidentally or intentionally destroyed or lost or damaged or tampered with to such an extent that the result of the poll at that polling station or place cannot be ascertained.
- (3) Where an Observer has directed the Returning Officer under this section to stop counting of votes or not to declare the result, the Observer shall forthwith report the matter to the Election Commission and thereupon the Election Commission shall, after taking all material circumstances into account, issue appropriate directions under Section 58A or Section 64A or Section 66.

According to the Guidelines for Observers, issued by the Election Commission in 1998, which is still valid, the Election Observers 'will act as the eyes and ears of the Commission during the period of the election and provide direct inputs to the Commission from the field as an interface with the election machinery, the candidates, parties, and electors to ensure that the acts, rules, procedures, instructions and guidelines related to elections are strictly and impartially complied with by all concerned. As such, 'the candidates, political parties and the voting public have high expectations from the Observers as the direct representatives of the Commission in the Constituencies.'⁴

Types of Observers

There are two types of observers sent to monitor the elections, namely, (1) General Observers and (2) Expenditure Observers. The

General Observers observe that the elections are conducted according to the law and the directions of the Election Commission and in a free and fair manner. The Expenditure Observers are appointed for closely watching, analyzing and reporting the instances of misuse of money power by candidates and political parities to influence the electors. Technically there is no difference between the two types of observers and the distinction is merely functional-both categories are just Observers.

Ordinarily two General Observers and one Expenditure Observer are sent to each parliamentary constituency. If a particular constituency is supposed to be sensitive, two or three additional observers may as well be sent who are expected to submit their reports as well. To focus on the counting process, additional Counting Observers are appointed to cover all Counting Centres in the country as the number of Counting Centres is much larger than the number of parliamentary constituencies. Table 1 provides the details of the deployment of Observers in General Elections and State Elections between 1996 and 1999.

The General Observers are drawn from the IAS cadre having 14/15 years of service. They are often of the senior Joint Secretary rank. They generally observe as to how much the model code of conduct has been adhered to. The Expenditure Observers are drawn from the Indian Revenue Service meaning thereby that they are generally either Income Tax or Customs officers. They also are senior level officials. For each Lok Sabha constituency Rs. 1,500,000 and for each Assembly constituency Rs. 600,000 is the permissible limit of expenditure for each party or candidate. The Expenditure Observer checks the party accounts and if an anomaly is noticed he reports it to the Election Commission.

Table 1. Deployment of Observers for Election, 1996-1999

Sl. No.	Election	General Observers	Expenditure Observers	Additional Observers	Total Observers
1.	General Elections 1996	1099	514	54	1667
2.	General Elections 1998	1073	547	67	1687
3.	General Elections 1999	1086	543	350	1979

4.	State Elections for Rajasthan, M.P., Delhi, and Mizoram, 1998	80	78	---	158*
5.	State Elections for Bihar, Haryana, Manipur and Orissa, 2000.	174	87	72	333*

Source : Election Commission of India, *Elections in India: Major Events and New Initiatives 1996-2000* (New Delhi, 2000), p. 378.

* The number of Election Observers is relatively less because unlike the parliamentary elections each assembly constituency is not served with observers. On an average one observer is provided for 3 or 4 assembly constituencies and one expenditure observer is provided for 5 or 6 such constituencies, that too it varies from state to state depending upon the state of law and order.

Guidelines for Observers

The election process is generally of a month's duration. There are three phases of election monitoring, viz., filing and scrutiny of the nominations (six days), the last phase of electioneering including the election (seven to eight days) and counting of the votes and the declaration of results (one or two days). The observers are on deputation to the Election Commission for about a month and the record of their activity goes to the Confidential Report (CR) of the observers as per the set procedures of CR. The Election Commission has prepared a detailed guideline for the observers and if it is strictly followed the system can go a long way to ensure free and fair election anywhere in the country.

Three reports are mandatory for the election observers, namely, (1) when they arrive, (2) on the conclusion of the polling, and (3) on the conclusion of the counting. An important element in these reports is the state of law and order in the district for much of the election malpractices depend on this variable as we have discussed. Without these reports, so far as the Election Commission is concerned, the election is not considered to be over. It has been experienced that while all the

observers all the time are not serious, at least one of them does his job seriously. He submits all the reports in detail, which give a fairly good idea about the elections conducted. The Election Commission has created some software through which the slots are drawn and it is seen that at least one or two more serious type observers are sent to each of the constituencies. In sending the observers there are certain important considerations such as that the observers should not be sent to their home states or the home states of their spouses nor the states of their cadres. It is also seen that in one team two members from the IAS belonging to the same batch are not sent. If the observers belong to states that are neighbouring or linguistically or ethnically close to that of his own as per the above criteria, efforts are made not to send them to these states. For example, a person from Haryana is not sent to Himachal Pradesh or Punjab or the vice versa. It is not unlikely that sometimes the observers are politically motivated but to avoid any possibility of their being partisan they are sent, as noted above, to places away from their home states or their spouses' home states or their cadre states. If some of the observers are found to be good for nothing they are black listed and never again sent for the job. Of late some statutory powers have been granted to the observers and on their recommendations any election held at a particular booth can be cancelled.

Efficacy of Observing

Can Election Observers ensure free and fair polling? Before an attempt is made to answer this question, a few points may be kept in mind. In the first place, it is generally the case that the politically losing parties make allegations of poll rigging and talk about unfair means employed by their rivals. Almost every body argues that the elections in Kashmir have always been rigged except for once, in 1977. But even in 1977 there were allegations that they were not fair. Wajahat Habibullah, the former director of, the Lal Bahadur Shashtri Academy, Missouri, where IAS probationers are trained, and who was the deputy commissioner in Sri Nagar in 1977, said in an interview in 2002 that 'today they [the 1977 elections] are described as the freest and fairest elections the state has witnessed. But at that time, I was abused by all the parties that

participated.⁵ During the Tamil Nadu assembly elections held in 2001 the opposition AI DMK made a big hue and cry that the ruling DMK was rigging the polls. But the results overwhelmingly went in favour of the AI DMK.

Secondly, the question of fair polling does not include the acts of omissions and commissions that precede the polling, which have much to do with the outcome of the poll. For an example, let us see the experience of Jammu and Kashmir. In the election to the Kashmir's Constituent Assembly in 1950, which consisted of 75 members, all the nominations filed by the opposition were rejected. In the 1962 assembly elections, out of 76 seats the National Conference won 68 seats. The remaining seats were bagged by Jammu's Yuvak Sabha and Praja Parishad. In the valley 11 nominations filed by the Praja Socialist Party were rejected. In several other constituencies the situation was so manipulated that the Plebiscite Front (floated by Shekh Abdullah's supporters) stayed away from the election. The National Conference won 35 seats uncontested. In 1987, the Muslim Unity Front (MUF) had emerged as a political force to reckon with. But its nominees were threatened and beaten up and eventually the poll outcome went against them to everybody's surprise.⁶

Thirdly, it is extremely difficult to muster hard data to prove poll rigging. Since almost the entire evidence is circumstantial and analysed only through the post-mortem of the election results, in rare cases that the remedial measures alter the verdict-like judicial decisions nullifying a particular election, or the same by the Election Commission.

Against these possibilities, the efficacy of monitoring as a mechanism to ensure free and fair polling is at best limited. It is confined to the rules and regulations about the conduct of the poll and if there is a glaring anomaly in its conduct the observers can report the matter and the Election Commission may reprimand the poll in a particular booth or area. Moreover, since it is not physically possible for an observer to be present all the time in all the booths they can make only random checks, which cannot be foolproof.

Cost Estimation

There is no clear idea about how much expenditure is incurred to

conduct Indian elections. In the given structure of accounting and auditing it is virtually impossible. For example, the budget of the office of the Election Commission of India in New Delhi, which was Rs. 112,000,000 during the financial year of 2002-03, was only a small fraction of the overall expenditure. It did not give the full picture at all as the large number of the election staff drew their salaries during their election duties, their T A, DA and other claims from their parent offices or from the office of the Returning Officer or any other such office as the case might be. Moreover, there is a complex mechanism of cost sharing between the Union and State governments. For example, the election materials like the ballot boxes, the electronic voting machines, the preparation of electoral rolls, the photo identity cards, etc. are shared by Union and State governments on a 50:50 ratio. In the conduct of the elections if it is a parliamentary election then the Union bears the cost and if it is an assembly election then the concerned state bears the cost. If the parliamentary and assembly elections are held simultaneously then the cost is shared between the two on a pro-rata basis in the ratio of 50:50. There is yet another interesting aspect of cost calculation. Since the economy of many a state government is in dire state, these states take advantage of the elections, particularly the visit of the observers, to give face lift to their Circuit Houses or to buy office equipment like fax machines, photocopiers, etc. The expenditure for the 1999 parliamentary elections was approximately Rs. 800,000,000. But it was a rough calculation made by senior officers at the Election Commission office in New Delhi and was not at all based on any scientific calculation. Such being the case there is no clear idea in respect of expenditure on the Election Observers either. One may only make rough estimates of this expenditure on the basis of their entitlements and other activities/facilities, indeed excluding their salaries.

All Election Observers are entitled to travel by air wherever possible. So far as train journey is concerned, the officers are to travel by the class to which they are otherwise officially entitled. Once in the allotted constituency, it is the responsibility of the Returning Officer to make arrangements for their boarding, lodging, transport and security. The arrangements cover the escort officer, PSO, driver, the accompany-

ing security personnel and a secretarial assistant, if any, accompanying the observers. Besides, all stationary requirements and official phone bills are taken care of as well. All these expenditures are met out of the contingency fund available with the Returning Officer.

On an average, on each Election Observer, therefore, an amount of Rs. 80,000 is probably spent on a conservative estimate. If the undefined perks of senior officers are added the figure would go up considerably. In 1999 General Election there were altogether 1979 Election Observers, which means the expenditure on them was Rs. 197,900,000. Given the experience of India during the last fifty-two years, on an average the general elections are held every four years. That means Rs. 50,000,000 is spent every year. Assuming that the same amount is spent during the assembly elections as well the total expenditure would be Rs. 100,000,000 a year on the institution of election observation. This is not too big an amount for a democracy to spend to safeguard its core ethos-representative governance.

Why Not International Observers?

Can the weakness in the system of appointing of internal observers, as discussed above, be compensated by introducing international observers? As explained in the beginning of this paper, for historical reasons India decided in favour of internal observers to external ones. To change the situation, so as to make room for international observers as well, there have to be changes in the electoral statutes themselves. In the present structure of rules, that is not possible. For instance, the Russian system statutorily provides for international observers. During the rule of Ranasinghe Premadasa Sri Lanka invited international observers during its local, parliamentary and presidential elections. But that decision was probably political which was discontinued by the successor regime of Chandrika Kumaratunga. The absence of international observers officially invited, however, does not prevent the Election Commission to invite international dignitaries to oversee the exercise. During the 1999 election a team of Russians were invited to observe the election process. Similar teams from U.K. have been visiting India over the past few years during the elections. Even members of staff from the

foreign embassies are allowed to visit the polling booths. All these observers are issued passes by the Election Commission for their entry into the booths they have asked for. But international observation, whatever be its nature, may not do the job any better given the constraints the Election Observers face as we have discussed.

It may, however, be argued that though Indian elections are by and large fair as the frequent changes of guards at the helm of affairs indicate still it may be advisable to invite international observers in select cases to fix a stamp of legitimacy on the poll outcome. The case of Jammu and Kashmir comes to one's mind in this regard. It is a constant refrain with many people in India and abroad that the elections in the state are rigged in favour of the party ruling the state. Although there is no clear evidence to be sure about these allegations, and also that the ruling party has quite often lost the election, still when such an opinion gains currency it becomes politically necessary to remove the scum so accumulated to cleanse the system. As the old adage goes: It is not enough to be honest, it is also important to appear honest. Since the problem of Kashmir has ramifications for India's nation building, diplomacy and territorial integrity, and more importantly, since apolitical space has to be created there for all those who are opposed to the ruling clique in the state, it would probably have been politically advisable to allow international observers to come and watch the elections held in October 2002. This author had argued on those lines.⁷ His contention was that since there were several professional groups available in the world to do the job and if the Election Commission was convinced that it would ensure a free and fair poll a certificate from these observers would be a bonus. It could be that such invitations might have encouraged the 23-member Hurriyat Conference give up their obstinacy against participating in the polls. There were indeed straws in the wind pointing to some dent in their otherwise recalcitrant stand in this respect. In early 2002 it had proposed elections to be held in both the J&K and the Pakistan-Occupied-Kashmir (POK) and that it should be under the aegis of an independent commission consisting of both Indian and Pakistani Human Rights champions, or under the aegis of the United Nations.⁸

Suggestion for A Case Study

For the purposes of an in-depth analysis and to see how much the system of sending observers can ensure free and fair polling one can think of choosing the assembly elections of West Bengal held in 2001. Some young and enterprising graduate student can take up the case for a Ph.D. dissertation.

The Legislative Assembly of the state consists of 294 members. Since 1977 the state is run by the Left Front government, which is led by the CPM. Following the elections of 2001, Barun Sengupta, the Editor of *Bartaman*, a Bengali daily published from Kolkata, which boasts of being the only newspaper that 'fears none other than God', and which has the reputation of not towing the government lines on policy matters, published a series of articles. In these articles the author provided the details of voting figures of hundreds of polling booths spread over a number of constituencies in the state. Through these figures he tried to prove that in majority of them the ruling coalition, particularly the CPM, had rigged the polls by bogus voting or by effectively capturing the booths. Of course, in some booths, the author said, other parties too, including the opposition Trinamool Congress, had taken recourse to similar malpractice.⁹ It is not necessary to go into the details of these figures and only as a sample the case of Keshpur constituency is reproduced below as mentioned in the report (Table 2).

Table: 2. Kashpur Assembly Seat

Booth Number	Total Votes	Votes Cast	CPM	Trinamool
18		731	729	2
78		552	551	1
138		597	589	8
7		664	747	17
77		766	762	4
97		514	512	2
117		600	592	8

157		856	854	2
197		677	665	12
4			628	14
7			412	14
10			666	12
13			5124	14
14			659	16
16			855	11
20			433	3
21			611	7
25			567	15
26			523	12
33			543	9
36			672	13
39			520	6
40			787	14
49			572	5
54			582	8
55			719	6
56			308	2
59			414	3
72			511	7
73			560	6
74			510	4
76			1049	4
78			551	1

82			611	5
84			595	1
87			633	6
88			641	6
90			799	5
96			724	9
97			512	2
101			726	7
102			564	7
104			969	9
106			576	8
107			876	9
108			465	5
110			619	8
111			506	9
117			592	8
121			459	6
135			820	9
138			589	8
144			548	1
145			675	1
146			712	4
147			451	6
149			482	3
152			516	4
17	482	417	171	206

18	782	654	303	301
24	913	856	352	330
183			347	326
185			478	516
190			318	346
193			108	350
194			339	438
196			311	363
198			277	406
199			222	314

According to Barun Sengupta, the CPM alleged that during the Panskura parliamentary by-election held in 2000, which included the Keshpur assembly constituency, the Trinamool toughs did not allow others to vote and as such it was completely one-sided. Sengupta contested this claim by citing the comparative pictures of votes during the 2000 and 2001 elections (Table3).

Table 3. Comparative figures of Keshpur constituency in 2001 Assembly election and 2000 Parliamentary by-election to Panskura constituency, which included the Kashpur segment of the assembly seat.

Booth	2001 Assembly election		2000 Parliamentary By-election	
	CPM	Trinamool	CPM	Trinamool
11	887	25	479	460
14	659	16	158	586
19	755	28	170	632
20	433	3	112	303
21	611	7	20	643

27	494	11	86	292
41	541	11	309	183
44	957	41	224	648
45	608	22	257	308
55	719	6	33	787
58	544	80	381	287
67	434	22	363	128
112	554	10	462	111
117	592	8	125	489
123	653	9	321	357
141	874	16	511	307
178	612	18	101	482

Source: *Bortoman (Kolkata)*, 17th May 2001.

Following the publication of the article, Sen Gupta charged the Election Commission for not paying enough attention to the allegations of rigging in the state. He ridiculed the statement of the then Chief Election Commissioner M.S. Gill that the aggrieved candidates could move the court if they felt any malpractice had harmed their electoral prospects. He wanted to know from Gill that if it was so what roles were the Election Observers playing and what reports were they submitting to the Commission. Did not Gill know that court cases took four to five years to settle and by that time the crooks had already enjoyed the fruits of their fraud?¹⁰ This author's inquiry with the Election Commission in this regard elicited the following response.

The specific questions that this author raised to the Election Commission in 2002 and their replies thereto were as follows:

- * How many complaints were made about rigging? This information was supposed to be available with the Chief Election Officer at Kolkata.

- * In how many booths re-poll was ordered? The information was being compiled by the Election Commission and could be supplied in due course.
- * The numbers of those booths and the names of those constituencies. The information would be available together with the above information.
- * Total number of Election Observers sent to the state. The information was being compiled by the Election Commission and could be supplied in due course.
- * The newspaper *Bortoman* reported massive bogus voting in about 200 booths by the CPM in a series of reports published in May 2001. Did the EC take note of these reports? If so, to what effect? No specific information could be supplied by the Election Commission in this regard but newspaper reports were indeed given cognisance in general. The CEO, West Bengal, was the right person to be contacted in this regard.
- * What kinds of reports were sent by the Election Observers attached to the Keshpur constituency (that constituency forming the supposed case study). The Election Commission would not supply that information.
- * *Bortoman* reported (31 May 2001) that the then Chief Election Commissioner, Dr. M.S. Gill, had said that since the Election Observers did not submit their reports he could not take action in West Bengal-please supply me information in respect of what the EC discussed in house. There was no record of such meetings. Even if there were any, it would not be supplied by the EC.
- * M. S. Gill had reportedly promised that all booths, which registered more than 95% polling, would go for re-poll-did he fulfil his promise? EC could not tell what promises did he make or did he make them at all. But in any case, wherever the record of polling was 95 per cent or so, which was considerably higher than the average in the area, re-poll was to be ordered. In all such cases the Election Observers invariably reported something fishy. If the polling was so high and yet the observer's report was silent on that

the observer's conduct was taken for scrutiny. It never happened that an observer's negative report went unnoticed or unattended to.

Political Perspective

One basic question that may be asked is what is the rationale behind introducing the system of sending observers. To answer this question two opposite realities must be juxtaposed. On the one hand there was an ever-increasing upsurge for democracy as was noticeable from the growing percentage of participation in the election process from the underprivileged sections of the society as well as the rural masses in general.¹¹ On the other there was a growing voice against electoral mal-practices, use of money and muscle power, and the overall criminalization of politics.¹² Against all these undesirable developments there was particularly a middle class concern. Interestingly the election data during the last fifty plus years clearly show that the rural and marginalised sections of the society have been participating in larger numbers while the share of the urban participation is declining in proportionate terms. Can the introduction of the system of observers be, therefore, termed as an elite/urban response to retrieve their lost ground? In other words, is it one of those 'managerial-bureaucratic' approaches to deal with an undesirable situation? While one may find a case in such argumentation, the basic idea appears to be to strive for better governance, the credo of the modern development paradigm. One major bane all Third World societies suffer from is their all-pervasive disregard for law-first there is no law, and second, if there is any, it is not enforced. Since electoral laws in India are well in place it is imperative to develop a mechanism to see to it that they are enforced. The rationale for having the Election Observers is thus clear. But from the same paradigm the question that comes to the fore is that does more bureaucratization helps mitigate the problem or it gives an undesirable act the certificate of approval.

Conclusion

It is not possible to explain the effectiveness of the observers in clear terms. Depending upon the nature of political terrain it varies.

Some places are more disciplined where the system works better, while in other places where the law and order is lax it does not work satisfactorily. For example, in Maharashtra or Kerala where the polling is always peaceful and orderly the job of the observer is simple and uncontroversial. But in U.P. and Bihar where elections are violent and controversial the observers have a difficult duty to perform with only a limited capacity. In 1998, re-poll was ordered in more than 2,000 polling booths in Bihar. Since only a small number of observers are appointed for each parliamentary constituency, and in the case of assembly constituencies several of them are put under the charge of one observer, it is physically not possible for the observer to cover all the areas. Moreover, the trouble may take place in a booth only after the visit of the observer, or it may be so organized by the miscreants just to avoid an adverse report from the observer. Since hardly any delimitation of parliamentary constituencies has taken place during the last fifty years the constituencies are too large for the observation system to be meaningful.

Since the observers are not supposed to belong to the state of their domicile or cadre they often have the language handicap, besides the lack of feel of the local politics. Part of this handicap is compensated by the fact that these IAS officers informally take help from their batch mates posted in the state in understanding the local dynamics, but their limitations remain. Probably the problem is less so with the Expenditure Observers because officers belonging to Income Tax or Customs are more exposed to different parts of India as they belong to all-India services.

Still, on the whole it may be concluded that the system has its validity and function. By and large it has been found that the Observers submit their reports with all seriousness and it is only rarely that an observer has been blacklisted for dereliction of duty. There have been only two or three cases of blacklisting during all these years and that too on account of such reasons like drinking or misbehaving, but not on account of bad performance as observers. There is indeed scope for improvement in the system by broad-basing it. It is advisable to utilize the services of individuals from the NGO sector, academia, journalism,

business, and so on, as well. But for that to happen there must be amendments in the statute for which civil society pressures have to be built first. Since the Election Commission is open to new ideas to make the Indian elections as much free and fair that day may not be far.

From the above discussion it may be suggested that the whole business of sending Election Observers can be researched thoroughly with detailed interviews with the past Election Observers and the officials at the Election Commission. Since it is not possible to have access to the actual reports submitted by the Election Observers that is the only alternative. In any case it is a researchable subject of great importance for the future of Indian democracy.

Notes and References :

1. For a detailed account of the election of 1952, see Ramachandra Guha, 'The Biggest Gamble in History' *The Hindu* (New Delhi), 27 January 2002 and 3 February 2002 (in two parts).
2. The maximum number of elected members of Lok Sabha is 550. Article 81 of the Constitution provides that not more than 530 members will be elected from the States and not more than 20 members from Union Territories. Article 331 of the Constitution provides that not more than 2 members from the Anglo-Indian Community may be nominated by the President of India, if in his opinion that community is not adequately represented in that House.
3. See his Foreword to Election Commission of India, *Elections in India: Major Events and New Initiatives, 1996-2000* (New Delhi: Election Commission of India, 2000), pp.iv-v.
4. The Election Commission of India, *General Elections, 1998: Guidelines for Observers (Reprint 2002)* (New Delhi, 2002) pp.2,13. Emphasis is in the original.
5. *Times of India* (New Delhi), 20 May 2002.
6. Arun Joshi, 'A Long History of Rigged elections', *Hindustan times* (New Delhi), 19 May 2002.
7. Patha S. Ghosh, 'Watching the Vote: Observers an Asset in Kashmir', *Times of India* (New Delhi), 17 August 2002.
8. See Gautam Navlakha versus Omar Abdullah debate in the *Sunday Times of India* (New Delhi), 17 February 2002; and Prem Shankar Jha, 'Winds of Change', *Hindustan Times* (New Delhi), 10 May 2002.
9. The articles, altogether eight in number, appeared between 15 and 24 May 2001.

10. Barun Sengupta, 'Buddhadeb, Gill and Rigging', *Bortoman* (Kolkata), 31 May 2001.
11. Yogendra Yadav and Sanjay Kumar, 'Political Agenda of Electoral Reforms in India', in Devendra Raj Panday, *et al.*, eds., *Comparative Electoral Processes in South Asia* (Kathmandu: Nepal South Asia Centre, 1999), pp.35-42.
12. The Vohra Committee underlined the problem in detail. See Government of India, Ministry of Home Affairs, *Vohra Committee Report* (Chairman: N.N. Vohra, Home Secretary), New Delhi, 1993.

Global Issues and Concerns

Radhe Gopal Pradhan

The end of the cold war, with its accompanying multifaced changes, was widely acclaimed across the globe, some suggesting it as the beginning of a new world order. It was seen as ending decades of conflict- 'hot wars', proxy wars, psychological warfare, network of bases in all concerns, growth of armaments and a debilitating nuclear race. Gradually, just within a few years, it transpired that the rosy projection of a global order was indeed faulted, with many faultiness; some went to the extent of projecting the opposite of order, and it was seen as a global disorder. It appeared so in Haiti, Bosnia, Afghanistan, Somalia, Iraq and in several countries of Africa and Latin America.

We are still not sure, what the end of cold war has brought in its train it is still difficult to figure out the structural and functional changes at the cold war's end. What ideology has replaced the old order is still fuzzy, unclear. We only know that the cold war has ended, and a new order is yet to manifest. The old order is gone, and a new one is yet to be born.

The present paper will examine a few broad pathways that presently appear to define the contours of the world order. Each of the pathways is sufficiently broad; yet our endeavour would be to look through these to find relevant areas of global concerns, which appear to be valid and sustainable in a generational term.

Globalisation's End-Products

Globalisation, as of now, has not heralded in the bounty and prosperity that the immediate Post Cold-war world envisioned. It was supposed to lead to the breaching of national frontiers, faster flow of trade, capital and investment to the benefit of humanity at large. It did not

bring obedience of international rules, acceptance of common beneficial standards. Rather, the impact of globalization has been uneven development as before.

The market values, no matter successful in many areas, are not universal and enduring in a long-term perspective. It imposes the political and cultural standards of one area of the world, the West, on all other regions. Globalization indeed has become synonymous with Westernisation. By undermining cultural identities of many countries, it exhibits repressive and exploitative character.¹

One positive case in favour of globalization however, is its contribution in expanding prosperity to a wider section of the human society, going beyond the traditional Western cultural and geographical spheres. More particularly, it has transformed two large, and similarly poor countries of Asia-India and China-both housing a significant portion of the world's population. Accelerated growth of these two countries alone has changed the poverty graph of the world.² Globalisation has shown the way for tiny Singapore to overtake Great Britain, South Korea, a state with a low per capita income two decades back, to compare with developed Western countries. In the troubled South Asia, Indonesia and Malaysia, both poor countries, have advanced significantly, not with standing the Asian meltdown of 1997. Large areas of Asia, formerly seen as politically volatile, socially troubled and divisive, are on the move. In just two decades, Asia has begun to rival the dominant and prosperous West.

The most spectacular case however is China. Maoist China was revolutionary and insular; aid, trade and contacts with the West and capitalist countries were seen to corrupt the purity of Chinese communism. A policy reversal by Deng, the architect of reforms in China, saw a slow performing country, to achieve unparallel growth in just two decades. China doubled its GNP in the 1980's and quadrupled it in the following decades. It has become the fastest growing economy in the world.

Besides China, the currents of globalization largely accounts for much of East Asia's fast economic growth and prosperity. Prosperity via globalization has also changed the course of many countries to-

wards more cooperative endeavours. A large part of Asia, particularly its eastern half, has begun to challenge the West in faster rate of economic growth. Kishore Mabbabani, who talked about the "pacific way", saw the Pacific region- home to many wars of 20th century -as most peaceful, suggesting that their moment of history had come. Most countries of Asia have doubled GNP much quicker than European stalwarts of earlier decades. While USA took 47 years (from 1839), Britain 58 years (from 1780), Japan, Indonesia, South Korea, China took 33 years, 17 years, 11 and 10 years respectively.³ Much of these are attributable to spread of technology, ideas, techniques, and capital⁴ -in one word, to Globalisation. Amartya Sen, believes that Globalisation has changed the face of the globe, driving towards greater prosperity in many regions. Pervasive poverty was the order of the day in earlier centuries. Today, many poor regions have a historic chance to compete with the most developed countries, and globalization - through modern technology and faster trade and exchange offers a way out.

Globalisation, in its current manifestation, has remained selective" largely Western-oriented, tuned to their techniques, needs and aspirations. In particular, it excludes many poor countries, mostly in Africa. The major international agencies, sustaining globalization -IMF, World Bank, WTO - remain opaque in their activities and often arbitrary and unfair in their rulings⁵. The prescriptions of the "Washington Consensus" just fall short of the demands and requirements of poor countries.

Globalisation is overemphasizing convergence of common standards, whether it refers to liberalization of trade policy, removal of capital controls, opening markets to foreign investors or in downsizing the role of the state. All these are having adverse effects on developing countries. More worrisome, is the empowerment of the rich, the holders of capital -investors, multinationals. These actors demand states to change policies, with adverse consequences⁶.

Obviously, poverty is a central issue, that globalisation must address adequately, to keep itself durable and sustainable in the context of the global order. Markets have unequal effects, even in China -technically a communist country -is well known; but if prosperity is selective,

and favours in a few countries and regions, it is bound to have destabilizing consequences, much sooner than expected. Many in the West argue that poverty is being reduced, even at the cost of increasing inequality. It is also argued that prosperity is bound to spread and make a dent in poverty. The argument has few takers in many developing countries. Globalisers must find a way of systematically addressing poverty in poor countries across the world.

Next Ideological Debates

The current Post-cold war phase, even as we fathom through the new millennium, has thrown open several ideological debates, each in its distinct way, expresses some aspect of current, emerging world reality. The old ideological polarization, between communism and liberal Western democracy exists no more, although communism still exists in pockets, and in a considerable diluted form in the world's most populated state, China. Democracy, in its liberal, largely Western, and market-friendly form is growing, but vast areas of the planet still remain outside its hold. Moreover, it is not yet a clear winner in the world of ideas. As Graham Fuller, analyzing the "next ideology" states, that the Western vision, expressed through capitalism and the free market, human rights, secular liberal democracy, and the nation-state framework, imposes destabilizing strains upon third world's states and societies⁷. Moreover, about more than one decade after the cold war's end, compelling ideologies have not defined clear road maps, nor states are willing to be under any ideological umbrella of any major power(s). Moreover, most ideological debates have emanated from the West, and non-Western states have not given clear options yet.

The ideological space is still hazy and unclear. The cold war's end demolished a super power, and with it the appeal of Soviet model, but liberal democracy caged in the capitalist framework is not a wholesome ideology the third world countries can accept. With all its basics helping productivity, such as open trade, private ownership, open foreign investment, corporate ownership, it has many faultlines. While champions of capitalism, and liberal democracy, argue that the basic precepts of capitalism helps development, that there is no case of devel-

opment failure along this path in the 1970's and 1980's⁸, the model has few takers in the developing countries. The dark side of the model is the difficulty of fitting it in poorer countries. However the above said model has imperfectly spread to much of rest of the world⁹. Many countries are breaking up, and others even when united, are a house divided.

Some of the major issues thrown open include the growing acceptability of Democracy as a form of governance. A few decades back, the advocates of democracy were fighting against the wall; today the world opinion has changed to a point, democracy is growing as a movement the world over. According to Sen, democracy is now a universally relevant system, which is moving in the direction of being a universal value¹⁰.

Moreover, democracy is not increasingly seen as being more hospitable to development and justice, while authoritarian China has also developed faster, such cases are few; today most of the countries developing quickly are democratic state. In Asia, South Korea, Taiwan, even Indonesia and Malaysia, are countries where development has occurred alongside democratic expansion.

Democracy also has spread world wide. A handful of countries were democracies in the 19th century. The number of democracies were just 3 in 1790, 5 in 1848, which increased to 25 in 1919¹¹; today it is 117 or more.

It was earlier believed that the level of political culture played a crucial role in the democratic process and that some countries/cultures were inhospitable to democratic institutions. It was believed that Confucianism was uncomfortable with democracy. Evidence now suggests contrary trends in some countries like Japan, South Korea, Taiwan, where democracy has stabilised. While culture does have some effects in certain circumstances, it does not by itself define whether a country shall have democratic institutions.

A striking finding is the autonomy of political spheres. The political experience with democracy and the effects of good governance, may even result in changes in the social and cultural dimension of the societies. Moreover, there is no developmental prerequisite of democracy; indeed a certain level of economic development and moderniza-

tion is not essential for democracy's success¹².

Democracy has spawned many debates, but it is the West, which is the initiator of these, there is, one interesting dimension that needs to be explored. It is being argued that democracy fosters peace, and that wars do not occur between two states if they are democracies. The argument is suggested on the basis of empirical evidence of last 200 years, but there are many who still doubt its authenticity. States and international organizations increasingly insert a democracy clause, such as in the "Mercosal treaty". Violation of democratic institutions have also led to punishment as evident in the case of Pakistan's membership of the Commonwealth.

Another aspect of the ideological debate relates to the democratic variation in East and South East Asia. Since the end of the cold war scholars are debating on the applicability of a new model of development current in this region. The entire region, prior to June 1991, presented a picture of swift growth, much faster than the West, alongside social cohesion and development through infrastructural development aided by a market-friendly state. Tiny Singapore and mighty China presented development through this model, although the latter was authoritarian and democracy remained distant.

The development model is labeled "soft authoritarianism" by political scientist, Robert Scalapino. It combines market oriented economic system with a kind of paternalistic authoritarianism, where use of force is minimal. The end product is a government economically liberal, but politically quasi-authoritarian¹³. The model emphasizes "group interests" over individual rights.

It states that the Eastern societies believe that the individual exists in the context of the family. He is not separate, the family is the basic building bloc of the society and the state. The model also is largely critical of Western individualism and liberalization, which is seen as neglecting national interests, while emphasizing individual rights. Lee Kuan Yew, the Singapore patriarch, who popularized the Asian model stressed human rights as desirable, but more important was good governance which the countries of Asia required. The model is highly critical of undesirable effects Western culture, especially the culture of guns

and violence¹⁴. In this model, the press should not be free, but differential, the role of media should be to inform, not question government policies. Moreover, the supporters of the model believed that multiparty democracy and complete freedom would divide the developing countries, whose main goal is development, rather than individual freedom.

By emphasizing group as a new basis of the state, writes Francis Fukayama, soft authoritarians have a point. It is a potential competitor to Western democracy. While soft authoritarianism has many flaws, it is largely authoritarian, it has points the Western liberals must answer.

Is History Ending?

Francis Fukayama threw an interesting dimension, suggesting that liberal democracy is the “end point of man’s ideological evolution” and the final form of human governance. In his view, earlier forms of governments had deficiencies, that led to their rejection. Monarchy, Fascism, even Communism, in his view fall in that category. Liberal democracy, in terms of principles, has no such contradictions and, therefore, not destined to rejection. In operation, there might be flaws, but the principles are sound, and hence there would be no better ideological system than democracy, just like the Hegelian state or Marxian communist society. Mankind has arrived towards the end point of ideological evolution as liberal democracy gathers momentum¹⁵.

While democracy has many takers world-wide, even in a somewhat diluted western form and even with some tokenism of liberalism, liberal democracy is far from becoming the “synthesis” without flaws and contradictions. Each culture and region has its geographical and cultural identity and wants to define political forms and institutions in tune with its cultural nuances, development priorities and geographic competitions. Why should history be one-dimensional, Western-oriented, neglecting the aspirations of about two-thirds of the world population living in third world countries? History, can not, and must not end. Civilizations must grow on plurality and history be a process or eternal search for the better.

Regionalism's Expanding Frontiers

Regionalism does offer a refreshing break and promise for a world

deeply divided over political issues, cold war rhetoric, communism vs anticomunism, and frequent wars, such as in Vietnam and West Asia. Some arguments are strong, particularly that of Mitrany that it is better to link up "by what unites, not by what divides". In a world fractured by multiple "fault zones" based on interests of states, it is necessary to focus upon economic order of regional cooperation, which mitigate political differences of states, although its distaste for power considerations has no realistic basis. To view Collective Security and disarmament, negotiations as uncreative¹⁶ is a gross distortion of functionist argument of regional cooperation. Regionalism should be pursued as a major goal in the 21st century, since a global community is not achievable in the near future; some areas of human interest and activity (on a regional basis) should be peeled off for separate or partial integration¹⁷.

Regionalism, a growing trend in the past two decades, has proliferated world-wide through the European Union (EU), North Atlantic Free Trade Agreement (NAFTA), Association of South East Asian Nations (ASEAN) and the emerging Asia pacific Economic Cooperation (APEC). These are powerful bastions of economic activity, while others such as South Asean Association of Regional Cooperation (SAARC), Association of Caribbean States (CARICOM), Economic Community of West African States (ECOWAS) and Southern African Development Community (SADC) are yet to develop vitally regionally, and promise of widening their networks to achieve partial international cooperation. There is considerable promise through mechanisms like Euro-Asean summits for peace and development regionally and globally, however regionalism as a movement has some disturbing aspects.

1. Interests of states, big, medium and small, do not always converge and states may tend to work at cross purposes. While India has interest and involvement in SAARC ventures, one can hardly expect India to put all eggs in the South Asian basket, and it would always like to be engaged in ASEAN, IOC-ARC, and eventually in the APEC. Brazil's interests similarly in hemispheric free trade is limited, considering its more immediate priority in the Mercosar customs Union (Consisting of Brazil, Argentina, Uruguay and Paraguay)¹⁸.

2. The movement of regionalism has disproportional growth.

Some, like the EU or ASEAN, are more successful, contributing to growth and prosperity in the region; while most others lack in significance. Africa in particular is at a disadvantage: According to one assessment, the aggregate gross national products of Black Africa being not greater than Belgium's¹⁹. In some regions, as in South Asia and Africa- the economies are more complementary than competitive, inhibiting this full flowering of regional - cooperation in an area.

Benefits of Regionalism

1. Regionalism promises free trade. The APEC Summit in Bogor, Indonesia held in 1994, for example aimed at "free and open trade and investment" by 2010 for developed countries and 2020 for developing countries. Leaving apart the question whether the target dates are achievable, the trend by regional bodies toward free trade helps boosting economic activity regionally and globally.

2. Regional bodies have opened greater opportunities for several creative ventures. ASEAN, founded in August 1967, significantly institutionalized regional cooperation since the Bali Summit in 1976, with a secretariat at Jakarta, while ASEAN has its own limitations as compared to the European Union, but has uniquely unified one of the most disturbing regions of the world, and has been engaging the major power, USA, Russia, China, Japan and India. The concept of triangles²⁰ is another regional innovation. The Johore-Singapore-Batam Growth Triangle in ASEAN and Baden-Wuer Hemberg, Catalonia, Rhone-Alpes and Lombardy in EU, hold prospects of creative economic activity in regional frameworks.

3. A highly promising aspect of regional cooperation has been reduction of conflict potential, contributing to regional and global peace in the process. The European community is the best example so far, which has developed powerful political institutions networking the Union as never before. The freedom of movement of goods and people, monetary union and the "euro" symbolize Europe's successful regional integration. ASEAN, too has moved away from its Vietnam days. Besides economic cooperation, the ASEAN Regional Forum (ARF) is addressing security issues through confidence- Building measures. To add

to its feathers is the Declaration of Zone of Peace, Freedom and Neutrality (ZOPFAN) and Southeast Asia Nuclear Weapons Free-Zone (SEANWFZ) to promote regional peace.

Regionalism, on balance, is a powerful movement, which will contribute to greater prosperity and security of most region, while in large parts of the world it will continue to be an inspiration, it holds open-ended possibilities of establishing links between various regions as also the danger of sliding back to warring regional blocs. By itself regionalism is a major wave, although not the dominant one, of the 21st century. Its greatest challenges will continue to be the nation-state, no matter how powerful are the regional groups.

Regionalism has integrated several divisive regions and contributed to economic growth and has deemphasized conflictional aspects, especially in Europe, South East Asia and Africa and in a small measured way, even in South Asia. By itself, however, it can not define the world order, it must be more in consonance with several others, now visible in the manifestations of an emerging world order.

Amidst the positive currents, flowing from globalisation, democracy, ideological debates and regionalism, the present phase has thrown open monumental challenges. These come from terrorism, expanding through international frontiers and destroying basics of human civilization. The other problem is to check the nuclear genie; it is unlikely to be in the bottle again. Besides, other challenges also need to be addressed; these relate to poverty, underdevelopment and fundamentalism.

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Meaning and Consequences of the State's Withdrawal from Higher Education

Dhiren Bhagawati

Politics is concerned with public policy, though it is not the only concern of politics. The move of the neo-liberal to dissociate politics from public policies on many spheres including higher education has a sinister design. It implies that higher education is removed from people's concern and it is included in the imperialist agenda. In this write-up an attempt will be made to understand the meaning of the state withdrawing from higher education and reducing higher education to a profit making industry. For clarification, when we use the term industry in this writing we refer to profit making private industry only.

We are living in a very absurd age. This is an age of domination, military expansion and naked use of brutal force, by the imperialist powers, in the face of strong opposition of world public opinion, against the defiant peoples of the peripheral states. In the pursuit of establishing a world hegemony over resources and people over every corner of the world the hyper-power and its cronies bully the other states of the world to accept the policies of liberalization and globalization.¹ This is done through international monetary organizations which are controlled by the business and ruling classes of the imperialist powers. Through "structural adjustment", "shock therapies" or "economic reforms", the peripheral states of Asia, Africa, Latin America have been integrated to the world capitalist economy. Without understanding this disguised imperialism in the form of globalization and liberalization, it is difficult to appreciate the real motives behind the public policies in the name of liberalization and privatization, pursued by the ruling elites of the developing states of Asia, Africa and Latin America.

In 1980's when the Soviet Union was on the verge of collapse and

the defeat of social democracy in Western Europe was imminent and the Reagan - Thatcher combine mounted heavy assaults on social security and state subsidy, the ruling elites of the peripheral states shook off all their pretension of pro-socialist and state centred policies and embraced neo-liberal ideologies. The apparent reason for this shift was the impasse in which they found themselves after a prolonged mismanagement and perversion of their economies. If Soviet economy failed because socialism was moulded to state capitalism there, the economies of states like India failed because it was an adulterated capitalism, not socialism of any sort. Now the ruling elite in India realised that by removing the adulterated elements, they could restore the economy and they could take it to the capitalist path. The ruling elite was swayed by the wave that capitalism triumphed over socialism. Their preparedness to readjust to the new situation eased out their hardship to meet the need of the much wanted funds and foreign investment. On the other hand, the corporate magnates of the USA and its allies waited so long for investment of their accumulated capital in these states and so scrambled to monopolise the markets of the peripheral states.

The essence of the neo-liberal policies is the withdrawal of the state from public utility services and handing over hitherto state run services to private ownership and control. After all, market is the all pervading force in the neo-liberal regime and market determines the importance of a service or a commodity. Even those areas of public life like public health and education which are traditionally reserved for the state are now separated from the state responsibility and assigned to market.

Globalization would have been a natural process if it had resulted from friendly and cooperative relation among equal sovereign nations. The present mode of globalization has reduced nation states into an agent of imperialism to carry out its dictates to subjugate the common man and woman to the insecurity of a livelihood, deprive him/her of the social security in matter of public education and healthcare and reduce him/her to a tool for appropriation of profit by the multi-national corporations. Look at the working conditions of the common men and women in factories owned by multi-national corporations in different countries of Asia, the condition of farmers in Latin-American countries and the

condition of the educated youths working in the call centres of different cities of India. The state is transformed into a passive agent for facilitating liberalization and globalization process. The responsibilities of the state are being transferred to agencies of civil society, which are dependent on multi-national corporations and international monetary institutions for fund. For smooth realization of this transformation of the state, a process of depoliticization is initiated and encouraged so that the political process is devalued and people's resistance through political movement can be construed to be meaningless. So many non-governmental organizations, self-help groups and other such private bodies are being pushed through to carry on the work that the state has so long been committed to perform. Besides, an aversion to all that is political is being consciously created through media of communication and culture.

We have been trying to understand the meaning of globalization and liberalization in the context of how it affects higher education. Our discussion will be mostly concerned with Indian situation though we will often make general comments. It is generally believed that the New Economic Policy of 1991 heralded globalization and liberalization in India and policies implemented under it started affecting higher education. But the new education policy of the Government of India in 1986, in fact, had contained elements that were further vigorously pursued under the New Economic Policy of 1991. By the middle of 1980's Indian ruling elite could anticipate the decline of the socialist regimes and felt the need for shifting alliance to adjust themselves with the new development. However, the liberalization and privatization overtook Indian economy since 1991 and gradually its impact on higher education like any other spheres of public life became more and more pronounced. Let us sum up certain impact of the liberalization process on higher education in brief.

Reduction of the State Expenditure on Higher Education: It has become declared policy of the Government of India and following it, the state governments also that expenditure in higher education is to be curtailed. It is obvious from the plan expenditure and budget expenditure of both the union government and the state governments. The governments insist that the institutions of higher education need to be

self-reliant. The institutions of higher education are advised to collect their revenues from sources like public contributions, hike in fees structures, mobilising its own resources like selling or renting their property, selling scientific skills and knowledge to industry, counselling etc. The governments have decided to reduce grants for recurring expenditure and maintenance grants to those institutions. It is assumed that the institutions of higher education situated in different regions of the country are on equal footing to collect their own resources by these means.

The policies of the government on higher education reflect the directives of the international monetary organizations which are donor of the fund for development of countries like India. The donor organizations insist that subsidy for higher education should be done away with. The justification for abolition of subsidy for higher education is based on the ground that higher education is considered to be a sort of non-merit goods. It benefits only the rich class in society and it has no externality meaning it does not benefit others than those who get it. It does not benefit the society. On the basis of such arguments, the expenditure in higher education is reduced by the state and it is now left to the private enterprises to take over the sphere of higher education. A private university bill is pending in Indian parliament. Institutions of higher education are directed to mobilize their own resources. As a result such institutions have hiked the fees structure to a height that children of lower classes and lower middle classes find it beyond their reach. Seats in many such institutions particularly those situated in remote and backward regions, are lying vacant for the dearth of students. It applies not only to humanities disciplines but also physical sciences and commerce disciplines as well. Many such institutions are facing danger of dying out: It is another way to restrict higher education for the rich classes only.

In their attempts to mobilize resources, the institutions of higher education are now pursuing policies that affect their social surroundings adversely. Earlier these institutions pursued scientific research for the purpose of social benefit. Now they are advised to pursue research activities that will promote the interest of industry and business. The governments insist on university-industry liaison. A tense situation arose in an agricultural university of Chhattisgarh, which symbolises the

social consequences of university-industry liaison. As reported :

In December 2002, the Raipur based Indira Gandhi Krishi Vishwavidyalaya (IGKV) was prevented from handing over its repository of 22,972 varieties of rice germ plasm, developed over generations by farmers in the rice rich State of Madhya Pradesh (now divided into Madhya Pradesh and Chhattishgarh) to Syngenta, the Switzerland headquartered agribusiness giant, largely because of protests organised by the Chhattishgarh Mukti Morcha.²

The said MNC is involved in similar dealings with several universities and research institutions for collecting varieties of genetic resources at a small rate of return of the revenue. The MoU (memorandum of understanding) between the IGKV and Syngenta was repealed but no action was initiated against any of the parties. All the effects of university industry liaison cannot be discussed here for limit of space. The cost of the liaison on the society cannot be anyhow ignored.

While curtailing the expenditure on higher education and asking the universities to raise the fees structure, the governments initiate policies like education loans to the students for higher education from the state owned banks. Such loans are available to the students of the middle-class families alone and usually can be availed by students pursuing academic courses that guarantee a job immediately after completion of the courses. It is known to all that very few courses can guarantee it at the present economic situation.

Higher Education has become a Training: Higher education itself is getting now transformed under the pressure of liberalization and privatization. The study of traditional disciplines in science and humanities, literature and social sciences, history and critical studies has become redundant. In their place technology oriented subjects, management studies, tourism, fashion designing, modelling and many forms of hybrid with certain doses of market oriented training courses have come into vogue. It is not a mere change of forms but its essence also. The thrust of higher education is no longer pursuit of knowledge in different branches but getting training to produce what market needs. The purpose of education has become creating not knowledgeable persons but technicians and technocrats to handle crafts and industry. We do not mean to say that society does not need technicians or techno-

crats. Society needs them in great number. But that is not the purpose of higher education. This sort of higher education can at best be called a training not education. Making a distinction between training and education, David F Noble so lucidly describes :

In essence, training involves the honing of a person's mind so that it can be used for the purposes of someone other than that person. Training thus typically entails a radical divorce between knowledge and the self. Here knowledge is usually defined as a set of skills or a body of information designed to be put to use, to become operational, only in a context determined by someone other than the trained person; in this context the assertion of self is not only counter productive, it is subversive to the enterprise. Education is the exact opposite of training in that it entails not the disassociation but the utter integration of knowledge.

Here knowledge is defined by and, in turn, helps to define, the self. Knowledge and the knowledgeable person are basically inseparable.³

Training is therefore, a set of skills or a body of information and used for someone extraneous to self. On the other hand, education is the assertion of self. The common allegation that the education introduced by the British in India was purported to create clerks in offices is not the whole truth. Because knowledge in traditional subjects like literature, critical studies, social sciences, humanities and history helps in the realisation of the human possibilities, even if these subjects do not help in production of commodities in the market. Attempts to convert these subjects into a marketable commodity will reduce them to the stuff of a mountebank. Similarly cultivation of basic sciences like physics, chemistry, biology and also mathematics may not immediately help in production but they lay the basis for fundamental scientific research besides creating a scientific mind. The success of traditional type of education depends on several factors like constant review and revision of curriculum, standard of literature prescribed and available, competent teachers and also intellectual leadership of the institutions of higher education. There is enough scope for improvement of the standard of higher education in our country. But to replace it by training oriented education will not help the society as much.

Macro studies about the impact of the spread of higher education on Indian Renaissance and the national awakening have become a part

of history but micro studies about how a university established in a region has subsequently contributed to the rise of a new class of people and changed the social milieu in the region are not known. Now it is much debated how futile higher education has become because it cannot create employment. Creating employment is the task of the economy, institutions of higher education do not control the economy. Market needs the technicians and higher education should be changed to create technicians and craftsmen is a fallacious argument.

Purpose of Higher Education has been Distorted: Higher education is capable of performing miracles in transformation of a society like ours. We need a class of traders and entrepreneurs. We also need, perhaps more urgently, a class of educated people aware of our plural society, conflicting values and diverse ethnic and cultural identities. We need to be aware of our history and our cultural heritage. We need to be able to critically evaluate the existing order and the alternatives available to us. We need to be non-conformist because changes come through pursuit of alternative goals. We need to empower our people with knowledge which higher education can achieve. Most importantly we need a higher education that must help the individual human being to appreciate his/her position as a member of the community in the social production of human needs. Higher education should establish relation between science and production on the one hand and imbibe the student with the spirit of sociability in place of possessive pursuits on the other hand. It is to be reiterated that the higher education should be associated with the production process of the social needs of people, not with marketable commodities only as is now desired under liberalization and privatization. An important purpose of higher education is to make a person adjust to his/her environment. Adjustment does not mean conformity, nor does environment mean only physical environment. How human beings can live in relation to their physical environment and how they can live as social beings in relation to society are to be learnt. Higher education must strengthen this learning process or reinforce it. Once we thought our success depended on our controlling nature. But in that process we brought disaster to ourselves. Now we have to live in harmony with nature. We have to restore whatever has been lost in nature. But higher education serving industry cannot teach human beings

to live in harmony with nature. Industry guided by the motive of accumulating profit hardly spares nature to survive.

Similarly higher education has the purpose of improving the conditions of human life. Society needs and provides for higher education because society expects from those who are getting higher education to improve the conditions of human life. It is not merely technological and material progress of society but also the progress of civilization, progress of spiritual conditions of life, by spiritual conditions, we mean art and cultural aspects of life and also human values. Of course, higher education has to create the material basis for the transformation of human values and civilization. It cannot rest upon the abstract ideals of the feudal society nor can it be a part of the imperialist ideology. Its purpose is to be creation of a new democratic social order. Higher education, at present, seems to be estranged from its purposes.

Higher Education is becoming an Industry: A serious fall-out of commercialization of higher education is that the institutions of higher education have been reduced to an industry. An industry under private ownership is characterised by certain traits such as appropriation of profit from the fruits of labour of real producers, pursuit of higher production, command, control, work discipline, supervision, routinization and loss of autonomy. The institutions of higher education now conduct themselves as industrial units. The apex bodies of these institutions may talk about autonomy of the units, but in the name of standardization and quality control a command structure is imposed on these institutions. An institution of higher education is now under control of manifold authorities. The pretension of the government over the issue of autonomy was manifest in the controversy over slashing fees structure of the Indian Institutes of Management (IIMs) in recent months. The IIMs wanted to escape from the control of the government by doing away with the government grants. The government responded by slashing the fees structure of these institutions. These are elite institutions where usually rich classes send their children for study. But the institutions of higher education in the remote and backward regions where lower middle classes and poor peasants send their children for study with a hope that after getting higher education their children will change their lot, now are

under duress to hike their fees structure. The notion is higher education is not for all, it is only for those who can afford it in terms of money. The responsibility of the government is to make people literate so that they can read the brand names of the products of the multi-national corporations. People need not know more than that. Money comes only for that purpose from the international monetary organizations. People knowing more will be a danger to imperialistic interests.

Returning to the question of loss of autonomy of the institutions of higher education, it is not to be denied that an institution of higher education can achieve excellence not through strict control from above but by self imposed discipline which does not negate the initiative of the institution. Institutions of higher education are parts of the society; chaos and indiscipline in public life pervade these institutions also. The pressure now exercised through different structures of command and control over the institutions of higher education to increase their efficiency and output may not yield the desired results. Attempts at standardization have appeared to be window dressings and marking of evaluation is used for promotion of sales. Teachers are now persuaded to spend more time on attending refresher courses, orientation courses, taking projects, publishing number of papers when at last, they are left with not enough time for preparing for their classes. After all, higher education is not a measurable object. Moreover, a teacher needs to spend much more time to prepare his/her classes, than the time he/she spends in his/her classes. Teaching involves a lot more than delivering the lectures. It is not denying the fact that some sort of discipline must prevail in academic life. But the purpose of discipline must be well conveyed by the mechanism of it and it should not spoil the initiative of the teachers and need not subjugate them to uniformity and standardization. Bureaucratization of the institutions of higher studies and bureaucratic control throttle the spirit of academic freedom.

The institutions of higher education were never free from direct or indirect influence of political power. Liberalism (distinguishing it from liberalization) in the twentieth century accorded a status of autonomy to these institutions. Following the western tradition and Indian cultural heritage a measure of social recognition for the universities'

seclusion from the perversion of certain socio-economic forces has obtained in India also. Now, commercialization of the higher education will strip the universities of this privilege. Industry-university liaison means subjugation of the universities' research and products to the needs of industry in particular, not the society in general. The conflict of interests between the society and the industry (the multinational corporations) is very apparent. Whether it is the pollution of environment by automobile industry or degradation of bio-diversity by genetic engineering; the industry protected by the state opposes any sort of restrictions while the society suffers. The U.S. opposition to ratify Kyoto Protocol which wanted to bind the industrialised nations to limit green house gas emission under the pressure of the U.S. auto-industrial complex is one example⁴ and another example of similar conflict is the sale of hazardous waste by industrial companies to the fertilizer companies for use in agriculture in the USA.⁵ Monsanto's Bt Cotton and fate of the farmers of Andhra Pradesh is a well-known story. There will be many more examples of such cases where interests of the society are at stake for the promotion of private interests of the industry. The present state is an agent of the conglomeration of industrial corporates and big farmers, it is not likely to protect the interests of the majority of people. The idea of neutral role of the capitalist state has lost decades before. The institutions of higher education are now brought to serve the industry and farming. In this hapless situation, scientists in the universities are expected to confront the social obligation: should they not assert in the interests of the community? Long before, a psychologist raised, of course in a different context, the question of split of responsibility between the process of acquiring knowledge and its application.⁶ Today the time for scientists and social scientists in the institutions of higher education has come to be aware of the use of their knowledge by industry and farms and of the forces that want to subjugate human freedom.

Private universities are in the offing and many colleges under state sponsored universities are now privately run. In these institutions the teachers are appointed on contract basis and hire and fire policies apply to them. The practice of the industry to appropriate fruit of labour of direct producers prevails here. Exploitation of cheap labour in academic

life has become the common place in these institutions. It affects not only security of service of the teachers but also the standard of work and the quality of products. The mushroom growth of private institutions in higher education in some parts of the country is a pointer. Many of these institutions are a pure business and they no way contribute to the expansion of knowledge. We do not mean to oppose all privately run institutions of higher education. Some of them are centres of excellence. We mean here the recent growth of private institutions mainly for business purposes and also fake and low graded foreign institutions of higher studies which have set up a network of business centres here.

Teacher and Technology: Another very serious development resulting from liberalization and privatization is the abuse of technology and demeaning the role of the teacher in learning process. Most of the traditional courses are now offered by the institutions of higher education on distance education programme where the contact between the teacher and the students is indirect and routed through ready made study materials and online lessons. The students in distance education programme find no scope to traverse through the classics and wide range of literature on the subject, no scope of experiencing the psychological and social atmosphere of the university life and the greatest deprivation for them is the loss of direct contact with the teachers. The teaching and learning is a mutual interactive process where the teachers and the students establish a psychological bond. A good teacher learns as much from his/her students as he/she teaches them. In our traditional system whatever students learn, they learn mostly from their direct contact with the teachers which is supplemented by a wide range of literature as follow up measures. How far a mechanical process of delivery of lectures through audiovisual devices can impress upon the mind of the students is difficult to understand. Teaching aids are essential ingredients but that can not replace the teacher in the class- room. Deprofessionalization of teaching where a robot can perform the role of the teacher may not be a lively experience for many a learner. A teacher is a craftsman whose ingenuity can not be substituted by a machine. Let me cite the American experience here. :

...the clear implication is that education must be put on a par with CD

players if education's quality is to be measured in the same way as that of the CD player. Measurable competencies are taking the place of all-round education, something which (by its very nature) can not be measured or quality controlled. And as students pick up on this notion of themselves as consumers of a measurable product, they come to treat education as a purchase. Just as it is unreasonable for the supplier to expect that any real effort beyond the purchase has to be exerted by the buyer of a CD player, so too it is unreasonable for us to expect anything from our students. In fact, in the new market-driven colleges, we more or less disappear, apart of the product purchased by the student consumers.⁷

This in brief is the state of higher education. Liberalization and privatization has transformed the higher education into a commodity in the market removing its human and social values and affecting adversely the status and the role of the teacher. It has become a universal phenomenon. The most powerful imperialist nation in the world, the USA has pioneered and showed the path to other nations of the world. But there seems to be an awareness among a section of teachers in the USA to resist the move.⁸ The situation is more complex in our society. The rate of people having access to higher education here is insignificant in comparison to that of the USA, (reportedly it is six percent in our country while it is sixty percent in the USA) and now liberalization and privatization will restrict it further. In our semi-feudal and semi-capitalist social structure, a teacher is also an intellectual creating new values and transforming old values. He/she cannot be reduced to a CD player. For that very reason cultivation of liberal arts, critical studies, history, social sciences and basic sciences is absolutely necessary not merely for production but for social transformation. Exactly the state has a role to play which it cannot shirk to the market. The revolution occurring in science and technology, particularly in information and communication technology has opened up new vistas for higher education. In stead of using science and technology for reducing labour costs, if it is used for the advance of knowledge and the amelioration of society, it will yield good results for both higher education and society. The pressure on the state to withdraw from higher education can be resisted by a programme of democratic political action of the people.⁹

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Theory of Marx's Alienation: Understanding Status of Man in Capitalist Society.

Girin Phukon

The concept of 'alienation' may be identified with aloofness, separation, indifference and cutting off from something such as society, religion and even self. But in its academic discourse, it implies an area of investigation in which understanding of politics requires to deal with the sphere of psychology, sociology, philosophy, economics and so on. Modern political thinkers seek to examine the case of self-alienated man "a man who is not, in fact, what he is in essence ; a man whose actual existence does not correspondence to human existence".¹ First, the concept of 'alienation' found its expression in the realm of metaphysics where the philosophers sought to establish logical reconciliation between the 'real' and the 'essential'. Plato may be regarded as the first thinker who thought in these terms. The metaphysical idea of alienation however finds its best expression in the philosophy of Hegel who argues that the history of man is what he calls, the "absolute spirit" a consciousness which progressively upholds through a series of dialectical contradiction in pursuit of creating self-knowledge. The fullness of the spirit, he asserts, is realised through its alienation and self-extenalisation in nature and history.² As he evolves the idea of dialectical development, there emerges a tension, Hegel pleads, between human needs on the one hand and social environment on the other. In such situation, the mind finds itself 'alienated' because, he asserts, it becomes self-consciousness but not consciousness of the world as its own existence. Thus it appears that the 'phenomenology' of Hegel provides a nutaphysical conception of alienation, what he calls, 'unhappy con-

sciousness'.³ In fact, Hegel believes that alienation is inherent in human life which creates the social world by using the object while transforming itself in that process. He pleads for the identification of the individual with the civil society as he assumes that freedom can be realised only within the frame-work of the society and the state.⁴ In this exercise, therefore, an endeavour has been made to examine how many borrows the ideas of alienation from Hegel and gives it a socio-economic orientation to understand the status of man in the capitalist society. Indeed it would be an interesting point to understand how a philosophical concept has acquired an empirical dimension in the hands of Marx.

II

Marx was the chief exponent of communism as well as socialism who had profound beliefs in material condition of society. His entire philosophy is based on economic structure of the society. He firmly opines that political and intellectual life of a society is determined by the mode of production as necessitated by the want of material life. The idea of alienation is one of the important aspects of Marx's philosophy which finds its manifestation in his early writings such as the "Economic and Philosophic Manuscripts of 1844". The central theme of this manuscript is human self-alienation in which he has made philosophical diagnosis of the situation of contemporary men in a capitalist society. Marx argues that capitalism has made man simply an instrument and regarded as a part of the machine. In fact, man is essentially considered as a producer, because the social organization in which he plays role is so vast and complicated that personal relation have lost all meanings. Society has become large and complex and highly organized and the basis of its organization is productive efficiency. The out put of goods is enormous, but the capitalist continues to exploit the situation in his own interest and the common men is engaged all the time to improve his economic status. The individual has to remain so busy in the pursuit of his occupation that he hardly gets time to think of the quality of his own life, Marx asserts. As capitalist exploits the situation in his own interest the worker finds himself alienated from society, state and from those with whom he is working and even from himself. Thus

the individual remains in a state of continuous anxiety and worry. Marx has described the alienated person as an 'abstraction' because he has lost touch with all human specificity. Marx further maintains that man under capitalist system of production is separated from his work and life activity, separated from his own product and also from his fellow-men. In fact, Marx was primarily interested in the individual, that he felt oppressed at his miserable condition under the capitalist system.

According to Marx the social division of labour creates vast accumulations of capital and personal wealth at one pole of society, an increase in the value of things achieved only at the cost of progressive devaluation of man as a human species. The source of this evil is found in the capitalist system in which organization of labour "has the effect of directly transforming man's labour into a saleable commodity".⁵ Thus Marx uses the idea of alienation to identify the human ill which is prevalent in modern capitalist society. To him, alienation arises out of conflict between productive forces and relation of production and is, therefore, historical reality. In this connection a scholar remarks :

Alienation is an eminently historical concept. If man is alienated, he must be alienated from something as a result of certain causes - the interplay of event and circumstances in relation to man as the subject of this alienation - which manifest themselves in a historical framework.⁶

In view of this, Marx's theory of alienation may be considered as the corollary to his doctrine of Historical Materialism.

Thus the theory of alienation is the intellectual construct in which Marx projects the devastating effect of capitalist production on human beings on their physical and mental spheres and on the social process of which they are a part.⁷ To Marx, alienation has four major different dimensions -Alienation from labour, products, fellow beings and species or self. It is the capitalist system, Marx asserts, that constitutes the total alienation of human labour, because capitalist system dominates the workers as a labourer and also as a man. This system alienates man

essentially from his own activity, i.e. from the product of his own labour. Marx maintains that labour does not belong to man's essential being because it is not a satisfaction of a need but merely satisfies needs external to it. In asserting that labour in capitalism mortifies man's body and ruins his mind which makes him uncomfortable and unhappy.

Marx writes:

Labour is external to the workers i.e. it does not belong to his essential being ; that in his work, therefore, he does not affirm himself but denies himself, does not feel content but unhappy, does not develop freely his physical and mental energy but mortifies his body and ruin his mind. The workers therefore, only feels himself outside his work, and in his work outside himself. He is at home when he is not working and when he is working he is not at home. His labour is therefore not voluntary, but coerced ; its forced labour. It is therefore not the satisfaction of a need ; it is merely a mean to satisfy need external to it.⁸

Thus Marx asserts that worker's mind too has been ruined by the nature of his task and the conditions in which he does it. As a result of his productive activity man no longer, he claims, feel himself to be freely active. Because he has no association and identification with his labour. Whatsoever he produces goes to the employer. He does not get any reward or satisfaction for his labour that he puts in. With the passage of time he gets physically exhausted and mentally depressed. In fact, he feels more pleasure and happiness when he is not working, rather than when he is at work. For these reasons, there has always been a feeling in the minds of workers that they are not working for self but for someone else. As a result, according to Marx workers are alienated from their own labour in the sense that private property which is created out of his labour in the form of profit does not belong to him, but belongs to the employer who has no sympathies with him.

According to Marx the second of the four major dimensions of alienation is the alienation of man from his own product. The workers puts his labour, skill and experience with raw materials and it becomes a finished product. But once finished product has gone into the hands of

the employer, worker is alienated from it. Thus labourer's product transforms into an alien object ; The more he works, the more he finds himself dominated by the world of objects which is his own creation. The worker puts his life into the object, and his life then belongs no longer to himself but to the object. What is embodied in the product of his labour is no longer his own. The greater this product is the more he is diminished. In fact, man's productive capability has been drained off into his product without giving him any return.

Thus Marx argues :

The more the worker spend himself, the more powerful the alien objective world becomes which he creates over against himself the poorer he himself his inner world - becomes, the less belongs to him as his own... The workers put his life into the object ; but now his life no longer belongs to him but to the object. Hence greater this activity, the greater is the worker's lack of objects. Whatever the product of his labour is, he is not. Therefore the greater is this product, the less is he himself.⁹

Besides, Marx maintains that the alienation of the workers in his product means not only that his labour becomes an object, an external existence, but that it exists outside him, independently, as something alien to him, and that it becomes a power on its own confronting him.¹⁰ The workers products are alien to him because he cannot use them to keep aliveness to utilise in further productive activity. Not only he cannot use them, but he does not recognise them as his own. In fact, he has no control over his own product. Under such circumstances, Marx assumes, the worker is unable to work creatively. His work is not the satisfaction of a need ; it merely a means to satisfy needs external to it. Because the products, the workers requires to live, the products he needs for his work are also beyond his control. Although man's species powers can only be fulfilled, Marx believes, through his use of the means of production, the means of production which comes into existence in capitalism are decisively hostile to his fulfillment. By transforming nature through alienated labour, man has deprived himself of all he has transformed. The individual's helplessness before his products must be con-

trasted, Marx emphasises, with the ready accessibility of nature in communism to grasp the full measure of his alienation in this area.¹¹

The third major dimension of alienation in which Marx exhibits worker's alienation in his tie with other men i.e. his fellow being. Marx believes that in a capitalist society man is separated even from his co-workers. In fact, he has no close relationship or association with the workers with whom he works during the best part of the day. Marx has characterised this alienated man as an "abstraction" because he has most touch with all human specificity. He has been reduced to performing undifferentiated work on humanly indistinguishable object among people deprived of their human variety and compassion.¹² Thus each man in every way is alienated from other. He tries to measure every other person according to his own standard of valuation and view point. The worker treats his employer not as a man but instrument of exploitation and vice versa. Instead of sympathisers fellow beings are treated as enemies and in many cases bickering and ill will dominate. Thus Marx remarks:

The estrangement of man, and in fact every relationship in which man stands to himself, is first realised and expressed in the relationship in which a man stands to other men. Hence within the relationship of estranged labour each man views the other in accordance with the standard and the position in which he finds as a worker.¹³

Therefore, man is said to be separated from his fellow being - a break between man and man. In fact, a worker is not only alienated from his own product but also from his fellow being. The last of the four broad man's alienation in capitalist society is the alienation from his species or self. According to Marx the capitalist mode of production creates the alienation in all its manifestation. It is the development and all-embracing character of capitalism that leads to alienation. Marx is of the opinion that alienated labour succeeds in alienating man from his species. Nature itself is alienated from man and as such he loses his own inorganic body. Marx argues that man is a human natural being, since he is a being for himself, he is a species being. Man's alienation from his species differs qualitatively from other kinds of alienation ex-

amined above. Like alienation to his work, product and other men, alienation from his species is not tangible in which living people are measured by the standard of what it means to be a man. Perhaps, this facet of alienation may be better understood by reformulating man's alienation in his work, product and other men and viewing it from the angle of the individual's membership in the species. As Marx maintains :

In tearing away from man the object of his production ... estranged labour tears from him his species life, his real species objectivity, and transforms advantage over animals into the disadvantage that his inorganic body, nature is taken from him. Similarly, in degrading spontaneous activity, free activity, to a means, estranged labour makes man's species life a means to his physical existence.¹⁴

Thus Marx asserts that the object of work is the objectification of man's species life and with the removal of these objects from his control, the human species is deprived of its reality which requires to manifest itself as the human species.¹⁵ The productive life is the life of the species, Marx argues, through which man expresses and develops his power. In turn it is distinguished from animal activity by its range, adaptability skill and intensity. However, in capitalism, worker's labour 'turns for him the life of the species into a means of individual life'.¹⁶ Thus work has become a means to stay alive rather than life being an opportunity to do work. The obvious implication of these ideas is that capitalism has created a situation in which man has been alienated from self because in the system no person is treated on the basis of man to man but as employer and employee. The relationship is judged in terms of wage and profits, master and subordinate and so on. The employer treats employee only as a commodity and not as human being. The employee become tools and machine of employers. He is regarded as a part of the machine and as such he is alienated as a man and introduced to the system as the part of the machine. The worker is made to lose his self-identity and from person he becomes highly impersonal and fails to relate himself with anybody else. He finds himself powerless, and isolated because of selfishness and self-centered tendencies which capitalism has created for everyone. Thus Marx shows how there has been a link of alienation with economic order. He has made it amply clear that

alienation has made the workers incapable of revolting against a situation not acceptable to them.

IV

From the above discussion it may however, appear that alienation is primarily a working class phenomenon. But it is not correct that only the working class is the victim of alienation. In fact, all classes of people come under its influence. The wealthy as well as proletarian class represent the same human self-alienation, Marx asserts. It is alienation which produces the division of society into two classes. Marx claims that by producing alienated material objects and, in the process, themselves as an alienated class, the proletariat produce the alienation of people with whom they and their products have relations. Consequently the emancipation of workers involves the question of universal human emancipation.¹⁷ In this connection, Marx's basic argument is that living in the 'realm of alienation', the capitalist must be in a 'state of alienation'. Because the workers cannot maintain human relations with the capitalist. Similarly, the capitalist cannot have human relation with the workers. The capitalist's state of alienation shows in his tie to the activity of the worker as its owner, as the one who permits it and determines its form. Instead of contributing something of its own in a joint effort, he merely accepts the work of other. Besides, capitalist's relation to the product of the proletariat's labour place him in a state of alienation. For him, the object of another men's life activity is something to sell and make profit out of it. As a producer, the capitalist is not dominated by products in the same way as the workers. However, he is dominated by the social condition in which things are produced and exchanged by competition. Another aspect of the capitalist's alienation is that he does everything against the worker which the worker does against himself; but he does not do against himself what he does against the worker. The outstanding qualities which Marx observes in capitalists are greed, cruelty and hypocrisy.¹⁸ These qualities emerge from his dealing with competitors and customers as well as with workers. Thus, when Marx comments that capitalists achieve some of their personal objectives, that they enjoy some amount of 'freedom' as against the workers, this must

be viewed in the context of a totally alienated society. The capitalist's advantages over the proletariat are relative rather than absolute.¹⁹

V

From the above account it emerges that the idea of alienation is one of the important aspects of Marx's philosophy. Furbish, Hegel and English political economy exercised tremendous influence on the theory of alienation of Marx. However, he does not subscribe to their views. For instance, Hegel asserts that the alienation will disappear with the abolition of the external world. But Marx argues that man's nature is a part of the external world. For the purpose of creating a conducive atmosphere for enjoying privileges a man effectuates a relationship with the external environment. Thus Marx's conception of alienation embraces the manifestation of man's estrangement from nature and from himself on the one hand and the expression of this process in relationship of man-kind and man - man on the other.²⁰ Besides, Marx incorporates the idea of dialectics into the theory of alienation. In fact, he has analysed the theory of alienation from materialistic outlook and therefore, it may claim novelty. His theory does not seem to belong to the categories of 'ought' but to the 'is'. He does not exhibit any partiality for utopianism and abstract speculative totality.

Marx firmly asserts that alienation increases poverty of the workers and wealth for the capitalists. Thus it divides the society into two classes. Alienation produces a two-fold effect - wealth for one class and misery for another class. He, therefore, advocated a socialist system in order to emancipate the individual from his present condition and resuscitate him in a better social system. Marx seems to have believed that communism would be a kind of reunification which could resolve the problem of alienation.

Epilogue.

To Marx every individual has two kinds of roles in the society - Being a member of the society he tries to fulfil his aspiration relating to moral values and culture. As a member of the state he enjoys a number

of political rights. Undoubtedly, there are bound to emerge contradiction between these two roles. While in the case of former he is free, in his latter capacity his freedom is limited by the material condition created by the capitalist mode of production. Marx believes that capitalist state cannot provide adequate facilities for enjoyment of human freedom. The bourgeoisie state is the instrument of exploitation in which fruits of democracy are reaped by the elites and higher echelons of the society. In a capitalist state masses of man are neither free politically nor economically. Policies and decisions are virtually imposed upon them. Thus individuals are alienated from the state. The military, police and bureaucracy which constitute the state power are controlled by the capitalists. It is not possible on the part of the individual to fight against this force. Since these branches of bourgeoisie state do not work for the well-fare of the people, they are alienated from the society. Marx believes that this alienation may be brought to an end only through capturing the state power by force i.e. united effort of the people. Only this would ensure the emancipation of the workers. Therefore, according to Marx abolition of state is a necessary and ultimate condition for ending alienation.

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13. *Ibid.* p. 78.
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Women's Rights and Social Change in the Context of Domestic Violence Bill, 2002

M. D. Bhuyan

The Indian Constitution recognises the equality of sexes. The Indian women got all constitutional rights on par with men. In spite of the egalitarian ethos of the Indian constitution, the position of Indian women has not changed much. They are still experiencing the degradation, subordination, subjugation and exploitation. The various women's movement in India pointed out imperfections in the institutional structures of Indian democracy. The Indian family, is governed by patriarchal values and archaic family laws. Freedoms are stifled as 'family honour' is used to suppress women's rights with regard to education, employment, health, marriage, reproduction and self-expression.

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles of State Policy. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

Within the framework of a democratic polity, our laws, development policies, plans and programmes have aimed at women's advancement in different spheres. From fifth Five Year Plan (1974-78) onwards, there has been a marked shift in the approach to women's issues from welfare to development. In recent years, the empowerment of women has been recognised as the central issue in determining the status of women. The National Commission for Women (NCW) was set up by an Act of Parliament in 1990 to safeguard the rights and legal

entitlements of women. Legislation was only one of the several instrumentalities required for bringing about social change.

The 73rd and 74th Amendment (1993) to the Constitution of India have provided for reservation of seats in the local bodies of panchayats and municipalities for women, laying a strong foundation for their participation in decision-making at the local levels.

India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women, (CEDAW) in 1993.

The women's movements and a wide spread network of NGO's which have strong grassroots presence and deep insight into women's concerns have contributed in inspiring initiatives for the empowerment of women. However, there still exists a wide gap between the goals enunciated in the Constitution, legislation, policies, plans, programmes and related mechanism on the one hand and the situational reality of the status of women in India, on the other hand. Gender disparity manifests itself in various forms, the most obvious being the trend of continuously declining female ratio in the population in the last few decades. Social stereotyping and violence at the domestic sphere and societal levels are some of the other manifestations. Discriminations against girl children, adolescent girls and women persists in various parts of the country. The underlying causes of gender inequality are related to social and economic structure which is based on informal and formal norms, and practices.

Under the above circumstances, there is a necessity to examine the prevailing women's rights in India to help social change as a democratic nation. The present paper seeks to unfold the contradictions of gender equality as envisaged in the Constitution and existing social values in our society which discriminate women in comparison to men of enjoying equal social rights after 55 years of Independence. The paper makes an attempt to discuss the increasing domestic violence in India and the relevance of proposed Domestic Violence Bill, 2002 with a concluding observation.

II

Violence against women cuts across caste, class, religion, age and education. Domestic violence is a serious human rights threat to women in every society -rich and poor, developed, underdeveloped and industrialised. Particularly in patriarchal societies, it is used as a powerful weapon for subjugating women and suppressing their rights as equal partners in the family structures. Justice Sujata V. Manohar has brought out the utter helplessness of women facing domestic violence in a gripping manner.

Unfortunately, we do not have any separate legal provisions relating to domestic violence. This kind of violence, however, has certain special intractable characteristics because it is perpetrated in the privacy of the house. The victim is more vulnerable and the remedy is more difficult. Outsiders, whether it is the police or neighbours or other friends or relatives are reluctant to intervene in what they perceive as a private domestic problem. The abused wife and her children usually depend on their assailant for food, shelter and even for their identity. The NCW has recommended a domestic violence legislation for our country, providing for protecting orders and a protection officers. But, for women who are faced with chronic abuse, the only viable option is an independent life, with decent wages, educational training, jobs, child support, a house, an option which gives them the power to stand up inside the home. Most women do not have this option.¹

It is considered a male privilege to legitimise gender hierarchy within the family and the use of violence against women. It is abetted by ignorance and inadequate efforts by public authorities to enforce existing laws. It is very necessary to understand the inner dynamics of the family as an institution in which the girl child is nurtured, the place where basic allocation of resources which influences health, well being and very survival is determined. Family in India has survived as an institution and offers security which no other institution can claim to provide. But in reality how supportive are the family linkages? There is growing evidence of gender based discrimination in health care, education and upbringing of children in the family. Viewing violence against

women in the perspective of women's health, Mira Shiva has observed.

"Violence against women has been recognised as a major women's health issue. It is a worsening public health problem and an occupational health hazard. While men are victims of violence in incidents of street violence, crime, etc., violence against women is perpetuated by their partners and people known to them".²

Relative to femicide, the issue of neglect has more data to support it. V. V. Devasia observes that inhuman deliberate neglect of the girl child has the support of religious sanctions, traditional practices and family support.³ Her femininity has been defined and governed by family and society. She has to sacrifice all talents which are not compatible with her roles of an efficient house wife and mother.⁴ She is taught to be a nurturer, an efficient server of the family and not a thinking individual. The problem of liability and negligence is determined by economic factors. It is advocated by the researcher and social scientists that to determine one's status in society, it is necessary that one should control the means of production, one should have its economic worth and social standing. In order to be self-respecting, self-esteem, one must be self supporting. How can a girl child determine her economic worth or social standing when, since her arrival in this world her behaviour, her ways, her language, her thinking, each step of hers is conditioned by family and society based on patriarchal values.

Domestic violence is widespread and cut across caste, creed, class and educational levels. Around the world, on an average, one in every three women has experienced violence in an intimate relationship. Its most common forms are wife-beating, feticide and dowry deaths, perpetrated not only by the husbands but sometimes by other family members, including women. The World Bank in its 1993 World Development Report, for the first time assessed the health consequences of gender based violence. It is estimated that in industrialised countries, rape and domestic violence take away almost one in every five healthy years of life aged 15 -44.

The National Crime Records Bureau in its Report 'Crime in India 1998' has brought out that crime against women in 1998 recorded

an increase of 8.3% and 4.8% over previous years 1997 and 1996 respectively. Table 1 shows the crime recorded in 1998.

Table-1

Sl.No.	Type of Crime	Total	Women
1.	Incidence of Cognizable Crimes (IPC 1998)	17,79,111	1,31,338 (7.4%)
2.	Rape		15,031 (11.4%)
3.	Cruelty by Husbands & Relatives		41,318 (81.05%)
4.	Dowry Deaths		6,917 (5.3%)

Source : Crime in India, 1998, National Crime Records Bureau, Ministry of Home Affairs, GOI, 1999.

From the above Table it shows that 81.05% women were victims of domestic violence in that given year. Torture, which accounts for the bulk of the crimes against women takes place within households. The National Crime Records Bureau 1998, for purposes of its report, has treated it as 'cruelty by husband and relative's.⁵ Like some States of India, domestic violence is also increasing in the North-Eastern Region (NER). As for Assam, cases of reported domestic violence have increased day by day as shown below in Table 2 from 1994 to 2000. Initially, dowry deaths were mainly confined to the immigrant population in the State, but in latest official records, the figures are alarming even among the middle class Assamese families.⁶

Table-2

Year	No of cases in Domestic violence	No of Molestation cases	No of cases in Dowry deaths
1994	480	331	25
1995	485	572	21
1996	553	569	28
1997	772	686	45
1998	590	550	45
1999	598	601	49
2000	623	589	57

Source : Criminal Investigation Department (CID) of Assam Police, Govt. of Assam.

Domestic violence strikes in various forms physical, sexual, emotional and psychological. It is not only damaging to women but also causes deep psychological effects on their children too, because of the constant fear and humiliation they live with. Largely viewed as a family matters, neighbours, friends and even the relations of the battered women rarely interfere in situations of domestic violence, because a wife is regarded as husbands property and there is a social acceptance of his rights to chastise her, if she has displeased or disobeyed him in any way, howsoever minor.

Most women, however, choose to suffer silently rather than report such incidents to the police and are unwilling to admit the causes of their injuries for fear of further victimization or bringing shame or dishonour to the family. The police, on the other hand, treat such incidents as marital disputes and often refuse to register them. Even if they are registered, they are rarely prosecuted in the judiciary, who treat cases of domestic violence as 'trivial matters', often giving lenient punishment to the perpetrators. Women have been the 'silent victims' of so many types of physical violence and mental tortures for centuries. yet our society and the existing laws remained a silent observer for a prolonged period.

Development along with its progressive changes in life styles, living standards, varied economic growth caused by urbanization and changes in social ethos contributes to a violent attitude and tendencies towards women which has resulted in crimes against women. Such incidents are a matter of serious concern and its containment is a necessity so that the women of India obtain their rightful share and live in dignity freedom, peace and free from crimes and aspersions. The battle against crime against women has to be waged by the various sections of the society through campaigns and various programmes with social support along with legal protection, safeguards and reforms in the Criminal Justice System.

Under these circumstances, the Centre's move; after five dec-

ades of Independence, a Bill known as The Protection From Domestic Violence Bill 2002, has been introduced in Lok Sabha on 8th March in the year 2002 will be a befitting instrument to empower women for achieving social rights. This is definitely a right measure in the right direction since Section 498A of the IPC, 1860 has proved insufficient to address properly the menace of rising domestic violence.

III

The fundamental purpose of the Bill is to protect the rights of women who are victims of violence of any kind occurring within the family. By containing domestic violence of all types, the Bill intends to maintain domestic peace which is a prime factor of social and economic development. However, the Bill; in its present form raises certain questions and doubts which should not be overlooked before it is put into the garb of an act. The present paper attempt to discuss the following points:

1. As the Bill is framed with the sole purpose of providing an effective armour to women from domestic violence, it ought to be entitled as "The Protection of Women from Domestic Violence" and not simply as "The Protection from Domestic Violence Bill".
2. The Bill is conceptually flawed while defining domestic violence with a clear and comprehensive definition and leaves much to the discretion of individual judges. Where as internationally accepted definitions are readily available in the UN's framework for legislation on domestic violence and other documents.
3. The Bill has questionable goals. The function of any law on domestic violence is to prevent it to the extent possible, to provide relief to victims survivors, and to punish perpetrators. In section (2) of the Bill leaves heavily in favour of the respondent. In other words, a man can beat his wife and get away with it by saying he did this to protect his property. The Bill is seriously weakened by the inclusion of a clause that in effect condones violence committed in 'self defense' or in order to protect property.
4. The Bill ignores the needs of women and children, who are victims

of domestic violence, for shelter and monetary assistance. The law fails to take into account the fact that often a woman who complains about domestic violence is thrown out of the house along with her children and very often they have no where else to go. It is because of this threat of eviction, many women silently suffer violence at the hands of the husbands, in-laws and other relatives. However, there is no provision in the Bill to give an abused women the rights to reside in her matrimonial house. And without this right, a law on domestic violence will have no meaning at all.

5. The bill also restricts the application of the law to the legally married wives and ignores those women, who are more often than not victims of domestic violence, much as second wives or those who have been lured into bigamous marriages and have no legal standing and the widows.
6. The Bill also provides right to the magistrate to order mandatory counselling of the victim jointly with the abuser. Nothing could be more humiliating for a woman than to accept counselling along with the abuser. Thus, the abuser and the abused are equated in the present Bill.

IV

All the above shortcomings and loopholes should be carefully considered and eliminated before the Bill is passed into an Act. The other crucial part" that is its implementation in the right earnest require prime significance. After all, it must be above the existing machinary to prove its superiority. The previous record of implementation is abysmally low. Unless legal awareness is strengthened specially in the rural areas, the proposed Bill would fail to fulfill the noble motives behind it. In the North Eastern Region, specially in the hill areas which are so long dominated by century old customary laws the aggrieved person doubts about its proper implementation.

The draft legislation empowers magistrates to ask the victim as well as the abuser to undergo mandatory joint counselling in the aftermath of violence is only likely to compound the victim's trauma. It would be unfortunate if the long -awaited legislation to deal with do-

mestic violence were passed in haste, leaving women and others concerned about gender injustice to repent in future.

A law meant to tackle the grave, widespread and often life-threatening problem of domestic violence must surely be drafted in accordance with international standards and national concerns, refined through public debate, passed after due consideration and implemented with seriousness it deserves.

SUGGESTIONS

1. Changes in the patriarchal value system of our society are needed through education and awareness. This can happen only if traditional values are replaced by progressive ones and restore gender equality both in public and private sphere.
2. Women are ignorant of the legislation which have been enacted to provide them specific rights. They should be made aware of these rights. Most of the men in rural areas also are not aware of the legal rights that have been granted to women. They also seem to have negative attitude towards some of the acts such as dowry prohibition, divorce, child marriage and Medical Termination of Pregnancy (MTP). Unless basic attitudes of both men and women are changed through educating them, laws cannot be enforced effectively.
3. Rural men still consider women subservient to men; they have also disapproved for granting of equality to women. The old patriarchal values of the society should be changed into progressive values which may help to establish gender equality in the society at large and family in particular.
4. Ignorance of legal provisions is one of the main factors leading to violence and injustice committed against women. Therefore, there is a necessity to make aware both the gender about the legal provision and legal help to eradicate violence against women.

In Conclusion, the proposed bill provides women with an option to initiate civil proceedings against her abuser. What is needed is sensitization at the family and community level about the equal social rights of women. Gender equality in matters of legal, economic, social

and political matters is a fundamental rights guaranteed by our Constitution. All these should be achieved to have a greater social change in a modern democratic society and polity. Access to justice is the key for equality, equity and dignity. It is more so for women and other disadvantaged sections of the society for whom law is the real strength. Along with these women want an independent life, education for jobs to support them, houses to live and support to rearing children are necessary to reduce domestic violence. Society will change from traditional patriarchal values to a progressive one where both men and women are equal partner in social, economic, political and cultural development, if democracy prevails both in public and private sphere.

Notes and References:

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Thoughts on Contemporary Terrorism : An Overview

Archana Upadhyay

Terrorism in its multiple forms is a fact of political life in many parts of the world. It is usually claimed that there are over 200 different definitions of what is conventionally described as "terrorism" -a phenomenon that in its modern guise, goes back to the French revolution, although there are many historical precursors. The urgency for the need to provide an analytical scheme by which to understand and come to grips with the phenomenon of contemporary terrorism has thus been described by Paul Wilkinson: 'We live in a terroristic age. Few, even among the most favoured and secure, can fail to be haunted by the sights and ghastly dreams of terrorist murder, massacre and torture and the suffering of the innocent'.¹ The fact of the matter is that, terrorism today is not only increasing in incidence and intensity, but is also affecting the very framework of national politics and international relations.

The present paper will attempt to address questions pertaining to some dimensions of the challenges and perspectives on the phenomenon of terrorism as understood in contemporary times.

Concepts as biases

It goes without saying that the task of defining contemporary variety of political terror is not an easy one. Scholars like Franck and Lockwood have suggested that the very concept of terrorism is historically misleading. Referring to terrorism as a politically 'loaded' word they point to the conceptual and ideological dissonance of the term.² There are other authors, who have argued that no commonly accepted definition is possible as very often most states for a whole variety of reasons have rationalized even the killing of innocent people.³ There

are also problems in attempts to build a 'transcendental' moral base by which to judge terrorism as it is feared that it would introduce a subjective bias, a double standard. The root of such a double standard will always be that the definition of morality, justice, and so on will depend on 'who is in the saddle'.⁴

There are scholars who have pointed out that the conceptual inadequacy in coming to terms with the terrorist phenomenon stems from the Western bias in dealing with the issue of political conflict as a normal manifestation of social life. Consensus and the search for stability are the integral parts of Western political ideology.⁵ There is a tendency to treat conflictual interactions as 'abnormal'. Conflict and violence, however, are exceptional only in terms of a purely utopian view of normality. In this context, normality has almost a physiological quality : the 'health' of the polity. This kind of statistical and 'functional' normality does not correspond to reality as throughout the world, particularly in the developing world, which encompass over two-thirds of mankind, violence and conflict are the norm. It has been pointed out that the ideological bias, by ignoring the role of violence in political processes around the world, including Western political processes, past and present, has precluded the development of a coherent and unified theory of the most basic aspects of politics: conflict and conflict management. It has created an analytical discontinuity in political studies. While on the one hand stress is given on domestic consensus, on the other hand the notion of conflict in international relations is readily accepted. The epistemological and ideological confusions regarding terrorism are indeed extreme. Descriptive and normative categories overlap to the point that the analysis of the phenomenon is thoroughly hampered.

Defining Terrorism

A working definition of terrorism ought to include the following assumptions :

- Violence, which in general is understood as behaviour which disrupts values and expectations is an integral part of the political process.⁶ Violence, aims at maximizing uncertainty. Power, par-

ticularly in its psychological dimension increases with uncertainty.⁷ Scholars like Roucek have asserted that 'the right to utilize violence and terror is one of the most fundamental aspects of sovereignty.'⁸

- The purpose of extreme violence is regarded as an achievement of great power and the maximization of uncertainty results in conditions of extreme fear and anxiety. In the words of Fromkin, 'the threat of violence and the use of fear to coerce, persuade or gain public attention aims at one psychological result: to increase the probability of compliance.'

It is beyond the scope of this paper to seek to establish a universally accepted definition of terrorism. The focus of this paper is specifically on political terrorism -a strategy of violence within a broader political context. This de-emphasizes the violent act of the single criminal or deranged individual acting towards personal ends, and it marginalizes the occasional use of indiscriminate violence as a tactic within a wider revolutionary campaign. Political terrorism has emerged as the most complex manifestation of terrorism which aims towards a strategic end and must be viewed as a political strategy. David Fromkin presents a comprehensive characterization of the strategy of terrorism.

All too little understood, the uniqueness of the strategy lies in this: that it achieves its goal not through its acts but through the response to its acts. In any other such strategy, the violence is the beginning and its consequences are the end of it. For terrorism, however, the consequences of the violence are themselves merely a first step and form a stepping stone toward objectives that are more remote. Whereas military and revolutionary actions aim at a physical result, terrorist actions aim at a psychological result. But even that psychological result is not the final goal. Terrorism is violence used in order to create fear ; but it is aimed at creating fear in order that the fear, in turn, will lead somebody else -not the terrorist -to embark on some quite different programme of action that will accomplish whatever it is that the terrorist really desires.¹⁰

Terrorism, thus for the purposes of this analysis can be understood as the deliberate and systematic use of extreme forms of violence to accomplish political goals. Acts or threats of extreme violence—the latter often accompanied by exemplary assurances—are designed to cause an emotional reaction which in turn produces broader social effects. The ultimate objective is to affect an extremely large number of people, if not an entire population. Scholar's like Hutchison have pointed out, insurgent and governmental terrorism are basically similar.¹¹

From the above discussion the following salient characteristics of the process of terror may be enumerated :

- **Terrorism is exemplary.** Terrorist acts are selective and often pre-emptive enforcements of compellence or deterrent postures.¹² In this sense, extreme violence is concentrated, as offensive or defensive punishment, on an often unsuspecting victim with the immediate objective of setting an example for a large number of people. The 'example' thus it is believed would serve to obtain compliance or at least modification of collective behaviour.
- **Terrorism is unpredictable.** The impact of the terrorist act depends on the inability of the adversary to anticipate or react to the punishment. Extreme uncertainty and lack of anticipation on the part of the victim serve to enhance the aggressor's power.¹³
- **More often than not, 'Targets' are often of a non-military nature.** As in most non conventional types of warfare, the distinction between the front line and the 'civilian population' is blurred. To use the jargon of nuclear warfare, terrorism is 'counter value' rather than 'counter force'.¹⁴ The victims of terrorism are normally accessible and unexpected targets. Contemporary acts of terrorism are mostly of a 'mass' and indiscriminate variety. In this respect the anonymity of the victim becomes a warning to the rest of the population that anyone of them may be targeted next.
- **There is an apparent consensus at the 'moral' unacceptability of terrorism.** Across differing ideologies and regimes there is the

official rejection of terrorism as a 'legitimate' weapon for achieving political aims. In this respect, such dissimilar governments as those of the United States and the People's Republic of China have joined their voices with those of most other governments in condemning acts of terrorism. However, a consensus on 'whose' terrorism and what kinds of terror are to be eradicated through concerted action is hard to come by.

- **Terrorism, mainly though not exclusively is a tactic in the struggle of the weak against the strong.** It is a sort of political ju-jitsu, aimed at turning the adversary's strength against itself. Acts of extreme violence are sometimes committed to 'even up' the balance of forces as terrorists are often in too weak a position politically and militarily to challenge their opponent successfully by any other means.
- **The process of terror involves a symbolic selection of 'targets'.** Targeting tends to have a predetermined pattern and victims are chosen because of their association with the adversary. 'Targets' have symbolic value and victims tend to be chosen because they belong to a certain social, economic, ethnic or political category.
- **The overall level of force used in terrorist attacks is relatively low in comparison with most other forms of warfare.** This makes it a low-cost and relatively high-yield technique. This economic trait of terrorism is undoubtedly amongst the reasons why insurgent outfits-select terror as a tactic. The recognition of terrorism as an 'effective' and readily available form of struggle has affected both the 'insurgent' groups and the 'establishment' with terrorism becoming an immoral surrogate for general war.¹⁵ It is in this perspective that it is feared that terrorism may become an attractive tactical option for established governments looking for flexible responses and 'limited war' strategies.
- **Terrorism is indirect.** In acts of terrorism, the target and the recipient of the message are different. In this sense terrorism has to be defined as the 'purposive use of violence by the precipitator

against an instrumental target in order to communicate to a primary target a threat of violence so as to coerce the primary target into behaviour or attitudes through intense fear or anxiety in connection with a demanded power outcome'.¹⁶

The Mutation of Terrorism

The phenomenon of terrorism underwent a peculiar transformation after the Second World War. As a result, emerged a new type of terrorism that in many respects was quite different from its 'classical' counterpart. According to Walzer, the new strain of terrorism could be described along the following lines.¹⁷

- It is terrorism characterized by a proliferation of small, sect-like societies which stand aloof from broadly based insurgent or counter-insurgent organizations.
- There has been a change from calculated to random murder.
- There has been a tendency to conduct terrorist operations away from the immediate theatre of conflict and in formerly 'neutral' territories.
- There is an expanding 'demonstration effect' in the use of terrorism. Both in the development of weaponry and in the repertoire of terrorist feats, terrorist organizations learn from each other.
- It is widely recognized that it is a readily available form of struggle. Such recognition has affected both the 'establishment' and the 'insurgent' groups. This recognition of the viability of terrorism may itself contribute to the success of the technique.
- There appears to be some very broad co-ordination among widely disparate groups. This applies to both 'terrorist' and 'counter-terrorist' organizations.
- A central feature of contemporary terrorism is its internationalism. There is a clear movement towards the 'transnationalization' of terror and counter-terror.

The international character of contemporary terrorism necessitates a

redefinition of all concepts. International terrorism may be understood as 'acts of violence across national boundaries, or with clear international repercussions, often within the territory or involving the citizens of a third party to a dispute.'¹⁸

The Milieu of Terrorism

It is clear that terrorism deserves to be analyzed as a significant factor in the fabric of contemporary international relations. It is a form of violence requiring a carefully considered response. The most important reason for requiring this response is rooted in a peculiar aspect of present-day terrorism: that it presents a severe threat to national sovereignty. International terrorism is one of a multitude of developments that has undermined the 'territorial function' of the nation-state.¹⁹ These developments involve a number of profound and mutually reinforcing changes in the world order. One such change is the 'transnationalization' of economic relations, elites, and communications. Another development is the 'globalization' of repression and military alliances which have severely curtailed the traditional concept of 'neutrality'. A third reinforcing factor is the accentuation of the nuclear stalemate which has given rise to incentives for the development of non-conventional forms of warfare. In this milieu, terrorism as a general phenomenon has not only become transnational but has also adapted to the new conditions as a successful political weapon. Terrorism in its modern manifestation is highly elusive and much like transnational corporations has the ability to 'shop' for jurisdiction.

Any analysis of terrorism requires a treatment of the factors underlying its emergence. However, both the phenomenon of terrorism and conceptions of it depend on historical context - political, social, and economic - and on how the groups and individuals who participate in or respond to the actions that is called terrorism relate to the world in which they act.²⁰ Questions regarding these interactions is generally organized around three themes: the historical context of the concept of terrorism; the causal relationship between terrorism and its political, social and economic environments and the impact of terrorism on this setting. A well known study on international violence deals with three

major inter-related 'images' of violence²¹:

—Terrorism is rooted in human nature, either in our 'normal' glorification of violence or in psychotic drives. This being so, its control would depend on modifying those human traits which are conducive to extreme violence.

—The emergence and proliferation of terrorism is rooted in the structure of the nation-state. Certain political orders based on repressive or institutional violence, themselves engender terrorism.

—Contemporary terrorism is rooted and nurtured by an anarchical international system which still recognizes violence as a valid mode of conflict resolution.

Clearly, an examination of these propositions would lead to the conclusion that no single level of explanation is sufficient to understand a phenomenon as complex as terrorism. Any understanding of terrorism has to begin by recognizing that there are no simplistic explanations or solutions to contemporary terrorism.

Describing terrorist activity as actions by psychopaths may be very misleading. There may be some acts of terror which may involve seriously disturbed individuals, however the records of political terrorism reveal that the bloodiest of acts of terror have not been the handiwork of particularly psychotic individuals. Rather than building a psychopathological 'model' of the political terrorist, it is far more important to understand him as an actor in a situation.

It may be equally misleading to give undue weight to the explanation which is centred on domestic repression and injustice although reaction against oppression will remain one of the principal causes of terrorism.²² However, it is principal not the exclusive cause. If a perfect correlation between oppression and terrorism existed, the world's most repressive regimes would be exhibiting the highest incidence of terrorism. Weak repressive states do have a high incidence of insurgency and terrorism, whilst highly bureaucratized police states do not. The relation between oppression and terrorism does not appear to be a direct one. It is seen that internal repression induces terrorist activity only

when three intervening conditions are met. One is that the repressive regime in power is not perfectly totalitarian in nature.²³ Another is a general absence of alternative avenues for effective political action for the oppressed group, resulting in an accumulated sense of frustration. A third, perhaps the most important, condition is the enticement of a segment of the oppressed to action by an external power which offers to provide logistic support, financing and a base from which to operate. Without an international environment favourable to terrorist activities, the prospects for the contemporary brand of terrorism would be very limited. However, it would be inappropriate to explain international terrorism as a consequence of international factors alone. What the current international milieu does is to provide a facilitating medium for its expansion and development.

Terrorism in the Context of Academic Research

Terrorism is quite simply not a topic that is easily researched. Until quite recently, it was a topic that despite its practical impact was isolated from the field of scholarly research. Scholars faced the problem of not only distinguishing terrorism from other forms of violence but also of setting clearly defined parameters around their field of inquiry. This implied that the idea of terrorism was not a scientific category but a commonsense observation. The central actors involved in the phenomenon are difficult to access in a systematic manner. Scholars like Ariel Merari have pointed out that 'the clandestine nature of terrorist organizations and the ways and means by which intelligence can be obtained will extremely rarely enable data collection which meets commonly accepted academic standards'.²⁴ Moreover, terrorism itself is an emotive subject and researchers have traditionally not been overly concerned with remaining objective and neutral in how they view the subject and its perpetrators. With most researchers having the tendency to believe that they are fulfilling a firefighting role, much of the research on terrorism is largely driven by policy concerns and the area has fallen into a trap where it is largely limited to government agendas. Government agendas rarely if ever stretch beyond the next elections and the result is that research tends to be driven by similarly short-term tactical

considerations.²⁵ Other problems emerge from the tenacious conceptual confusion which mires the area. Basic questions like-what is terrorism? What makes an act a terror act? What makes a group a terrorist group? - continue to elude the field.

In their seminal book *Political Terrorism*, Alex Schmid and Albert Jongman, surveyed the opinions and experiences of researchers and analysts in the field, to discover that there was a heavy reliance on open-source documents.²⁶ For the majority of researchers, most of their writings and analyses were based entirely on data produced by others. They concluded that 'there are probably few areas in the social science literature in which so much is written on the basis of so little research. Perhaps as much as 80 percent of the literature is not research based in any rigorous sense...'

A crucial question confronting researchers is if the idea of terrorism can be deconstructed and then reconstructed with a precise, practical meaning. Attempts have been made to deal with this obstacle to research in two main ways. First is by understanding the notion of terrorism as a social product: an image, psychological representation or social conception. This makes it necessary to examine the processes whereby a society forms such an image. Studies are made of the social, cultural, political, economic, religious, and intellectual factors related to and the actors resorting to violence.²⁷ A second approach of viewing this problem would be to examine the actions of the actors involved in this complex phenomenon and hope that as research proceeds, it will be possible to refine the understanding of the phenomenon by adding other attributes. Thus, scholars analyze what violent actors say and do, the processes that results in violence and its escalation, or the developments that results in the involvement of the people. These two viewpoints though different are not necessarily incompatible.²⁸ Research on terrorism may not necessarily begin by seeking a definition of the term. Definition should be the outcome rather than the starting point of analyses.

It has been pointed out that the study of terrorism may be useful in making a clear analytical distinction between differing sorts of problems. Terrorists through their actions involve not only actors like the

government but also political parties, churches, intellectuals, social movements, and the mass media. Actors react to one another's move and thus become a part of a game of political or military strategy. Thus terrorism fits into a set of relations that should be subjected to a synchronic or structural analysis. Terrorism, as a process of change that follows a cycle of birth, growth and decline can also be subjected to a diachronic analysis of how it has evolved in specific historical circumstances. However, it has to be borne in mind that the rules of the game may change, old alliances fall apart and new ones form. Very often, terror acts are meant to deliver messages to several audiences -their own side, to potential allies, or to the governments that support and sponsor their actions.

The principal problem for scholars researching terrorism is the relation between the researcher and the subject of the study. Till very recently, those who studied terrorism were less likely to be scholars than journalists, former military officers, witnesses or other actors directly or indirectly involved in terrorist experiences. A very small range of methodologies continues to dominate research on terrorism with most research being based on secondary data analysis and more specifically on analysis based on archival records. Part of the problem is that there are not many researchers in the field with the majority of the research being planned, conducted and analyzed by just one person working in isolation. Individuals thus face very real limits in resources, time and energy. However, with the development of sociological, political, historical and psychological research, it becomes necessary to locate reliable sources to make contact with the actors to define and control the conditions for a scientific study of terrorism.

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Ethnic Assertion and Politics of Identity: A Case Study of Adivasis in Assam

Rudraman Thapa

Ever since the inception of the planned tea plantation in Assam by the colonial rulers a substantial section, if not all, of workers have preferably been identifying themselves as the Adivasis,¹ instead of the popular name as the Tea Garden Labourers. The word 'Adivasis', according to the Constitution of the *Adivasi Council of Assam*, includes 'Tea Garden and Ex-Tea Garden communities of Assam who came here from Bihar, Orissa, Madhya Pradesh, West Bengal and are recognised either as Scheduled Castes of Scheduled Tribes in these states'.² A major section of them were initially brought by the British Indian Administration apparently to serve their colonial cause. Another section of the Adivasis, dispersed by the Britishers as an effective measure of thwarting the Santhal peasant Rebellion of Bihar, (1855) were rehabilitated in the lower parts of Assam. However, after the expiry of labour agreement with tea gardens, the major chunk of them settled down in the vicinity of tea gardens as farmers who in due course of time came to be rechristened as the Ex-Tea Garden Labourers.³ Thus, for technical reasons the Adivasis over a period of time got markedly split ted into three portions viz -(1) Tea Garden Labourers (2) Ex-Tea Garden Labourers and (3) Offspring of the Santhal Peasant Rebels. The Adivasis, by and large, are a conglomerate of a galaxy of Castes and Tribes slightly dissimilar from one another in respect of language, tradition, religion etc. Despite such distinction they got united to collectively initiate a (i.e. Indian Aboriginal Tribal People) struggle for the cause of their common identity called the 'Adivasi identity'.⁴

In this context it is worthwhile to mention that while asserting their generic identity, the Adivasis are facing certain inherent contra-

dictions within their own community as the greater section of the people originally belonging to the same group and hailing from the same places but presently working in the various tea gardens of Assam as well as living as the marginal farmers in the neighbouring villages have categorically declined to identify themselves as Adivasis. Rather they prefer to call themselves as the 'Chah Mazdoor' (Tea labourer) which also includes a section of 'Ex-Chah Mazdoor' who have increasingly started organising themselves under the banner of politically affiliated trade unions and other organisations. The Tea Tribes and Ex-Tea Tribes nomenclatures are interchangeably used to mean the Chah Mazdoor and their retired brethren. Some of their organisations encompass the *All Tea Tribes Students' Association* (1947), *Assam Chah Mazdoor Sangha* (1958), *Assam Chah Janajati Yuva Chhatra Parishad* (1972), *Assam Chah Janagosthi Samanoy Jatiya Mahashha* (2003), *Federation of Tea Labour Union* (2003) and the *Assam Labour Party*. These organisations have been persistently exerting pressure upon the ruling authorities of the day seeking adequate constitutional safeguards for the protection of the interests of Tea and Ex-Tea Tribes⁵ in Assam. It is, nonetheless, pertinent to note that there is a great deal of similarities in the interests projected by the Adivasis as well as Tea and Ex-Tea Tribes Associations. In view of these contemporary developments, the present paper intends to highlight the variety of demands raised by the Adivasi outfits which are sought to be realised to maintain the generic identity of the Adivasis in the state.

II

The Adivasis are found scatteredly living throughout the state although there are a few pockets where their population are concentrated more particularly in the districts of lower Assam such as Goalpara, Kokrajhar, Kamrup, Darrang besides Nagaon, Sivasagar, Lakhimpur and Cachar. In spite of the absence of official record, it is estimated by the Adivasi organisations themselves that their present numerical strength stands more than forty lakhs. Nevertheless, in this connection it is worthwhile to take note of what British historian Sir Edward Gait delineated regarding the Adivasis in his popular book *A History of As-*

sam Gait maintained :

The most suitable coolies are the aboriginal tribes of chotanagpur and the neighbourhood... The garden gave them employment in 1923 to 5,27,000 labourers... In the report on the census of 1921 it was estimated that the total number of immigrants to tea gardens and their descendants numbered about a million and a third or one-sixth of the total population of the province.⁶

Despite the proliferation of their numerical strength, the Adivasis remained utterly poor, illiterate, disorganized and hence diametrically backward during the colonial era and even to-day their socio-cultural as well as politico-economic plight remain unaltered. Perhaps for such reasons, "they are treated, like a faceless, voiceless and futureless people".⁷ While expressing similar sentiments Anthony Xalxo, an Adivasi advocate allegedly maintained :

Unlike their kith and kin living in chotanagpur plateau and other parts of India, the Adivasis of Assam are not recognised and called by their common and popular name 'Adivasis', instead they have been branded with many character-assassinating names like Kuli, Bongali, Mazdoor, Bonuwa, Sah-Shramik Sah-Janajati (Tea Tribe), Sah-Janagosthi, Lever (Labour), Ona-Asomiya, Na (Natun)-Asomiya, Bagania and so on. Do they not have identity of their own ? Are they not Adivasis belonging to different tribes and castes ? Do they not have social status of their own ? Then why should they be branded with a social stigma?⁸

Such sentiment of the Adivasis obviously contributed greatly towards their mobilization and organisation for the cause of asserting their generic identity. Furthermore, steady growth of their numerical strength and dissemination of education especially in the post-colonial era facilitated the emergence of an English speaking elite among the Adivasis who increasingly came to realize the overall backwardness of their community. The budding Adivasi elite, therefore, well perceived that it was imperative on their part to maintain a distinct socio-cultural identity which they believed would go a long way for the advancement of the Adivasi cause at large. This resulted in the formation of the *Adivasi*

Council of Assam in 1958 at Gossaigaon (Kokrajhat) with Francis Hans as its president and I.S. Ekka as the general secretary. Other prominent socio-political organisations of the Adivasis include (1) *All Assam Santa-Munda & Oraon Association* (2) *Adivasi Socio-Educational & Cultural Association of Assam* (1981), (3) *All Adivasi Students' Association of Assam* (1996), (4) *Adivasi Sewa Samiti*, (5) *Adivasi Cobra Militants of Assam* (1996) (6) *Birsa Commando Force*, (7) *Adivasi People's Party of Assam* (1996) (8) *Promotion and Advancement of Justice, Harmony and Rights of Adivasis* (2002) etc. Since their inception these organisations have relentlessly been putting pressure upon the concerned authorities seeking fair solution of their multifold demands. In view of this, while dealing with the ethnic crisis and identity movement of the Adivasis, the role of the *Adivasi Council of Assam (AC'A)* and *All Adivasi Students' Association (AASAA)* has primarily been highlighted in this study.

III

As a part of their declared aims and objectives, the *Adivasi Council of Assam*⁹ since its inception have repeatedly been pleading like their counterparts in other parts of India such as Bihar, West Bengal, Orissa, Andhra Pradesh and Madhya Pradesh who were enlisted as the Scheduled Tribes, they too were entitled to ST status as a matter of constitutional right. However, instead of ST status the Adivasis in the state were conferred the Other Backward Classes (OBC) status¹⁰ which, the leading advocates of the communities believed, was quite insufficient for their all round development. Consequently the Adivasis at large, it was believed remained far lagging behind in comparision to other sections of state's population. What was more worring was the fact that the Adivasis in the name of 'Tea Garden Tribes' had enjoyed the Scheduled Tribes (ST) status until 1947 in Assam. It was only after independence that they were descheduled reportedly at the instance of the state government. This eventually became a great motivating factor for the Adivasis to revive the ST status as an effective means of protecting their constitutional rights. Thus while justifying the demand of ST status in a memorandum submitted to A. K. Chanda, the Chairman, Joint

Select Committee of Parliament on SC and ST Order (Amendment) Bill, 1967 the ACA emphatically pleaded :

The Santhals, Mundas, Oraons, Kharias, Pabaris, Hos, Kisans, Labars, Pans, Saoras, Khonds, Bumijs etc. who are generally Known as Adivasis are openly recognised by the Government both in the state as well as centre an various commission like Backward Class Commission etc. Instituted by the Government of India itself suggest that these tribes are quite backward socially, economically, educationally and politically. It is also a known fact that these tribes belong to distinctive ethnological groups having its separate language, culture, social custom and manner, treatment of these tribes as the members of Other Backward Class, we feel is only an eye-wash of grave injustice done, to these most backward tribes of the state. We, therefore, request your honour to recommended to the Central Government and to the President of India for the inclusion of these tribes of Assam into the Scheduled Tribes list as has been done in other states of India viz Bihar, West Bengal, Orissa and Madhya Pradesh.¹¹

The issue of non-recognition of the Adivasis as the ST in the state, in course of time acquired such momentum that all the Adivasi organisations were seen giving the highest priority to this demand since they were of profound conviction that unless and until they would get themselves included into the list of ST, all their endeavours to flourish would prove to be a futile exercise. References were made to the reports of various inquiry commissions instituted by the Government of India from time to time recommending the Adivasis of Assam to be included into the ST list. Furthermore, it is worthwhile to mention that while representing the Adivasis of the state under the banner of the *Adivasi Socio-Educational and Cultural Association of Assam (ASECA)* in the United Nation Working Group on Indigenous Population at the 17th Session held in Geneva 26 -30 July 1999 Prithivi Majhi, an Adivasi leader unequivocally appealed:

The non-recognised tribes in the State of Assam should be recognised as the Scheduled Tribes by the Government of India. In this regard I may mention that the Dhebar Commission, the Patashkar Commission, the Lokur Commission from time to time recommended to recognize the non-recognised tribes i. e. Santhals", Mundas,

Sobors, Sauras, Orangs, Bhumijis, Tantis etc. living in tea gardens and village areas of Assam, who had been brought by the Britishers to engage them in the tea plantation of Assam. The recognition as Scheduled Tribes may enable them to have constitutional privileges to protect their rights on land from alienation at least.¹²

In this context, it is interesting to note that the ACA -being opposed to the 'Chah Mazdoor' (Tea Labourer) nomenclature of the Adivasis working in tea gardens forged ties with the *Assam Chah Mazdoor Sangha (ACMS)* the premier tea trade union of the Chah Mazdoor, so far as their common ST status demand was concerned. Perhaps they arrived at a consensus that whatever may be their nomenclature i.e. Adivasis or Tea Tribes, they originally belonged to the same backward stock and their backwardness was on account of the fact that their community was not tribalised. This became evident when the ACA in collaboration with the ACMS jointly submitted a memorandum to the Prime Minister of India seeking the ST status on 9 September 1978 in which they forcefully urged :

About 40 lakhs of tribals now permanently settled in the State of Assam for over 70 years are deprived of their legitimate rights and privileges extended by the Central Government as well as the State Government of Assam as they have not been listed as Scheduled Tribes/Scheduled Castes though throughout the rest of India they are treated as the Scheduled Tribes/Scheduled Castes. As a result of this policy, the Adivasis of the State of Assam who have been given the umbrella name Tea and Ex-Tea Garden Labour are languishing in all respects i.e. educationally, culturally, economically and politically even after this thirty years of independence.¹³

Thus following the footsteps of the ACA, ASECA and ACMS, of late, the All Adivasi Students' Association of Assam (AASAA) - the students' forum of the Adivasis has also contributed a great deal in intensifying the scheduling movement more vigorously than ever before on the basis of the justification that they "fulfil all criteria required as per the provisions laid down in the Article 432 (b) of the constitution of India". As a pressure tactics, the AASAA has launched a variety of agitational movements inclusive of Assam bandh from

time to time.

In spite of relentless efforts of the Adivasis, the Government of Assam was quite opposed to giving them the ST status being firmly convinced that according ST status to them has the potentialities of jeopardising the socio-political structure of the state. Moreover, the state government was of the opinion that as the wages received by the Adivasis as the Tea Labourers was higher than what was required for their livelihood compared to the indigenous tribal people, it ensured a good standard of living for them. What, therefore, deserves mention in this connection is the report denying the ST status to the Tea Plantation Labour prepared by the Adivasi Committee on the Revision of list of SC and ST on behalf of the Government of India as far back as 1965 which clearly stated:

We do not recommend the Tea Plantation Tribal Labour to be treated as the Scheduled Tribes. Apart from the fact that the Government of Assam has consistently opposed any change in their status on the ground that it would seriously disturb socio-political picture. We are given to understand that in the recent years the economic standard of the average immigrant labour, who in receipt of regular wages, and protection afforded by special law is far better than indigenous tribal communities.¹⁴

Such adverse report on the Tea Garden Labourers alias the Adivasis obviously contributed towards not extending the ST status to them. However, most probably coming under the persistent pressure of the Adivasis, the Government of Assam ultimately appeared sympathetic towards the demand of the ST status selectively to a section of the Adivasis. So while recommending certain sub-tribes of the Adivasis for scheduling the Government of Assam intimated to the Government of India on 1 August 1977 stating that "the State Government considered the memorandum submitted by the *Adivasi Council of Assam* asking for the inclusion of the Tea and Ex- Tea Garden labour Tribes of Assam in the list of Scheduled Tribes of Assam and the State Government had no objection for the inclusion of following tribes in the list of Scheduled Tribes (Plains) of Assam -(1) Gonds (2) Mundas (3) Oraons (4) Santhals (5) Savars (6) Pans (7) Parja (8) Bhil, Bheel and (9) Koya.¹⁵

However, so far the Government of India has not come forward to implement the recommendations of the Assam Government to confer the ST status to the above mentioned sub-tribes of the Adivasis. Thus notwithstanding the relentless efforts of the ACA and allied organisations, their longstanding demand for the ST status still remains unrealised.

IV

Since the Adivasis were traditionally involved in the tea garden work as wage labourers, they obviously remained educationally backward. According to a Report for the year 1917-18 the estimated number of children of school going age in Tea Plantations was 1,00,000 out of which not even two per cent of them went to any kind of primary school.¹⁶ Thus while substantiating their backward educational status it was reported that the percentage of school-going children of tea plantation workers was only fourteen which became still lower during the tea plucking season. This was due to the fact that parents traditionally involved their children in garden work as casual labourers instead of sending them to school so as to make additional income. Moreover, the percentage of literacy among the tea garden women is said to be inexplicable. In this context it is surprising to note that a primary school was set up in the gardens of Assam only in 1939 while the Adivasi migration to the tea plantation started as far back as 1814. In view of this, while apprising the Government of India of their deplorable educational condition in a memorandum submitted to the President and Prime Minister of India on 9 September 1978 the ACA leadership lamented :

The reason for lack of education among the Adivasis of Assam are many. The primary education of the children of tea-garden workers is nobody's responsibility. The employers are not interested in the education of workers' children for the obvious reasons. The State Government is yet to take the responsibility. There are primary schools in gardens only in name. The Adivasis in general have not realized the importance of education. Besides, the children who manage to pass primary schools, cannot afford to go to high schools as these are situated away from tea gardens.¹⁷

Thus, the educational backwardness among the members of the community was attributed not just to the parents of children but also to the tea garden management along with the state government for being reluctant to open educational institutions in the tea garden areas. Perhaps the tea managements and government were of the opinion that the opening of educational institutions in such regions would cause unnecessary financial burden in a non-productive sector which might adversely affect their interests in the long run. Furthermore, the demand for the inclusion of the Adivasis at large into the list of Scheduled Tribes seemed to have provisionally overshadowed their demand for academic advancement. Of late, the allied Adivasi associations especially, the AASAA has emerged as the most champion of academic acceleration for the Adivasis which, it is believed, would enable them of asserting, what they called, their 'legitimate rights' for their overall development. Realising it as the most pressing issue in a memorandum dated 17 December 1999 submitted to Jual Oram, the then Union Minister of Tribal Affairs, Government of India, the AASAA leadership strongly pleaded:

No special arrangement has been made for Adivasi students to pursue their education at the primary or higher level. The many destroyed schools in the villages have not been renovated till date. Therefore, the primary and middle schools in the Adivasis concentrated areas be started and school buildings in the Adivasi inhabited areas must be constructed immediately. We demand a college at Teliapara, Gossaigaon sub-division by the Central Government under the University Grants Commission.¹⁸

Thus the AASAA leadership demanded special arrangements not only for primary education for the Adivasi students in their dominated area but also higher education by setting up a Central Government sponsored College under the University Grants Commission at Gossaigaon that would facilitate them to pursue higher education without moving out of their living place. The Government of Assam, however, did not seem to be sympathetic to this demand and as a result it still remains a distant dream.

V

It is beyond doubt that language constitutes one of the fundamental criteria of ethnic identity. So far as the language of Adivasis is concerned, it may be reiterated that the Adivasis are a conglomeration of a host of castes and tribes traditionally having diversity in respect of their respective dialects most of which have already become obsolete. On the other hand, owing to working together as the wage labourers in tea gardens and living together as the marginal cultivators in the neighbouring villages for generations the Adivasis spontaneously evolved a common language (*lingua franca*) which popularly and widely came to be known as 'Sadri' language. A section of Adivasis therefore, desire that 'Sadri' language should be accepted by their people as one of the most effective means of cementing the bond of 'unity in diversity' among the community. For instance, while talking about language in his article titled '*Sadri - The mediator*' Nathan Saymurrn, an Adivasi leader unequivocally opined :

The Adivasi culture is an ancient heritage it has passed unaccountable years of subsistence and survival. Thereby the language has always sided the ineradicable place in the Adivasi culture and community. The 'Sadri' is the common language among the Adivasi. Although the different communities like the Santals, Mundas, Oraons, Kharias etc. have their own respective dialects, yet the 'Sadri' is the medium which unites all in one common stream as Adivasis. Thus, we can say it is unity in diversity'. As the Nagamese is the common dialect among the Naga tribes, so too is the 'Sadri' among the Adivasis ... 'Sadri' has been indefinitely modified and expanded so as to meet cultural demands... and it will remain to meet the cultural, economical, social, educational and political demand.¹⁹

In view of its widespread currency among the Adivasis, the 'Sadri' language is likely to emerge as the *lingua-franca* of the community palatable to all their castes and tribes. In this context, it is worth mentioning that the newly formed PAJHRA²⁰ -a christian religion-based Adivasi organisations has decided 'to promote Sadri as a link language' in addition to the promotion of other tribal dialects of the Adivasis. With the Sadri language emerging as the *lingua-franca* of the commu-

nity, the demand for its official recognition cannot be overlooked in the days to come. Moreover, since it is firmly claimed by a section of the Adivasi elite that the acceptance of the 'Sadri' language would enable the Adivasis to fulfil their socio-cultural and politico-economic aspirations, in all likelihood, the demand for a separate state of a 'Adivasiland' in their dominated area on the basis of a common 'Sadri' language cannot be ruled out.²¹

VI

The Adivasis, like any other community of the state, increasingly felt the need of adequate political representation in the law-making body of the state. They were of the firm conviction that their grievances could not be redressed unless their people were elected to the Assembly as well as the Parliament. The members who had so far been elected to the Assam Legislative Assembly (ALA) representing them, it was pointed out, had got elected by contesting from general seats. What was desired was the reservation of certain Assembly seats in those areas the Adivasis constituted a substantial number of voters. It is however, important to mention that in support of their argument of Assembly seat reservation, the Adivasi leaders tactfully referred to the pre-independence era when the Tea Garden Adivasis were given four Assembly seats to be exclusively represented by them. But in the post-colonial era, it was pointed out that instead of being given more representation, they were being deprived of even whatever little they had prior to independence. Thus while justifying the issue of seat reservation in a joint memorandum submitted to the Prime Minister of India on 6 August 1977, the ACA and ACMS maintained:

The Adivasis (Tea and Ex-Tea Garden Tribes) of Assam are not represented in the State Assembly and in the Parliament In the pre-independence era, the Tea and Ex-Tea garden Adivasis were scheduled as the 'Tea Garden Coolie Tribes' and they were represented by 4 (four) nominated members in the Assam Legislature during the Sadullah Ministry in 1937. The nominated members were (i) P. Paridha (Silchar), Bideshi Pantanti (Doomdooma), Binod Kumar Sarwa (Thakurbari, Darrang) and Bhairab Chandra Das (Jorhat). The above privilege was

withdrawn after independence and still to-day the Adivasis are not being represented in the State Assembly as such. However, those few representing are elected contesting from the general seat... The Adivasis of Assam have never been represented in the Parliament.²²

Such statements have subsequently encouraged the Adivasi students to raise the demand of reservation of Assembly seats for members of their communities. Like the ACA counterparts, the AASAA, despite being out and out a students' forum, was of the opinion that their 'legitimate grievances' would remain unventilated in the floor of law-making bodies unless their representation was ensured by way of seat reservation. This became evident when in a memorandum presented to Jual Oram, the then Union Minister of Tribal Affairs on 17 December 1999 in which the AASAA categorically asserted - "We demand the Gossaigaon Assembly seat be reserved for the Adivasis.²² This demand, however, still lingers.

VII

It is a well known fact that as a fallout of ethnic cleansing policy adopted by the militant section of the Bodos, the Adivasis who inhabited in the proposed territory of Bodoland (now the Bodo Territorial Council) were the worst sufferers. The failure of the state government to protect their life and property forced the Adivasis to seek arms and weapons from the government itself. While divulging such a militant-like perception the AASAA in a memorandum strongly pleaded:

Since the Assam Government cannot provide security to life and property of the Adivasis against the well-armed Bodo militants, the Adivasis of Bodo dominated area must be provided arms and training for self-defence against terrorists as has been done in Jammu and Kashmir.²³

Thus in the wake of escalating violence perpetrated by the militant Bodos as a part of ethnic cleansing policy, the Adivasis felt so apprehensive that they even could not dare to visit Kokrajhar district headquarter in connection with any official business. Therefore, as an alternative step the AASAA leadership demanded the conversion of Gossaigaon Sub-Division into a full-fledged district so that the Adivasis

would not be required to go to Kokrajhar for any official transaction rather they could get everything done in Gossaigaon itself. In addition, the unabated Bodo violence against the Adivasis and the prospect of creating Bodoland eventually made the Adivasis so terrorised that the AASAA threatened the Government of Assam to go to the extent of demanding that "if a separate Bodoland is created why not an 'Adivasiland' for the Adivasis in Assam".²⁴ Of course, it is not much difficult to gauge that the AASAA raised this slogan for 'Adivasiland' as a part of their political strategy to get, what they called 'legitimate demands' fulfilled. Likewise being encouraged by the proliferation of ethnic militant organisations in the state, a section of the Adivasis have not hesitated to float militant outfits like the *Adivasi Cobra Militants of Assam* and the *Birsa Munda Force* to counteract the well-armed Bodo militants so as to ensure their sustainability.

In addition to these, the Adivasi organisations have raised a galaxy of demands in connection with their socio-cultural and economic interests. Prominent among them include -(1) To enhance the daily wage of Tea Workers to Rs. 50 per day (2) To reserve 100% seats in the Tea Garden vacancies for the Adivasis (3) To declare Sunday as a paid holiday (4) To conduct separate census for Adivasis (5) To reserve 15% of seats for the Adivasi candidates in government jobs (6) To reserve seats for the Adivasi students in technical institutions like Medical and Engineering Colleges (7) To set up cultural centres for the socio-cultural development of the Adivasis (8) To declare 'Karam' festival day as a State Holiday (9) To recognise Mangri Mem as the first women martyr of Assam and declare 21 April as Mangri Mem Day (10) To declare 15 November as Birsa Munda national Holiday (11) To declare 15 Mayas the Adivasi Martyr Holiday and (12) To include Sadri language into the Sixth Schedule.²⁵

VIII

From the above discourse it is clear that the Adivasis -a conglomerate of aboriginal Indian Castes and Tribes living in Assam for generations together and serving as the Tea and Ex- Tea Garden Labourer, have persistently been struggling for the assertion of their ge-

neric ethnic identity as a strategy of not only dispelling their backwardness but also asserting their identity. For this purpose, they have floated a number of socio-cultural and socio-political associations under the stewardship of their thriving Adivasi elite who have launched a variety of agitational phases so far with little or no success.

However, what has made the Adivasis most worried is the fact that their counterparts in the places of origin have been enjoying the ST and SC status ever since the enforcement of the Constitution of India while they are still struggling for the same status under the same constitution. The demand for scheduling has, therefore, been the primary concern of the Adivasis in Assam. However, the demand for reservation of Assembly seats is concerned, it is difficult to justify the same because ever since the pre-independence era the Adivasis have increasingly got sufficient number of representatives elected to the ALA. For instance, currently there are more than one dozen members inclusive of ministers representing the Adivasis²⁶ (i.e. Tea and Ex-Tea Garden labourer). It is doubtful whether other single community in the state has this kind of representation. Another serious cause of concern about the community is the inter ethnic conflict between the Adivasis and Bodos which has resulted in incalculable casualty and untold suffering for Adivasis. Apart from these, there are also a lot of allied demands raised by the Adivasi outfits in support of their all round development. However, no spectacular breakthrough has emerged so far.

Notes and References :

1. Anthony Xalxo, an Adivasi in his article entitled: *Flight of the Adivasis in the Tea Land of Assam* described that - "according to E De Meulder, 'Adivasi means Tribal'. Tribals are the aborigines or the indigenous people of a place or country like Red Indians of America, the Metabele of Africa, the Oraons, the Mundas, the Santhals, the Kharias etc. of India who are the original settlers of these lands. And as surely as history bears witness, these tribals or aboriginal of every land have been sidelined, underdeveloped and are far below from the mainstream of the society" (*Jagran, Souvenir, 3rd Adivasi Mahasabha, held at Dibrugarh on 24-26 March 2000*, p. 3).
2. The copy of the *Constitution of Adivasi Council of Assam* adopted in 1968.

3. "The number of labourers recruited for the tea gardens in Assam far exceeded the demand for labour because of which some of the recruited labour started settling in village area of Assam after a brief spell of work in the tea gardens. The section is called the ex-tea garden labour despite the fact that most of them have already passed 2 -3 generations since they left the gardens. They constitute a sizeable section of rural population in the tea growing district of Assam" See 'Umananda Phukan : *The Ex-Tea Garden Labour in Assam* cited in Sebastian Kerotempel & B. Dutta Ray, *The Gardens Labourers of North India*, Shillong 1999 p. 255)
4. The Adivasis are said to have belonged mostly to Christian religion among whom the missionary work started around 1906 under the pioneership of Salvatorian, Father Rudolf Fortaine. On the other hand, the Tea Tribes Organisations are chiefly initiated and popularised among the Hindus of tea garden and non-tea garden workers in Assam
5. It is an all known fact that Tea and Ex- Tea Tribes consist of the people working in the plantation as well as the time expired tea workers. They at large cannot be supposed to be the tribal groups. They may belong to the tribal and non-tribal groups and therefore, their common identity is Tea and Ex- Tea Tribes. On the other hand, the Adivasis are out and out tribal groups but a section of them are working in tea plantation and many of them have already been Ex-Tea garden Workers as well. Thus Tea and Ex- Tea Tribal identity and Adivasi identity are not one and the same in the true sense of the term.
6. Sir Edward Gait: *A History of Assam*, Lawyer's Book stan 1905 p. 342.
7. Sebastian Kerotempel, *The future of the Adivasi Community in Assam and role of Christian Churches*, Sebastian Kerotempel & B. Dutta Ray, op.cit. p. 399.
8. Anthony Nalxo, *Plight of the Adivasis in the Tea Land of Assam*, Jagran, Souvenir of the Third Adivasi Mahasabha held at Dibrugarh on 24-26 March 2000, P. 4.
9. Mention may be made that the original name of the ACA was *the H. Assam Santal, Munda & Oraon Association*. It was rechristened as *the Adivasi Council of Assam* sometime in 1957 at Kokrajhar.
10. Robert Kerketta, *The Adivasis in Assam -Their Past, Present and Future*, See Thomas pullopini (ed.), *Identity of Adivasis in Assam*, Delhi 1999 p. 7.
11. The copy of the Memorandum submitted to the Joint Select Committee of Parliament on SC and ST Order (Amendment) Bill 1967 by the ACA (undated).
12. Prithivi Majhi delivered a speech on the theme: "Indigenous People and Their Relationship to Land" at the 17th Session of the UN Working Group on Indig-

enous Population held in Geneva on 26-30 July 1999- It was published in the *Jagran*, op.cit. p.11.

13. The copy of the Memorandum presented to the President and Prime Minister of India jointly by the ACA and ACMS on 9 September 1978 which was signed by all the then MLAs belonging to the Tea and Ex-Tea Tribes (i.e. Adivasis).
14. The copy of the Report on the Tea Plantation Labour prepared by the Advisory Committee on the Revision of List of ST under the Chairmanship of B.N. Lekor and published on 25 August 1965 New Delhi.
15. The Circular of the Government of Assam (Welfare of Plains Tribes and Backward Classes etc. Department) No. TAD/PT/706/76/124 Dated dispurthe 1stAugust 1977.
16. *Amalendu Guha, Planter Raj to Swaraj : Freedom Struggle and Electoral Politics in Assam 1826- 1947*, New Delhi, 1997, p. 105.
17. The copy of Memorandum submitted to the President and Prime Minister of India, *op. cit.*
18. The copy of Memorandum with a headline "Last Cry for Justice" submitted to Jual Oram, the then Union Minister of Tribal Affairs on 17 December 1999 at New Delhi by the AASAA.
19. *Nathan Saymurm -'Sadri '-The Mediator* appeared in the *Jagran*, Souvenir of the 3rd Adivasi Mahasabha, op.cit. p. 8.
20. Promotion and Advancement of Justice, Harmony and Right of Adivasis (PAJHRA) was conceptualized in November 2001 and formalised on 9th April 2002 as an organisation of the Adivasis of North- East region. The declared mission of the PAJHRA is to empower the members of the Adivasi Community and their institutions by building their capacity and self -esteem and by advocating for their rights while the declared vision is to visualize a self-reliant and confident Adivasi Community with a permanent and legitimate place in North-East India living in harmony with the other tribes and communities (A leaflet published by the PAJHRA undated).
21. It is worth noting that the Government of India has lately given Santa! -a language of Adivasi component along with Bodo, Maithili and Dogra languages - constitutional recognition (2004). The inclusion of Santa! language into the Eighth Schedule of Indian Constitution could invariably be expected to provide a fillip to the Adivasis at large to cultivate and popularise the Sadri -a link language among themselves as a means of asserting their composite Adivasi identity in the days to come.
22. The copy of the Memorandum presented to the Prime Minister of India, all the Union Ministers and all the members of both Houses of Parliament by the ACA and ACMS jointly on 6 August 1977.

23. The copy of Memorandum of AASAA, op.cit.
24. *Ibid.*
25. Reported in *The Dainik Janambhumi* (an Assamese daily) 23 July 2000.
26. The copy of Memorandum of AASAA, op. cit.
27. The name of the Adivasis (i.e. Tea and Ex- Tea Garden Communities) candidates elected to the Assam Legislative Assembly in 2001 general election irrespective of party affiliation are (i) Arkhas Tirkey (Sarupathar) (ii) Bhimananda Tanti (Rangapara) (iii) Dileswar Tanti (Doomdooma) (iv) Dinesh Prasad Gowala (Lakhimpur) (v) Etowa Munda (ringkhong) (vi) Joseph Toppo (Dhekiajuli) (vii) Mithius Tudu (Gossaigaon) (viii) Monilal Gowala (patharkandi) (ix) Prithivi Majhi (Lahowal) (x) Rameshawar Dhanuwar (Digboi) (xi) Rameshwar Teli (Duliajan) (xii) Rupam Kurmi (Mariani) (xiii) Raju Sahu (Chabua). Besides, Paban Singh Ghatowar (Congress -I) got elected as the Member of Parliament from the Dibrugarh Lok Sabha constituency.

Schools of Feminism : An Analysis

Alpana Borgohain

I

Along with the women's movement many theories and perspectives arose which made attempts to describe women's oppression, to explain its causes and consequences, and to prescribe strategies for women's liberation. Feminism took different forms in the course of its development some of which were Liberal Feminism, Marxist Feminism, Radical Feminism, Socialist Feminism, and Psycho-Analytical Feminism. This article makes an attempt to highlight the main principles of these different schools.

II

Liberal Feminism argues that women's liberation will come with equal, legal, political and economic rights i.e., right to vote~ right for political participation, right to enter previously male only occupation, right for education, right to own and transfer property, right to divorce and right for equal opportunity and equality under the law (Rule of law). Men and women they believe have a common, rational autonomous nature and are equally capable of performing the various private and public functions of social life. Laws and customs that segregate men and women into different occupations or enforced sex roles are seen as the problem to be solved. The liberal solution is to repeal such laws and change the customs. In other words Liberal Feminism accepts the public sphere as it is and seeks to bring women into it on the same terms as men. Liberal Feminist like Mary Wollstonecraft tried to equate women with men. She was of the view that provided women share the same education and enjoy the same civil and economic opportunities, she will emulate the virtues of men, i.e., the universal, rational, liberal conception of the self.¹

Liberal Feminism is not against the institution of marriage but

strives to change laws of marriage that subjects wives to their husbands. This type of feminist "concentrates on the reformist, liberal pursuit of widening and consolidating the legal rights of women in the political and economic spheres".²

On the other hand, Marxist Feminists believes that class ultimately better accounts for women's status and functions. Under Capitalism, they say, bourgeois women will not experience the same kind of oppression as proletarian women. They invite every woman, irrespective of the economic class to which she belongs, to understand women's oppression not so much as the intentional actions of individuals but as the product of the political, social and economic structures associated with capitalism.³ They argue that capital is the primary oppressor of women as workers and that men are only secondary oppressors. They are primarily concerned with women's work related issues and neglect sex related ones. They urge women to enter public industry, press for the full socialization of housework and childcare, and demand equalization of wages to attain equality between the genders.⁴ Marxist feminists stress that the elimination of capitalism and destruction of the family is truly necessary for women's liberation. The key questions raised by them are: Can women form a distinct class? How far is Capitalism structured by patriarchy? They extend the Marxist concept of production to include reproduction, household labour and child-care and highlighted sexual divisions as well as women's unequal status at work (reserve army of labour).

For Radical feminists men and patriarchy are the main causes of the oppression of women. They tend to view patriarchy as universal and provides a detailed gender analysis of who will fill which places under patriarchy. So long as every avenue of power is in male hands, women will either be confined to the home or relegated to the least prestigious and most poorly paid types of work. Catherine Mackinnon suggests that only Radical Feminism is feminism because it is post-Marxist. In opposition to a Marxist focus on production, Cultural and Radical Feminists focussed on reproduction, mothering and sexuality. Radical theorists take the view that, sexuality, specifically male violence is the cause of women's oppression, which is condoned by the institutionalization

of compulsory heterosexuality. This trend of feminism originated from Simone de Beauvoir's premise that women are originally homosexual, to propose that lesbianism can be part of any women's cultural if not physical experience.⁵ They are against all forms of gendered stereotyping of women's role, status and sexuality. Radical Feminists accept the practical objectives of the Liberal Feminists; they regard them as an essential first step towards true sexual equality and justice. While Radical Feminists do not agree among themselves in every descriptive or prescriptive detail, any more than Liberal Feminists do, they do share the view that the source of women's oppression lies in various social structures, institutions and processes ranging from education to heterosexuality, to marriage, to child-birth and child-rearing. According to Keith Burgess Jackson:

The Radical approach will have little use for reform of the existing system, to a radical, this would be merely futile enabling a few women to get ahead by adopting male values but doing nothing for the mass of women whose natures have been systematically thwarted. What is required is a radical change in the whole framework of society's attitudes to the relations between the sexes.⁶

Radical Feminists question the liberal distinction between public and private, insisting that all aspects of human life, even those that occur "behind closed doors", be evaluated in terms of whether they support or undermine the existing inequitable social framework. Radical Feminists do not accept the attitudes, values and beliefs that they find in society, for these phenomena are the result of oppressive social structures and processes. In other words, inequality may be institutionalized and therefore invisible. To the Radical Feminist mind every practice, institution, law and person is tainted by sexism, which pervades society. Liberal Feminists are content with equal opportunity under the law and equal access to the main benefits of social life whereas Radical Feminists view the society as permeated by sexism, distorted by power relation and labouring under the weight of centuries of oppression, equal opportunity under the law is held to be insufficient which fails to rectify women's real situation. Radical Feminists want to change attitudes as well as laws, values as well as customs, beliefs as well as behaviour. In

other words they want to get at the root of women's oppression, thereby killing its toxic fruit.

Like the Radical feminists, Psycho-analytical feminists also give a full gender analysis of superior-subordinate status that exists between men and women. Psychoanalytical feminists attribute this to the ways in which men's and women's gender identities and behaviour are constructed deep in the psyches which is little affected by revolutionary activities in the economic and political spheres. Carol Gilligan appealed for listening 'to a different voice' which was not inherently inferior because it was a woman's voice. Gilligan argued that women tend to have a morality different from men, which is more relational and focussed around an 'ethic of care'.⁷ Women tend to give more importance to people's wants, needs, interests and aspirations. Women tend to see the self as an interdependent being whose identity depend on others. As a result, women unlike men become connected subjects, subjects constituted by and through their links to others.⁸

Socialist feminism is another school of feminism, which is largely the result of Marxist feminists dissatisfaction with the gender-blind character of Marxist thought. It is a reaction to the Marxist tendency to dismiss women's oppression as not merely as important as worker's oppression. It is critical of both capitalism and Marxism. Socialist feminists observed that Marxist analysis gives no clues about why capitalism subordinated women to men in public and private places. To overcome the limits of traditional Marxist feminism, Radical feminism and of Psycho-analytical feminism, Socialist feminists have developed two different approaches -Dual systems theory and Unified systems theory - aimed at providing a complete explanation of women's oppression in different ways.⁹ The Dual Systems theorists postulated that to understand women's oppression, both patriarchy and capitalism must be analyzed first as separate phenomena and then as phenomena that dialectically relate to each other. In contrast, the Unified Systems theorists attempt to analyze capitalism and patriarchy together through the use of one conceptual lens. According to them, capitalism is not separate from patriarchy.

The above-mentioned forms of feminism, are oversimplified de-

scriptions of a rich and complex body of literature, which reflect important theoretical, political and social cleavages among women. These cleavages and divisions have been increasing and multiplying in recent times and the subject of feminism has become increasingly difficult to define.

Notes and References:

1. Tomaselli, Sylvana(ed) *A Vindication of the Rights of Women* by Wollstonecraft, Mary, Cambridge University Press, Cambridge, 1995, p.68f
2. Jackson, Keith Burgess, John Stuart Mill, *Radical Feminist*, in *Social Theory and Practice*, vol. 21, No.3, Fall, 1995.
3. Tong, Rose Marie, *Feminist Thought*, Routledge, London, 1995, p.39.
4. *ibid.*, pp.54f
5. Beauvoir, Simone de, *The Second Sex*, Vintage, UK, 1953, p.23.
6. Jackson, *loc. cit.*
7. Tong, *op. cit.*, p.162.
8. Heckman, Susan, *The Embodiment of the Subject : Feminism and the Communitarian Critique of Liberalism*, in the *Journal of Politics*, Vol. 54, No. 4, November, 1992, p. 1100.
9. Tong, *op. cit.*, p. 175.

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Editor