Power and social action

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WITH predictable monotony, 1995 presents the standard narrative of the growth of power and servility for a future historian of contemporary India.

A High Court judge delays the hearing of a writ petition in such a way that a mega marriage celebration in Madras consummates the impotence of the jurisprudence of accountability for power.

Bombay's *El Supremo* continues with impunity to reduce to rubble the Indian Constitution's vaunted guarantee of freedom of press and expression, while bowing reluctantly to the Supreme Court in an effete apology for contempt. Thus not merely does contempt stand 'purged' but, through such rituals, the political processes in India stand purged of the very idea of truth, even in anaemic versions of political correctness.

Salman Rushdie's new work stands exiled because by giving a pet dog a good name he inaugurates yet another chapter in India's exuberant canine jurisprudence, and offends the sycophantic sensibility of some of the arch-liquidators of Nehru's vision of secularism and socialism.

As usual, the great dinosaurs of Indian politics keep the brightest and the best of India's mediapersons overly occupied for weeks on end in, for example, the Kesughela affair (to combine the names of two of the most recent saviours of Mohandas Gandhi's Gujarat) and celebrate with wicked perplexity the birth of the Great Indian Faction even at the heart of India's most 'disciplined' political party. The rise and fall of Mayawati was an intensely discursive field towards the end of the year, as was the birth of Arjun Singh's breakaway group at the beginning of the year, with no momentous impact on the tortured faces of the victims, whether of Bhopal or Uttarakhand.

Politics as theatre yet again grandstands the politics of the people, for the people and by the people. Thus, we hear the learned finance minister announce a ten per cent growth rate for next year and the learned prime minister tell the economic forum that he wishes deregulated development and economic liberalization with a 'human face'. Enough unto the day, as the scriptures say, is the evil thereof!

Institutionally, a large number of things begin to happen. In a curious judgment, the Supreme Court reduces the role of the Chief Election Commissioner to just one voice among many. The fact that the short run impact of the decision has been to bring a momentary cohesion (as the EC's decisions on Kashmir and joint elections for Parliament and state legislatures illustrates) does not diminish from the long-term dilution of the constitutional autonomy of that office. The Supreme Court would be the first to reject a similar depletion of 'Chief' in the title 'Chief Justice of India'. In addition, Indian voters may not be as exceptionally lucky as now, when two election commissioners appointed by the executive have shown their mettle, that it is being rumoured the Government of India may appeal to the Supreme Court against their decision to hold Lok Sabha and Assembly polls concurrently.

Similarly, the scramble for opening up India (a phrase that conveys the full violence of the many acts of sycophancy...
which naturally bewilders foreign investors) seems to have introduced in political rhetoric a degree of amnesia concerning the principles and practices of Indian federalism. On the one hand, chief ministers can visit the Land of Liberty to woo foreign investors (sometimes with supreme disregard for their fluctuating political fortunes at home, as the Kesughela affair so vividly illustrated); on the other hand, the union finance minister sees no impropriety in commenting adversely before the same community on a state government’s cancellation (however temporary) of the Enron deal. Obviously, the khushamad of the foreign investor is of far greater importance to the Indian democratic future than democratic civility among political actors within national frontiers.

A creeping Hinduization of the principle of collective responsibility for governance has also been in progress. From a vision of a mai-baap-sarkar of the seventies and eighties, when the principle of collective responsibility signified that the head of government would act as a self-appointed ombudsman for the grievances of her own people against her own people (that is of the masses against bureaucratic and political classes) we have moved to a configuration of party politics and governance where the leader (the prime minister, chief minister, president of the party) becomes the karta—the paterfamilias—of the cabinet, the party, and the entire nation, in a sense, becomes a giant coparcenary.

The ministers, within their appointed sphere, may do what they think is right unless the prime minister wishes to decide that it is wrong! And so great is his power to discipline and punish that he acts as a mukhya reviewing, in his good time, the actions of his cabinet colleagues, occasionally sitting in adjudication. Thus, his colleague Sukh Ram is now summoned and his papers on the controversial telecom deal are subpoenaed by the PMO as if government decisions are individualized decisions, without a trace of collective responsibility. And a minister who belatedly attempted to combat the allegedly ‘spiritual’ pollution of governance by godperson ‘Chandraswamy’ is sent off to another ministry where he, with equal zeal, has vowed to rid Delhi of carbon monoxide pollution by focusing, appropriately, on government vehicles and public transport.

It is pointless, though entertaining, to multiply examples. Barraging the short era of Lal Bahadur Shastri, the managers of the Indian people have only paid lip service to the principles of collective responsibility, the Nehru period having sown the seeds for this. But in India the techniques of green revolution politics have now reached a peak, where the prime minister surprisingly emerges as an adjudicator of his own colleagues’ action, both as the leader of the party and the nation. Though not in terms of rescuing Indian universities from an unmitigated resource catastrophe, at least in this he acts as a benefactor of knowledge, providing fertile grounds of research in the arid zone of Indian political science studies!

In the age of globalization, it is fitting that politicians learn new principles of management. A new principle of politics has emerged in India: this is the art and science of damage-limitation, the operative principle for the craft of politics today. Crudely stated, this principle allows the practice of power to unleash social and political damage (as in the archetypal situations of Bhopal or Ayodhya) but does not let the victims of such damage affect the power of the political leadership in the short-term or their divine right to rule in the long-term. Damage limitation persuades the victims and bystanders—and sometimes even the activists—that victimization is natural and unrelated to the acts or omissions of those in power. Thus, it is only natural that victims bear the cost while absolving politics and politicians from any social or moral responsibility.

The erasure of the distinction between ‘natural’ and man-made catastrophes, is the main contribution of this new form of Indian politics. If catastrophes occur, power can only watch helplessly and then do its best to contain the consequences. But they have to be contained in a way that the truth of political causation of mass violation of human rights or victimage does not emerge even in the political unconscious of the victims (and hopefully of their next of kin, including the activists). We have completed eleven years of virtually unredressed carnage against the Sikhs in Delhi and elsewhere in 1984; also eleven years of untold, unbearable agony, deprivation and destitution of the countless victims of the Bhopal gas tragedy; the victims of the cruel carnage in the wake of the Babri Masjid’s deliberate wreckage by vandals—have been all but forgotten. Similarly, despite the 1986 legislation providing swift and deterrent punishment for atrocities against the scheduled castes and tribes and the national ‘dedication’ to this cause, celebrated for two whole years as Ambedkar’s centenary, atrocities continue with impunity. Indeed, impunity is the keyword of damage limitation politics, rendering the establishment of the National Human Rights Commission merely an aspect of its arsenal.

No longer an art and science of serving the common good and public interest, politics in India; at all levels and in all formations of parties, has been reduced to the dialectic of causation of a willful violation of peoples’ rights on the one hand and a resolute disavowal of any political or social responsibility by the very practitioners of politics, which now appears increasingly as a form of modern witchcraft on the other. The modes of information technology are used only in ways which exacerbate impunity, sublimating inherently anti-people politics into visages of democratic governance.

Politics as damage limitation also has a bearing on the de-institutionalization of civil services, aggravated by the unfamiliarity of political masters with the English language to a degree that they treat public servants merely as servants. Should civil servants articulate the pernicious of political power while in active service or should they quit it and become superannuated activists to do so? Some of the civil service heroes of yesteryears—
Appu, Badrinath Chaturvedi, T.N. Chaturvedi and M.N. Buch, to name a few—who opposed power where necessary by sacrificing their service and wellbeing—are now very critical of a Kiran Bedi, a Khairnar or an Alphonse. The earlier heroes, or at least some of them, still proselytize the distinction between ‘civil service’ and ‘politics’, a tradition of firmly locking skeletons in the cupboard, and the virtues of living on with a British (although mostly vegetarian) stiff upper lip. The younger heroes wish to fight from within, but in the full glow of national and international media publicity. The current anguished discourse among the custodians of the civil service tradition and the perceived inaugurators of an activist civil service tradition, is really a discourse on the ethic of the new form of politics as damage limitation.

In the seventies, Jai Prakash Narayan questioned whether civil servants—including the police, paramilitary and even the armed forces—owe such an allegiance to their masters as to obey even manifestly illegal and unjust orders. Is such ‘obedience’ ever justified? Since then the question has become even more acute and pressing both because of the expose of corruption and the exercise of power as a planned forfeiture of basic human rights, including the right to life, of thousands of Indians. The activist tradition of civil service confronts (together with many retired civil servants, using their carnal knowledge concerning state power, now working overtime as ‘superannuated’ activists) the political managers of the Indian people with a powerful challenge to politics as ‘damage limitation’.

One result of the emergence of the politics of governmentality as damage limitation is the phenomenal growth of the community of bystanders, citizens of the comfortable middle classes (conceptualized by the managers of globalization as merely huge markets for the dumping of multinational goods and services). These bystanders prevent the growth of an active citizenry by their Yudhishtriic stance, with an agnosticism which cannot really decide which side they should take in the momentous struggles of the day. They remain, in the withering phrase of Marx and Engels, on-the-one-hand and on-the-other-hand type of intellectuals—whether organic or erudite (Gramsci) or specific or universal (Foucault), allowing politics, as interested damage limitation form of power, to flourish.

The bystander typically does not know enough about anything to form a political judgment as a basis for concerted citizen action in public interest. S/he does not know or care enough to know, enough about the victims of power. Bhopal seems never to have happened. The same might be said about paramilitary and political excesses and perhaps of all sustainable modes of immiseration of the impoverished Indian masses. For the bystander, a little knowledge is a dangerous thing; and there is never enough leisure from the ‘care of the self’ to pursue knowledge sufficient to spur engagement to social action.

With the growth of the ‘community’ of bystanders, activism also suffers more challenges than should be written in its zodiac. Human rights activism is insufficient to provoke the growth of fresh and ever-widening rights-constituencies. The erosion of community interest in narratives of gross, massive, flagrant and ongoing violations of human rights, presents human rights communities with an almost insurmountable challenge: that of archiving, constructing, promoting and protecting a public memory, a loyalty and a stake in the value of human dignity and the struggle to arrest the arrogance of power. ‘Bystanderism’ thus promotes a culture of complacency with power and becomes a natural ally of politics as the art and science of damage limitation. Small wonder then that the rate of narcissism, bloodletting and attrition to the maximal advantage of anti-people practices of Indian politics, within and among human rights movements, escalates in this configuration.

Some might say, and not without justification, that human rights activism can, and ought, never possess the virtues of coherence that political power, in the last instance, may be said to possess. Activism is by nature diasporic but power aggregates and is self-augmenting, with a tendency towards its own totalization. By the same token, activism cannot become counter-power without its own aggregative, though not integrative, tendencies. While welcome contemporaneously, activism which pursues the nooks and crannies of power in isolated instances cannot amass the historic strength to summon society-wide interrogation as a prelude to transformation. It may, however paradoxically, create the ground for structural transformation congenial to the play of power by political elites.

Thus it came to pass that the victory over the Terrorist and Disruptive Activities Act (TADA) did not come in the context of minorities, the aged and trade unionists victimized by its indiscriminate application, but for a Bollywood superstar, the injustice whose detention seared the consciences of political elites and bystanders in ways which never evoked empathy for the underclass victims of the TADA. The sardonic co-optation of human rights causes and movements is a feature of contemporary Indian state formation. Though by no means unique to India, it needs to be made more legible for the Indian masses, especially now, in an era when democracies have become arenas for making the world safe for multinational capital and technology.

It in this context that one appreciates the historic role of the environmental, consumer and women’s rights movements and their struggle to harness the adjudicatory power of the modern Indian state against itself. They also respond to the major concerns in international civil society, which equips them with a common language of solidarity and difference, of struggle and accommodation, of networking strategic alliances and preserving fragments of autonomy, within both the national and international contexts. Furnishing some of the best possible examples of globalization from below, the Indian movements present
the only major prospect there is for the re-democratization of India in the coming decade.

These movements remain conflicted not just with the structure of power—in state and civil society—but with themselves and within themselves. Pluralism teaches us that this is how it all ought to be, but the history of state power also shows how it can ambush activism, deflect, disorient and disorganize it towards its not so hidden agenda. Nearly two decades after the Mathura outrage, the Bhanwari Devi rape case shows the same unmitigated face of the phallocentric nature of adjudicatory state power in India, which tamely accepts such outrageous behaviour. In spite of the tons of paper consumed in social action litigation on environmental matters, the big business and the dam lobbies (as well as the nuclear formations) remain free to pursue their right to pollute and degrade the environment. And the consumer movement now does not quite know which way to turn in the face of the massive onslaughts of liberalization Indian-style which, in essence, now reprivatizes the Indian state.

To paint this picture is not to undervalue the many achievements of peoples’ struggles and the remarkable renaissance of judicial power and process which has made the Supreme Court of India, at long last, into a Supreme Court for Indians. In fact, it is the partnership of the judiciary and the people which has promoted a distinctive Indian vision of justice, for it is in the agony of power that the promise of justice ultimately dwells. But there are limits to this engagement, arising from two sources.

First, the judiciary is at all times constrained by the fact of it being a representation, in the last instance, of the power of the state. History shows, particularly in times of ‘crisis’, that in the management of state power it is ultimately the peoples’ rights that are eclipsed. This is a fact to be bemoaned but also to be sadly accepted as an aspect of judicial activism.

Second, the limits of effective judicial activism need to be appreciated especially when the response of politics is its own transformation, as a damage-creating as well as damage-restricting enterprise, now placed at the long-term service of multinational capital.

Symbolic of this tendency is the contrast between the handling of the Vasudevan and the Union Carbide affairs. Chief Secretary Vasudevan of Karnataka was incarcerated for about a month by the Supreme Court. In contrast, the Union Carbide Corporation, despite the cancelation of the shameful immunity granted it by the infamous Bhopal settlement, now escapes criminal trial in India by enjoying the status of an ‘absconder’. At the same time it is seeking to persuade the Supreme Court to reverse the attachment order on its property passed by the criminal court at Bhopal for its non-submission through the indirect device of a trust led by one Sir Ian Percival! The contempt jurisdiction does not extend to Union Carbide, which continues to appear before the Supreme Court in some sort of balsamic proceedings! Nor does it seem to extend to the union government for its obscene failure so far to routinely follow up the request for extradition of Warren Anderson and the current management of the Union Carbide. Clearly, the Indian government is duty-bound to activate all processes of enforcement of judicial orders and its privilege to take some time to process requests for extradition. But this should not be converted into an engagement with infinity!

How social action movements conceptualize globalization as a new terrain of struggle without jeopardizing their collective energies to combat the local at the same time – even if that is emerging swiftly as a ghoru of the global – is the issue before peoples’ politics in the latter half of the nineties. In an anguished consideration of this problematic lies the prospect of the recovery of democracy in India.

In order to regenerate authentic social activism in India, we need to overcome our libidinal fears and anxieties that any full-throated discussion or critique of our activism, will only aid and abet the Indian state in its active promotion of a politics as catastrophe-creation and management and its legitimization component – in short, the inflation of bystanderism in Indian society. The comfort that the Indian state may derive out of such an activist introspection will be truly short-lived compared with the India-wide dialogue on the future of activism’s own structures of engagement and postponement. Activism can no longer be in today’s India a structure of postponement with the globalization/recolonization of India. For that will truly mock the legitimacy of its own structure of engagement.