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# Note from the Editor

Amiya P. Sen

The current issue of *Summerhill* was born amidst a crisis, the likes of which humanity has not witnessed in over a hundred years. In India, while the educated and affluent may grudge the self-imposed isolation or the enforced captivity induced by the Covid-19 pandemic, many more are still waging a courageous battle fighting hunger, humiliation and harassment, often for reasons that could have been mitigated or better controlled with greater planning and preparedness. It would take us a considerable time and a radical re-orientation, I imagine, to get used to the new notions of what constitutes the 'normal'. Even as the country was reeling under the effects of the pandemic, there arrived the Amphan with all its fury and which virtually wiped out several human settlements in West Bengal and Bangladesh. This brings to mind the old Indian saying that disasters never arrive alone! Also, it is somewhat ironical that human greed apart, nature too should wantonly take its greatest toll on the poor and the vulnerable.

Thanks to our enthusiastic contributors and the concerned department of the IAS, the publication of the bi-annual *Summerhill* has now assumed some predictable regularity. It has always been our endeavour to bring out the issues on time and hopefully, we will further improve upon this notwithstanding any constraints.

The Editorial team has been overwhelmed with the response from our contributors, most of whom are young scholars attached to various educational institutions spread across the country. For this issue alone, I have

had to turn down nearly as many scholars as those whose contributions could be included. This is mostly on account of constraints of size and space and the fact that many contributions reach us rather belatedly, too close to the deadline and even beyond. Though we will continue to operate on a first-come-first-served basis, it will also be our intention to extend the length of each issue so as to accommodate more contributions than we have been hitherto able to. The Book Review section suffers from relative neglect and as editor I would certainly encourage and invite more reviews.

This is occasion for me to also recall with gratitude, the collegial help and guidance that I received in the past year from my co-editor, Prof. Ramesh Chandra Pradhan. Prof. Pradhan no longer serves the editorial Board of *Summerhill*, having completed his tenure of Fellowship at the IAS.

This issue includes 10 research articles in all and two Book Reviews. Predictably, the sheer variety of subjects covered in the articles is staggering: ranging from anthropology to environmental management, literary history, human rights issues, migration, Buddhist knowledge systems, Gandhian thought, vexed questions in ethics and philosophy and the much debated issue of tolerance and religious pluralism. I have enjoyed reading through these articles and so, I trust, will our readers. In the editorial team, we would welcome any comments or suggestions that will help us to qualitatively improve our enterprise.

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# An Archetype of the Buddhist Academic Culture: Nālandā Mahāvihāra

Prof. (Dr) Anand Singh\*

Buddhism, as a monastic institution advanced inimitable educational ethics based on *śramanic* tradition. It created a plethora of knowledge in the field of *abhidhamma*, epistemology, metaphysics and other disciplines. For any sacred region, the specific features are essential and interrelated with the life pattern of numerous communities of that sacred complex. The primary qualification is that religious beliefs and practices influence the natural environment, sacred complex, and spatial characteristics.<sup>1</sup> The characteristic of a sacred complex consists of a specific regional zone that incorporates all the propensities associated with the land. Sacred sites are frequently confronted with accompanying issues of ownership, maintenance and access to this site as well as its sacred identification. The stakes are high when the local population and the faithful develop trust that specific territory belongs to them.<sup>2</sup> The *Mahāvihāra* tradition, otherwise known as Buddhist universities, first began in the Nālandā monastic complex in the early centuries of the common era. In this scholastic tradition, the Buddhist as also the curriculum of other disciplines were also taught. This represented a cosmopolitan approach in which people from different faiths, from different parts of the world could come, reside, and embrace a variety of knowledge but with their respective specialties. It was the first kind of model which promoted education among global citizens. What were the factors that led to the emergence of such types of institutions? Emergence and dominance of *śramanic* ideology, the parallel development of Brāhmanical Schools of philosophy, regular exchanges of knowledge necessitated a platform where free-thinking could be encouraged. It was also situated in a politically important area and hence, many kings patronized the institution for

the sake of acquiring knowledge. Nālandā Mahāvihāra was situated in a region represented by a wide variety of religious beliefs and cultures including Buddhism, Jainism, Ājivaka, and Brāhmanism: Such multiplicity of religious beliefs and cultures created in this region the space for mingling of cultures and a fertile ground for monks, nuns, and scholars to develop their own beliefs and values. Religious and ethical edification allowed them to explore India's other religions and views, which were independent of their own holy credence. The religious ideas and ethical education aroused ethical attitudes in different sections of society. It helped in thwarting predisposition and intolerance as people now viewed issues like sectarianism and discrimination more broadly and liberally. Such examples could be abundantly found in scholarly disputations among the scholars of the different sects and religions in the Nālandā and other Mahāvihāras. This type of compassionate attitude in academic curriculum was imaginable and appropriate. Buddhism taught us how humanitarian ethics could be universalized through the teachings of the Buddha. Settling moral dilemmas in the monastic and general context have a limited chance of cultivating an enduring and fruitful educational outcome because dilemmas are typically constructed by arbitrarily ruling out meaningful options. Therefore, the investigation into moral themes had to be amalgamated by the exploration of choices through philosophical inquiry and ethical values. However, ethical inquiry does not materialize by itself, but something-desirable opportunities have to be delivered for that to happen. Settling instant ethical dilemmas is not the goal of monastic moral inquiry; the initial concern is to conduct ourselves with respect to these matters. Therefore, the aim of this scholastic tradition was to encourage people to engage in ethical inquiry in the monasteries with genuine ethical concerns. In this respect, Nālandā has been the precursor of other Buddhist universities in India and the world and its contribution could be rightly said as the 'Nālandā Culture'.

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### Formation of the 'Nālandā Culture'

In the early phase of the Buddhism, monasteries in Nālandā like others were engaged in the training of novices and inculcating the Buddhist ideals through internalization of monastic training. The purpose was to acquire the knowledge of basic tenets and adopt the heuristics of memorization to be an erudite monk. Such hermeneutical practices facilitated the dual responsibilities assigned to the monks by the Buddha. The first aim was to remove the impurities from mind through meditation and be an *Arahant*. The other purpose was to spread the message of the Buddha by wandering for the benefit and welfare of all (*Charathbhikkhavecharikam, Bahujanhitaya Bahujansukhaya, athayahitayadevamanussanam; Desethabhikkhavedhammamadikalayanampariyosanam-kalyanamsatthasabbajanam, parisuddha brahmacharyam pakasitam* II).<sup>3</sup> The methodology to learn the *Dhamma* has three important elements: *pariyatti* i.e. accomplishment of the *Dhamma* and *Vinaya* with the help of the canons and elders,<sup>4</sup> *patipatti* i.e. the practice of *Dhamma*, as opposed to mere theoretical knowledge,<sup>5</sup> *pativedha*, i.e. experiential learning to extinguish defilement and releasing the mind from all sufferings. Taken together, they signify realization of the truth of the *Dhamma*.<sup>6</sup> The Pāli canons were the sources of monastic education and training, which includes texts remembered for instructional purposes as well as for performative actions. The knowledge of normative monastic ethics was grounded in action-oriented pedagogy, i.e. learning, experiencing and communication.<sup>7</sup> *Theravāda* practices were embedded with two different types of canons — formal and practical. The first category deals with teachings and rules mentioned in *tipitikas* that is not practically taught in monastic training, but it represents the ultimate authority and reference to guide and interpret the rules and practices. The practical canons like *tikās* explaining the rituals were used to train the monks for the writing of manuscripts, memorizing the texts and preaching.<sup>8</sup> The foundation of the Buddhist academic landscape in Nālandā was strengthened by frequent visits of the Buddha and delivery of some of his important *suttas*. The Nālandā sacred zone also got prominence due to the birth and residence of some of the erudite scholar-monks such as Mahākassapa, Sariputta and Mahāmoggallāna. Mahākassapa's erudition was respected by the Buddha himself, who praised his ability to attain *jhāna* and delivering the true content of the *suttas*.<sup>9</sup> Despite the Buddha's request to live with him, Mahākassapa always lived an austere life, residing in forest, subsisting on alms, wearing rag-*cīvaras*, and staying aloof from the society. He always said that his exemplary life would set example for other monks.<sup>10</sup> Sāriputta's monkhood might have helped him to develop 'Nālandā

Culture'. He was a disciple of Saṅjaya Vellathiputta and became a convert on hearing the *Buddhavacana* from Asaji. Then he requested Saṅjaya to visit the Buddha, but he declined.<sup>11</sup> He was a strict disciplinarian and irritated with those monks who had deviated from the rules. He showed his unhappiness with the monks of Kosāmbī and Devadatta.<sup>12</sup> He never deviated from the path declared by the Buddha. Even in dire need and sickness, he sought permission from the Buddha to diverge from *samgha* practices.<sup>13</sup> Though the tradition of debate was not established in the *samgha*, Sariputta was known for questioning the monks and arguing some vital points. His debate with Upavana and Ananda is well known.<sup>14</sup> Mogallāna was another great disciple of the Buddha who was born and lived here. He was converted by Sariputta and declared as one of the chief monks of the Order. The Buddha sent him to preach even in his own community of the Śākyans.<sup>15</sup> His death shows incidents of mutual jealousy and violent practices prevalent among various religious sects. It is said that Mogallāna used to declare that the followers of the Buddha always attained heaven and others would face perilous conditions. The heretics conspired to kill him and hired criminals. Once, when he was meditating in Kālaśīla, the brigands caught him and brutally crushed his bones. However, he regained consciousness due to his *siddhi*, went to the Buddha to pay homage and died.<sup>16</sup> Though metaphysics and logic were still not part of Buddhism but occasional occurrence of the term *tākika* (*tārīkika*) shows existence of *Dhamma* debaters.<sup>17</sup> All three erudite monks and many more of this sacred zone could be said as a precursor of tradition, which lasted for more than thousand years. The inference of their metaphysical and philosophical assumptions could be traced in Pāli literature. The terms *viññāna* or consciousness was explained in six categories, i.e. *cakkuviññāna* (seeing), *sotaviññāna* (listening), *ghanaviññāna* (sense of smell), *jīvahaviññāna* (taste), *kāyaviññāna* and *manoviññāna* (intellect).<sup>18</sup> The *Vinaya Pitaka* mentions disputes and its settlement (*adhikaranas*) in debates. These rules were fixed to regulate monastic codes and its scope might be expanded when metaphysical and epistemological traditions developed in Magadha, especially in Nālandā. These four kinds of *adhikaranas* are: *vivāda-adhikarana* (solve disputes and differences), *anuvāda-adhikarana* (violation of rule of virtues), *apatta-adhikarana* (when transgression of *Vinaya* rules by monks), and *kicca-adhikarana* (procedure of ecclesiastical rules).<sup>19</sup> In all respects, scholastic traditions started in the period of Aśoka. The *Kathāvattthupakarāṇa* written by MoggalliputtaTissa in the age of Aśoka discusses rules used in logic. These words are: *anuyoga* (inquiry), *āharana* (illustration), *patina* (proposition), *upanaya* (application of reason), and *niggaha* (defeat).<sup>20</sup> Such public disputations were not popular, but eminent monks and

their disciples were engaged in establishing superiority of their own sects. Aśoka himself inquired and cajoled the monks of KukkuṭārāmaVihāra into testing their acumen. It indicates that this kind of discipline existed but was still not popularized.

### Beginning of the Scholastic Tradition

The radical changes accentuated *Dhammic* interpretations and practices with the beginning of the common era, which made aloofness from the Theravāda ideals of personal salvation and suggested universal compassion for every life. The metaphysical view shifted from pluralism to *śūnyatā* which actually did not deny the reality of the empirical world absolutely but accepts that the ultimate reality was not ultimate one.<sup>21</sup> With the emergence of four schools of philosophy in Buddhism, i.e. Vaibhaśikas, Sautrāntika, Mādhyamika and Yogācāra, the learning of metaphysics and logic underwent an immense development. The adherents found it suitable to defend their ideas through logic and counter the opponents to the same way. In this phase, hermeneutics was the method of organized understanding and interpretation of particular philosophical point of view. It was reflective interpretative practices to learn the content and context of texts for explanation and disputation. The actual ascendancy of this tradition started with Nāgārjuna (2nd century CE) who came from south India and became patron of Nālandā Mahāvihāra. He expounded *śūnyatā* in his famous work the *Mādhyamika-kārika* posited two kinds of truths — the conditional (*saṃvṛiti*) and the transcendental (*paramārtha*). He also criticized Akṣapāda's theory of *pramāṇa* (evidence).<sup>22</sup> Nevertheless, some scholars found the doctrine of Mādhyamika school drift into a depressing nihilism. Asaṅga (5th century CE), the founder of Yogācāra school, endeavoured to overcome these tendencies while enduring allegiance to the spirit of Nāgārjuna's doctrine through a variety of *upāya* or methods.<sup>23</sup> Vasubandhu refined syllogistic logic by differentiating the procedure for reaching inferences informal debate (five steps) from the process in personal thought (three steps). He wrote several śāstras arguing that all visible outside substances are only mental illustrations. He was the author of the *Abhidharmakośa*, a codification of *Sarvāstivāda* doctrine.<sup>24</sup>

Dignāga (5th century CE) was a scholar of great repute and a founder of Indian logic. He was the author of the *Pramāṇa-samuccaya* in which he gave a new definition of perception arguing that knowledge was free from all conceptual constructions, including name and class and that only pure sensation can be considered as perception. In his theory of inference, he distinguished between inference for oneself and inference for the other and laid

down three criteria of a valid reasons (*hetu*). Dignāga's tradition was further developed in the 7th century by Dharmakīrti. He propounded that inference and direct perception were the only valid types of knowledge in the *Prāmaṇa-vārtika*. He accepted that the object of inference, whether analytical or synthetic, was the universal (*sāmānyalakṣaṇa*). Dharmakīrti endorsed that every person was a momentary being a prolongation of moments, compiled by imaginative and discriminative thoughts. The great philosophical tradition started by Nāgārjuna was almost complete by the time Dharmakīrti.<sup>25</sup> By this time 'Nālandā Culture' reached the zenith of its glory.

The teachers of Nālandā as deliverers of knowledge, as disciplinary or epistemic authority, as stimulus or even as generator of knowledge had a vital role in the traditional educational set up and surroundings. They worked to guide the novices towards self-facilitation where each member of the academic community could enjoy some involvement with knowledge institutions and nurture the process of self-development as a whole. Also, the teacher refurbished the skills of the student as a whole or the theoretical structure of the argument that the student was involved with. Since this attempt at clarification of thought and generation of new ideas out of skirmishes and dialogues was a non-linear process, it is also accompanied by splitting views, recursion, emergence of some random and extraneous materials, and the occurrence of some communicative commotion.

The motive and method of imparting knowledge at Nālandā Mahāvihāra were to inculcate pragmatic education comprising of both the sacred and profane aspects. The theoretical ideas were introduced to strengthen the foundations of knowledge and then experimental stages were told to practice. Education as comprehended and delivered by the custodians and *panditas* of Nālandā was aimed at all-round development, including intellectual, moral, spiritual and aesthetic values.<sup>26</sup> Inside the Mahāvihāra, monks and nuns were trained to live a highly moral and spiritual life according to the precepts laid down by the Buddha. Outside of the Mahāvihāra, it called upon to lead a successful and prosperous life in the society and, at times, to prepare themselves to be intellectually acclaimed and erudite. I-ching informs us that few students of Nālandā Mahāvihāra were hired for the imperial services. Sometimes after exuberating their academic excellence, they used to receive financial help or were offered academic/administrative positions. Sometimes people who had not received any training in scholastic tradition of Nālandā linked themselves to the institution longing for name and fame. He says that even those who used the name of Nālandā without getting education here were also treated with respect and dignity.<sup>27</sup> It is noted that in the early medieval period as

many as 10,000 resident monks resided at Nālandā.<sup>28</sup> The curriculum at Nālandā was a skillful blend of sacred and profane knowledge. It included language and grammar, arts, medicine, logic and philosophy, as well as exhaustive study of the works of the 18 sects of Buddhism. It had a cosmopolitan campus, including students from countries like China, Korea, Tibet, and other parts of Asia.

‘Nālandā Culture’ envisaged that sacred and ethical teaching is a procedure where monks and novices engage in a pursuit of meaning, value, and purpose of life. Such vast learning comprises a comprehensive analysis of existing knowledge, traditions, and values. It also includes the process of augmenting this knowledge and introspection that how such beliefs and values could be voiced in a harmonious manner. The students, whether monks or laymen, must be aware that beliefs and values were vital to monastic system and society. There was an intrinsic value in erudition about religion as well as scholarship in religion, as students develop their understanding of diversity in our society and their roles in it. The notion of constructive replication of thoughts, critical thinking, and an enhanced understanding of the benign beliefs and values of others were all decisive in this process. Scholarship through ethical education empowers monks/layperson store cognize Buddhism as an important expression of human experience and learning about the beliefs, morals, virtues, and traditions of Buddhism in different contexts.

It was also a tradition in Nālandā Mahāvihāra that students from any faith were treated with compassion and care. In such ambiance, some wished to appraise their faith and discuss openly about it, but others might not be willing to share their values. The involvement in public debate and consequential result in garnering right opinions and values led to the growth of wider understanding and infused better learning and education. Above all, it was the scholar-monks who carried the stimulus and contested the critical thoughts in realizing right objectives for all. It was imperative to recognize locally conditioned circumstances and community expectations. It was also significant to evade shallow behaviour of contradictory religious views and too many dogmatic characteristics were theoretically puzzling. However, while one or more magnitudes of Buddhism were studied in-depth, scholars possibly sought to draw upon carefully selected aspects of other religions, perhaps in the context of interdisciplinary erudition. The framework of academic investigation frequently led the scholar-monks to appropriate arguments where views independent of religious belief, and traditions could be judged and measured. The dimensions connected with the idea of personal search and meditation remained an essential constituent of learning in Buddhism. The

background of the curriculum would strengthen the growth of person’s own lenient views and morals, in addition to evolving his knowledge and understanding of ideas, observations, and traditions for society as a whole. This could be realized through deliberation of, and reflections upon and retort to the challenges posed by some of the religious beliefs and ideals. ‘Nālandā Culture’ endorsed that vibrant cultural ethos and virtues are embedded in the background of exploring religions and their different viewpoints. Eighteen types of teachings were taught in the Mahāvihāra, and the *panditas* recognized that assessment of religious and ethical education would emphasize the widespread knowledge and understanding of religious practices and traditions.

The ethical education based on the ancient curriculum of Nālandā gave vital knowledge and inspired associations with other areas of learning to equip learners with profound, more permeating and lively understandings. This understanding facilitated much to the growth of the capacities in a person, he/she became an efficacious novice, composed, a responsible individual and effective contributor. Religious and ethical teaching had robust connotations with attaining knowledge for humanism, inventiveness, imagination, and sustainability. ‘Nālandā Culture’ offered opportunities to relate religious and ethical education to global contexts and to raise contemporary moral and ethical issues in a manner to develop a peaceful and vibrant global society. The expressive erudition fetches resources and means through incredible scholarship and standards of others. It elevated consciousness and understanding to adapt divergent opinions and beliefs to encourage dialogues and debates.

### **Vāda (Debate) and Transformation of Nālandā Pedagogy**

*Vāda* was a kind of debate and a method of intellectual analysis of all that is comprehensible. Traditionally, the origin of *vāda* or tradition of debate is sought from Nyāya School of philosophy and it is believed that *vāda* tradition was first developed by Akṣapāda Gautama in his treatise the *Nyāya Sūtra*. The philological study of the literature shows that it was not a handiwork of one person but edited from time to time. It mentions Sāṃkhya, Vaiśeṣika, Yoga, Mīmāṃsā, Vedānta and Buddhist Schools of *darśanas*. Some of the Buddhist texts like the *Laṅkāvatāra Sūtra*, *Mādhyamika Sūtra*, etc. were directly borrowed and absorbed.<sup>29</sup> Nāgarjuna was supposed to be the first *ācārya* in Buddhism who thought to define the rules for *vāda* and his thesis of arguments became basis of all future theories of debates. In his work, the *Upāya-kauśalya-hrdayaśāstra*, he devised certain exposition of the art of debate. He broadly

divided it into four parts. The first is *vāda-*visadhikarana** (elucidation of debate) which includes *udāharana* (example), *siddhānta* (principles and result), *vākyaprasaṁsa* (erudition in speech), *vākyadoṣa* (imperfection in speech), *anumāna* or *hetu-*jañāā** (perceptive inference), *samayocita-*vākya** (proper conversation), *hetvabhāsa* (misconception) and *duṣṭa-*vākyanusarana** (fallacious motives). The second point *nigraha-*sthāna** (points of defeat) deals with *avijñātartha* (incoherent), *ananubhāsana* (silence), *nyuna* (fewer dialogue), *adhika* (saying excess), *nirarthaka* (insignificant), *apraptakāla* (unsuitable), *aparthaka* (incoherent) and *pratijñā-*hāni** (hurting the proposition). The third point *tattva-*vyākhyāna** (expending the truth) corresponds to *matanujna* (admission of an opinion), and the last element *jāti* (analogy) deals with *utkarsa-*samā** (harmonizing the excess), *apakarṣa-*samā** (balancing a discrepancy), *avarṇya-*samā** (balancing the unquestionable), *ahetu-*samā** (balancing the non-reason), *prapti-*samā** (harmonizing the co-presence) *aprapti-*samā** (balancing the mutual absenteeism), *samsaya-*samā** (balancing the doubt) and the *pratidrṣṭānta-*samā** (balancing the counterexample).<sup>30</sup> Maitreyanātha elaborated the rules of debates and he was more interested in topics, the place of debates, presence of patrons and scholars and general applicability. In the *Saptadasa-*bhūmi-*sāstra***, he discusses seven important points of debates and emphasizes on relevance of subject of debate, appropriate place (king's palace, a minster's place of scholars assembly) and congenial environment. The *sādhya* or means of the debate should be clear and must visualize *atma-*sambandha** (one's self) and *parā-*sambandha** (about others). To prove these points, one had to follow the eight corollaries i.e. *siddhānta* (doctrines), *hetu* (cause), *udāharana* (example), *sadharmya* (favorable examples), *voidharmaya* (adverse examples), *pratyaksha* (perception), *anumāna* (inference) and *āgama* (scripture). He also mentioned basic qualities of a debater, important points pertaining to defeat (*nigrahas*thāna**), considering the merit and demerit of place of debate and confidence of debater.<sup>31</sup> His view on rules of debate was simplification of ideas mentioned by Nāgarjuna. Aśaṅga accepted his view on *vāda* except his theory of *sādhaka* (proof). He elaborate it as *anumāna* (inference), which includes *pratijñā* (proposition), *hetu* (cause), *udāharana* (example), *upanaya* (application) and *nigmana* (conclusion). With its *pratyaksha* (perception), *upamana* (evaluation and compare) and *āgama* (scripture) are important subdivisions. He totally accepts total eight subdivisions for *sādhaka*.<sup>32</sup> His brother Vasubandhu did commendable work on logic known as the *Tarka-*sāstra**. It is divided into three chapters explaining five categories of syllogism (*pañcavayava*), the analogous rejoinder (*jāti*) and the point of defeat (*nigrahas*thāna**). He recommends that thesis should be approved on two points i.e. proposition

and reason and for it syllogistic inference only deals with three elements, the *pakṣa* (minor), *sādhya* (major) and *hetu* (middle).<sup>33</sup> During these early exponents of *vāda* tradition, the discipline was mainly incidental and dealing with the Yogacāra and Vaibhāṣika Schools. Since 5th century CE, the discipline of logic was completely transformed and separated from different philosophical schools of Buddhism. It emerged as a separated discipline and founder of this Medieval School of Indian Logic was the greatest Indian logician Dignāga (450-520 CE). His critical insight and acumen earned him the epithet 'the first and last of Indian logicians'. A resident of South India and disciple of Vasubandhu, he was invited to Nālandā Mahāvihāra to defeat *tirthika* Sudurjaya and other dialecticians, who were indeed defeated and converted to Buddhism. Because of his conviction and debating abilities, he was known as 'Fighting Bull' or 'Bull in Discussion' (*tarka-*puṅgava**). He was not only a great scholar, but also a determined wanderer who travelled widely from Bihar to Maharashtra, Odisha, and south India to defeat the *tirthika* dialecticians.<sup>34</sup> His contribution to Buddhism is no less than that of Sāṅkara, who adopted same method to re-establish Brāhmanism. Though due to downfall of Buddhism from mainland India, name and contribution of Dignāga lapsed in history and Sāṅkara became legend as saviour of Hinduism. Dignāga's technique of disputation, erudition, and intellect was so emphatic that it created ripples of fear in spine of his adversaries. He was feared by his opponents not only in his lifetime but also after death. Some of the most prominent scholars of the later period wrote derogatory remarks, cursed, and even used disparaging language against him. Kalidāsa in his *Meghadūta*<sup>35</sup> cautioned the scholars to avoid the ruggedness (*sthula-*hasta**) of Dignāga. Uddyotakara<sup>36</sup> says that Dignāga was *kutarkika*, who did not follow the real rules of disputation. However, Dignāga was not alive to correct these disparaging remarks. Vācaspati Mishra<sup>37</sup> was also a formidable critique of Dignāga and used to exemplify his method as *bhranta* (wrong one). Kumārila Bhatta and Parthasarthi Mishra<sup>38</sup> were critical of his theory. Jains, Vedantins, and even some of the Buddhists opposed his ideas, but in reality, they were not able to produce any literature which was at par with Dignāga's *Pramāna-*samuccaya** and his other works. The last great pillar of this tradition could be Dharmakīrti (7th century CE). A *brāhmana* from south India and well versed in all categories of Brāhmanical literature, he decided to engage himself in Buddhist dialectics. He learned Dignāga's *Pramāna-*samuccaya** by Isvarasena but not fully satisfied by his ideas. He sought permission from Isvarasena to write a critical commentary on it, i.e. *Pramāna-*vārtika-*kārika***.<sup>39</sup> Like Dignāga, he became a formidable debater, and tradition says that he defeated his most renowned



adversaries like Kumārila Bhatta, Śaṅkara and his disciple Bhatta Ācārya.<sup>40</sup> He was a great Buddhist scholar and was always at the pain that real scholarship in Buddhism was on the verge of decline. He lamented that he did not have any able disciple to carry forward his ideas. Once, one of his disciples, Devendrabodhi, desired to write commentary on *Pramāna-vārtika* and Dharmakīrti granted permission. He compiled it twice but each time it was rejected by Dharmakīrti as it was not as per his expectations. In his third attempt Devendrabodhi accepted his incompetence and requested Dharmakīrti to approve it for people of mild understanding. He allowed the work known as *Pramāna-vārtika-panjika*.<sup>41</sup> The great *vāda* tradition of Nālandā Mahāvihāra continued up to early decades of 12th<sup>s</sup> century, but by then, the rising sun of great philosophical tradition had already set in India.

### Shifting Paradigms: Logic to Rituals

From the 6th to the 7th century common era, Buddhism started revealing a new form of meditational and ritualistic practices that recognized the effectiveness of powerful energy aroused by psychic sources. This *tāntric* learning was a total departure from early Buddhism. It recognized *tāntric* path based on *śūnyata* and *bodhicitta* which could only be achieved with the help of a *gurū*. It was an interpretative practice with the orientation to training the monks and *yoginis* in the semantic tradition as well as performative actions. One of its great custodians Naropa became chancellor of Nālandā Mahāvihāra but later moved to the Himalayan region. He was considered as a bridge between the Buddhist and Brāhmanical *tantra*. He became a great propagator of Nālandā tradition and for that reason he was known as Nandapada or Nālandāpada. He resided in Pullahari monastery near Bihar Sharif. He was ordained by Mahāsiddha Tilopa. Atīśa and Somanātha were his disciples who propagated Tāntric Buddhism to Tibet and Nepal respectively. Padmasambhava or Rimpoche was a native of Udayāna and learned Tāntric tradition at Nālandā. He was invited to Tibet in 747 CE by King Thī-srong-detsan and he arrived at Samye (Bsan-yas) where he is said to have converted local populace to Buddhism. He also pacified local spirits that were inhibiting the construction of a Buddhist monastery by causing earthquakes. Atīśa devoted all his energies to the tantra practices in order to realize his fullest potential in this very life. His *vajra* master was Rahulagupta. Padmasambhava was engaged in steady practice and achieved perfect enlightenment in due course of time. In his early years, Atīśa<sup>42</sup> studied at the monastic university of Odantapuri and Nālandā with the great Dharmarakshita.

### Counter Pedagogy: Absorption and Assimilation

Logic, epistemology, and ethics were indispensable parts of every student's educational curriculum at Nālandā. The experiences and outcomes relating to the growth of their knowledge and scholarship did not form a separate framework but intertwined with the experiences and outcomes of broader deliberations, interactions and learning of different dimensions of Buddhism. When Buddhist institutions conceived the idea to impart education embedded with traditional values and traditions, they had to ensure to take account of sentiments of the local communities. It is also true that some of the residents of Nālandā Mahāvihāra had a range of faiths and views which might not be primarily Buddhist. References are found to people from different religious faith who could come and study here. Indeed, their experiences and knowledge outcomes led to extending their learning to higher levels. In the later phase of the tradition, academic arrogance of some of the Buddhist scholars were visible, and the same happened to Brāhmanical tradition. Stiff resistance and opposition started especially by the Brāhmanical schools, and some of its great luminaries like Kumārila Bhatta and Śaṅkara proposed new kind of counter-arguments against 'Nālandā Culture' initially, it was helpful to both for development of knowledge. The condition worsened when Buddhist and Brāhmanical traditions became hostile to each other. Even scholars tried to destroy the works of their adversaries. Tāranātha says that when Dignāga contemplated writing his great compendium the *Pramāna-samuccaya*, a brahmana, Ishvarkrishna used to destroy his work during his absence from his home. This happened many times, and Dignāga was so frustrated that he contemplated giving up writing. However, once Dignāga detected the conspiracy and defeated his adversary in debate, Ishvarkrishna became Buddhist.<sup>43</sup>

The tradition of debate and disputation among the scholars often changed into rivalry and egotist self-aggrandizement. Kumārila Bhatta was antagonistic and hostile against Buddhism. He flourished in 7th century CE and was contemporaneous with Dharmakīrti. Kumārila studied at Nālandā but later on drifted away from Buddhism. Then, he engaged himself to counter Buddhist dispositions on logic and epistemology. But he was successfully subdued by Dharmakīrti. Tradition says that he converted Kumārila and his followers to Buddhism. It is also said that Kumārila's dialectical successes are chiefly to be credited for the decline of Indian Buddhism and that Kumārila was a formidable philosophical opponent of his Buddhist counterparts.<sup>44</sup> Śaṅkara absorbed some of the fundamental metaphysical and ontological ideas of Buddhism. The true reality of Mahāyāna is very close

to *māyā* of Advaita Vedānta. Because of it he is known as *prachanna* Buddha (crypto-Buddhist). It is mostly a tradition that he debated far and wide against Buddhists on questions of logic, phenomenology, ontology, and metaphysics but it is true that he ushered the revival of Brāhmanism by improving upon its literary, theological and cultural viewpoints. Without superiority of logic and inference, it was challenging to re-establish Brāhmanism.<sup>45</sup> The arguments between his followers and Buddhists were technical, complex and long-drawn.

Vācaspati Mishra in the 9th century is considered to be another crusader who strengthened the Nyāya viewpoint against the Buddhists. Udayanācārya was the logician of the tenth century who tried to resolve the contention of the two major schools of logic, i.e. Nyāya and Vaiśeṣika. It led to the foundation of Navya-Nyāya school in the thirteenth century by the Gangesha Upadhyaya. The Brāhmins of Mithila still gave him credit for finally extinguishing Buddhist logicians forever from the land of Bihar. He wrote a commentary on Vācaspati's work known as the *Nyāya-vārtika-tātparyā-tikā-parisuddhi* and also composed the *Kusumanjali*, *Atma-tattva-viveka*, *Kiranaavali* and *Nyāya-parishishhta* or *Bodha siddhi*.<sup>46</sup> The 'Nālandā Culture' had such an emphatic impact that even after the downfall of the Nālandā Mahāvihāra, its ideas could not be crushed. The Navya-Nyāya school was founded after downfall of Buddhism to counter its robust literary tradition. With the advent of Islam in India, another powerful opponent rose against it, and one can say the 'Nālandā Culture' was finally demolished. But it was not reality; the tradition was imbibed by the other traditions that emerged not only in India but also abroad. The real tradition was preserved in the Himalayan regions especially in the area of Ladakh, Himachal, Nepal, and Tibet. Its rationalized form became the part of Bhakti and Sufi traditions. Such hidden treasure could be found from treatises of Kabir, Nanak, Bulleh Shah and many Sufi saints. Had Brāhmanical and Buddhist schools of thought worked together as they did till 5th-6th centuries CE, the nature of Indian literary tradition could have been different. Both systems perished under the long rule of the Sultanate and the Mughals due to the lack of patronage, destruction, burning, and plundering. The ocean of great literature was lost forever, and we are still boasting of the remaining few drops of water. The destruction of 'Nālandā Culture' also teaches us that despite ideological differences and dissent, academic endurance and harmony is necessary. After Independence, in the academic field mutual jealousies and dissidence are ever-growing and in the last two decades, its social base has widened. It is in the best interest of the nation and academics that we should respect other's academic endeavour. The criticism and reviews are not meant for violent reactions and counter conflicts.

What 'Nālandā Culture' pleads that an understanding of the religion is a broader segment of society and needs to be addressed within its own social and ethical context. There is a growing consensus in a contemporary multicultural society that religious matters are a personal choice and should be dealt with the values of co-existence. The upsurge in Buddhist oriented flexibility and religious plurality has reinforced awareness about inculcating harmonious ideas. It highlights the significant role Buddhism has to play in facilitating intercultural dialogue for the protection and advancement of kindness and concord. Besides, consultations with different religious communities could be done to exchange ideas on common concerns such as education, health, peace, and human rights. Not to participate in negotiation and talks is the prelude to developing a stereotypical insight of the other religions and cultures, which further generates a climate of mutual misgiving, strain, and anxiety and usually fosters intolerance and discernment.

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# Analysing the Affectivity of Environmental Laws in India to the Response of Climate Change Challenges

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One fact seems to stand out that a divorce from the soil, from the good earth, is bad for the individual and the race.

Jawaharlal Nehru, *Discovery of India*.<sup>1</sup>

## Introduction

Man has continually exploited the environment from time immemorial to meet all his needs and desires, from the basic ones of food, water, shelter and clothing to fulfil his penchant for a luxurious life. In the recent past, burgeoning population coupled with modern man's craving for comfort and luxury has put an intolerable strain on the environment.<sup>2</sup> Man has constantly gathering experience as he goes on discovering, inventing, creating and advancing. A man's capability to use his surroundings, if used wisely, can bring to all people benefit of development and opportunity to enhance the quality of life and if wrongly or needlessly applied, the same power can do incalculable harm to human beings and the environment.<sup>3</sup>

While academics, media and organizations working for the environment have been trying to get the message across and advocate a more stringent lifestyle, particularly in the developed world, it is now evident that without adequate implementation of law on environment protection, it will be impossible to achieve the objective of leaving the earth for our children, at least in the same shape as we received it. Replenishment and preservation of the environment for future generations can't be realised by the efforts of few persons or organization alone. There has to be a global effort to minimize pollution and make a more judicious use of resources. Most countries of the world, including India, have formulated laws to realise this much coveted goal.<sup>4</sup>

## Origin and Development of Environmental Laws in India

The prevalence of environmental protection movement has been fairly strong in all the developed countries. The study of environmental protection policy of India may be divided into two groups; viz. pre-Independence era and post-Independence era.

### *Pre-Independence Period*

The concept of environment protection and conservation is not new in India. The Vedas, Puranas, Upanishads and other scripture talk about the indebtedness of man to nature and emphasize the importance of maintaining an ecological balance.<sup>5</sup> The most detailed and perceptive of the *ut supra* are the provisions found in Kautilya's Arthashastra written between 321 and 300 B.C. It provides for fines for polluting damaging forests, selling trees etc. The Mahabharata warned that while it took only a few to defile and cause pollution, the whole society suffers from the various diseases thus caused. Charak's mention of *vikriti* (pollution) warned the people of the side effects of foul air and polluted water. The laws laid down by Kautilya concerning forests, include protection of forests by the State, fines for cutting trees and damaging forests, fines and punishments for causing harm to animals, establishment of forest, reserves for animals and payment of fees for hunting. Ashoka, in his fifth pillar edict prohibit the killing of certain animals and birds, the destruction of forest and the killing of other specified animals on specific days.<sup>6</sup>

During Mughal period, a significant contribution from the point of view of environment conservation has been the establishment of splendid gardens, fruit orchards and green parks around the emperor palaces, central and provincial headquarters, public places on the bank of rivers and in the valley and dales which they used as holiday resorts or places of retreat or temporary

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headquarters during the summer season. The famous Mughal gardens which attract every nook and corner of the country even today are thus pleasant cultural heritage of imperial Mughals.<sup>7</sup> The rural communities enjoyed untrammelled use of forests and wastes in their vicinity during this period. The wastes and forest lands were treated as open access resources. The product of the forests conserved by the local people who themselves were exempted from cess. However, untrammelled use of forests and other natural resources did not mean that they could be used or misused by one and all without restraints. They were quite effectively managed with the help of a complex range of cultural features as well as the economic activities of local communities.<sup>8</sup>

During the initial stages of colonial rule in India, little concern was shown towards the environment and its protection. During the nineteenth century, some legislative provisions concerning the environment were formulated. The focus of these legal provisions was on forests, wildlife and water pollution.<sup>9</sup> The early days of British rule in India were characterized by a total indifference to the needs of forest conservation. Yet, this regime also saw the beginning of organized forest management. During the 19th century, attempts were made to regulate water pollution, wildlife and land use by enacting laws by the British Government. These laws, however, had a narrow purpose and a limited territorial approach.<sup>10</sup> The imperial forest department was formed in India in 1864 under the first Inspector General of Forests, Dietrich Brandis, a German. However, by this time Britain, better known as the world leader in deforestation and wildlife destroyer, had already done incalculable damage to the environment which has not been replenished till date.<sup>11</sup> By this time, the government was aware of the environmental issues and early environmental legislations bears testimony to the fact. Various Acts enacted prior to Independence are — The Hyderabad Forest Act of 1833, Shore Nuisance (Bombay and Kolaba) Act of 1853, Oriental Gas Company Act of 1857, East India Irrigation and Canals Act of 1859, Indian Penal Code of 1860, Sarai's Act of 1867, Cattle Trespass Act of 1871, Northern India Canal and Drainage Act of 1873... Madras Forest Conservation Act of 1882, Explosive Act of 1884, Wild Bird Protection Act of 1887, Fisheries Act of 1897, CrPC of 1898, Motor Vehicle Act of 1939, Mysore Forest Act of 1940 etc.<sup>12</sup> Enactment of Forest Act, 1865 was the first step at asserting the state monopoly rights over the forests... The Act was revised in 1878 and extended to most of territories under the British Rule. Subsequently, the first forest policy was enacted in 1894.<sup>13</sup> The above said laws were made by the British for their own interests and were of limited effect.<sup>14</sup>

### *Post-Independence Era*

Post Independence era can be broadly studied under two heads: environment policies before the Stockholm Conference and policies following the Conference.

With the dawn of Independence, the industrialization started growing rapidly and has consequently brought to the forefront the problem of urbanisation. Thus, the natural environment has been affected adversely.<sup>15</sup> After Independence, one of the first government publications pertaining to forests was intended to publicise the contributions of India's forests towards war efforts. Factories Act, 1948, was passed. The River Board Act, 1956, made provisions for the development of inter-state rivers and river-valleys and prevention of water pollution. The Five-Year Plans began to incorporate environmental considerations into this format.<sup>16</sup> The Indian Government became conscious of the dangers of environmental pollution as early as 1969. The environmental problems issue is on our national agenda of planning and policy since 1969, three years prior to Stockholm Conference.<sup>17</sup> All this has prompted the independent Indian Government to provide relevant legislation. Prominent amongst these are: Industries (Development and Regulation) Act, 1951, Inflammables Substance Act, 1952, Mines Act, 1952, Merchant Shipping Act, 1958, Atomic Energy Act, 1962 and Insecticides Act, 1968.<sup>18</sup>

The global interests and concerns about the environmental pollution sharpened because of the First Conference on Human Environment convened by the 24th General Assembly of United Nations Organisations at Stockholm in June 1972. India was a signatory to the Stockholm declaration and owed a duty towards the world to protect and improve the environment by framing the long-term action plan and implementing them.<sup>19</sup> The Stockholm Conference, 1972, is to be credited for accelerating the pace of environmental legislation in India. It recommended national and international level cooperation in identification and appraisal of environment damages and problems of global significance.<sup>20</sup> A significant fallout of this conference was the enactment of new Indian laws, chiefly water (Prevention and Control of Pollution) Act of 1974, Air (Prevention and Control of Pollution) Act of 1981, Factories Amendment Act of 1987.<sup>21</sup> In the year 1972, the Wildlife Protection Act was enacted by the Parliament. An important legislation, entitled the Forest Conservation Act of 1980, was passed by the Parliament.<sup>22</sup> The underlying structure of governance envisaged by the Forest Conservation Act, the Air Act and Water Pollution Act was different.<sup>23</sup> The Environment Protection Act of 1986, which came out of the shadow of the Bhopal gas tragedy, was a radical legislation that corrected the infirmities of the previous Water and Air

Acts and also brought under its rubric all elements of the environment for comprehensive protection.<sup>24</sup> In the year 1988, the next landmark initiative was taken up in the shape of the National Forest Policy, which superseded the Forest Policy of 1954.<sup>25</sup> The other matters which has become significant in recent times relates to biotechnology and hazardous wastes emanating from trans-boundary sources.<sup>26</sup> In India, there are over two hundred central and state legislations that have some bearing on the issue of environmental protection.<sup>27</sup>

The story of the evolution of India's Environmental Policy and legislation serves to bring out the fact that the implementation of decentralization measures has been patchy. Nevertheless, India's policy framework on environmental protection provides enough scope for promoting diverse and local based approaches to global environmental issues.<sup>28</sup>

### **Environment and the Constitutional Law of India**

At the early Constitutional history of India there was no direct and specific provision with regard to environmental pollution. There was, however, an indirect reference to the subject of the environment in Article 47 of the Constitution which reads as:

The State shall regard the raising of the level of nutrition and standard of living of its people and improvement of public health as among its primarily duties.<sup>29</sup>

There is provision of "public health and sanitation" in entry 6 of the State list. The Constitution (Forty-second Amendment) Act, 1976 has introduced several far reaching changes in the fundamental law of the country by inserting and emitting provisions in its different articles to make it adaptable to changing situations. In the light of Stockholm Declaration on Human Environment, 1972, India added new provisions.<sup>30</sup>

The Constitution (Forty-Second) Amendment Act, 1976, added a new Part IV-A dealing with "Fundamental Duties" in the Constitution of India... This Article specifically deals with the fundamental duty with respect to environment. It provides:

It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures.<sup>31</sup>

Article 51(j) further provides:

It shall be the duty of the every citizen of India to strive towards excellence in all spheres of individual and collective activity, so that the nation constantly rise to higher levels of endeavour and achievements.<sup>32</sup>

The Constitution (42nd Amendment) Act, 1976 again

added a new directive principle dealing specifically with protection and improvement of environment. It provides:

The State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country.<sup>33</sup>

Article 47 of the Constitution is one of the directive principles of State policy and it provides that the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties.<sup>34</sup> The improvement of public health will also include the protection and improvement of environment without which public health cannot be assured.<sup>35</sup>

Part XI of the Constitution governs the division of legislative and administrative authority between the centre and the states. Article 246 divides the subject areas for legislation into three lists, viz. Union list, State list and Concurrent list.<sup>36</sup> Generally speaking, Article 246 of the Constitution of India makes Parliamentary legislation on matters in the concurrent list paramount. Parliament has also the power to make laws with respect to any matter for any part of the territory of India not included in a State, notwithstanding that such matter is enumerated in a State List [Article 246]. Residuary powers of legislation are also vested in Parliament.<sup>37</sup>

Principle 1 of the Stockholm Declaration finds reflection in Articles 14, 19 and 21 of the Constitution of India<sup>38</sup> dealing with the right to equality, freedom of speech and expression and right to life and personal liberty respectively.<sup>39</sup>

It may be appreciated that Article 21 of the Constitution, which occurs in Part III entitled "Fundamental Rights", guarantees to all persons the right to life and personal liberty by prohibiting their deprivation except according to procedure established by law.<sup>40</sup> The rights to life and personal liberty embodied in Article 21 have been transformed into positive rights by an active judicial interpretation.<sup>41</sup> With the new content given to the right to life in Article 21 of the Constitution, it is impossible and inappropriate to read the right to a hygienic environment into that right, for it will be impossible to live with human dignity without a clean and healthy environment.<sup>42</sup> The induction to a right to a healthy environment into the right to life would in fact transform the non-justiciable, imperfect constitutional duty imposed on the state under Article 48A into a justiciable, perfect duty obligating the state to take affirmative steps not only to protect the natural environment from possible pollution but also to improve it.<sup>43</sup> This is because the right to life with its expansive reach has become an effective positive right to compel the state to take affirmative steps to protect and improve the environment.<sup>44</sup> This affirmative duty is additional to,

and independent of, the state's imperfect, positive duty envisaged under Article 48A of the Constitution.<sup>45</sup>

Article 21 is the heart of fundamental rights and has received expanded meaning from time to time and there is no justification as why right to live in a healthy environment, can't be interpreted in it. For healthy existence and preservation of essential ingredients of life, stable ecological balance is required.<sup>46</sup> Article 21 guarantees a fundamental right to life – a life of dignity, to be lived in a proper environment, free of danger of disease and infection.<sup>47</sup> It is an established fact that there exists a close link between life and environment. The talk of fundamental rights and, in particular, right to life would become meaningless if there is no healthy environment.<sup>48</sup> The judicial grammar of interpretation has made "right to live in a healthy environment" as the *sanctum sanctorum* of Human Rights.<sup>49</sup>

The judicial grammar of interpretation has further broadened the scope and ambit of Article 21 and now "right to life" includes the "right to livelihood". This broad interpretation of right to life is very helpful in checking the governmental action which has an environmental impact that threatens the poor people of their livelihood by dislocating them from the places of living or otherwise depriving them of their livelihood. In the last few years, people have been protesting against the construction of large dams as they generally displace thousands of people who are often tribal and forest dwellers and thus deprive them of their livelihood.<sup>50</sup>

In *Olga Tellis v. Bombay Municipal Corporation*,<sup>51</sup> the Court held:

If the right to livelihood is not treated as a part of the constitutional right to life, the easiest way of depriving the person of his right to life would be to deprive him of his means to livelihood to the point of abrogation. Such deprivation would not only denude the life of its effective content and meaningfulness but it would make life impossible to live.<sup>52</sup>

The Court further held:

The State may not by affirmative action, be compelled to provide adequate means of livelihood or work to the citizens. But, any person, who is deprived of his right to livelihood except according to just and fair procedure established by law, can challenge the deprivation as offending the right to life conferred by Article 21.<sup>53</sup>

Likewise, Article 14 and Article 19 dealing with equality and freedom of speech and expression plays an important role in safeguarding the environmental interest of people.

### Public Interest Litigation and Environment Protection

Access to justice through 'class action', 'public interest

litigation' and representation proceedings is the present Constitutional jurisprudence, Krishna Iyer J. declared.<sup>54</sup> In the recent past, public interest litigation has played a unique role in the fields like – protection of fundamental rights, human rights... environmental protection etc.<sup>55</sup> In a public interest case, the subject-matter of the litigation is typically a grievance against the violation of basic human rights of the poor and the helpless or about the content or conduct of government policy. Most environmental actions in India fall within this class.<sup>56</sup> PIL has been progressively used to invoke the original jurisdiction of the Supreme Court and the High Court under Articles 32 and 226 of the Constitution in providing protection for the environment.<sup>57</sup> New vistas and dimensions have been given to the substantive rights to health and clean and unpolluted environment by the Courts, by opening a path of processual justice, without enslaving themselves to procedural compulsions.<sup>58</sup> In *Tarun Bhagat v. Union of India*,<sup>59</sup> the Supreme Court, while upholding the contention of a social action group challenging the legality of granting a mining licence in the protected area of reserved forest, observed:

This litigation should not be treated as the usual adversarial litigation. Petitioners are acting in aid of a purpose high on national agenda. Petitioners concern for the environment, ecology and the wild life should be shared by the government.<sup>60</sup>

The observation of the Court is important as it highlights the rationale of PIL in environmental issues. It is the duty of the State and the citizen to protect the environment – a duty imposed by the Directive Principles (Article 48A) and Fundamental Duties (Article 51A(g)), introduced by the Forty-Second Amendment of the Constitution.<sup>61</sup> Any person who raises an environmental issue, whether individual, group or institution, is equally concerned with the problem. Such litigation can't be considered as an adversarial confrontation with the state.<sup>62</sup>

### Climate Change Laws and Policy Framework in India

India specifically has no legislation in relation to climate change. However, the initiative taken by India for combating climate change are worth noting.

India being vulnerable to adverse effects of climate change is conscious of its global responsibilities towards climate change as also the needs to minimize adverse effects of climate change on its large population.<sup>63</sup> In recent years, India's energy consumption has been increasing at one of the fastest rates in the world owing to population growth and economic development. India ranks sixth in the world in terms of energy and demand. Its economy is projected to grow 7 to 8 per cent over the next two decades, spurring a substantial increase in demand for

oil to fuel land, sea and air transportation.<sup>64</sup> Even though India is not required to contain its GHG emissions, as a signatory to the UNFCCC and a country which has acceded to Kyoto Protocol, India has been very active in proposing Clean Development Mechanism (CDM) projects...Indian government has been actively following a number of initiatives that could significantly reduce the greenhouse gas intensity of the economy.<sup>65</sup> To be specific, they include energy efficiency in all sectors, emphasis on mass transport, active policy on renewable energy including bio-fuels and fuel plantations, accelerated development of nuclear and hydro-electricity, technology mission for clean coal technologies, focussed research and development on many climate friendly technologies, energy efficiency rating of electrical instruments, green rating of buildings.<sup>66</sup>

While engaging constructively with the international community on the issue India has pursued a strong domestic agenda for addressing climate change.<sup>67</sup> India has extensive programmes on several aspects of global environmental change.<sup>68</sup> These include: greenhouse molecule monitoring, air-sea interactions, effect of increased UV-13 and climatic changes on ecosystems... Mesosphere-stratosphere-troposphere radar (MST Radar) is being installed near Tirupati that will continuously monitor the state of atmosphere from near the ground to about 90 km (with a gap of 25 to 60 km).<sup>69</sup> The Indian Middle Atmosphere Programme has already provided substantial information on the middle atmosphere over India. Development of CFC (chloroforocarbon) substitutes are among the extensive programmes India is contemplating to take up to slow down global climate change.<sup>70</sup> The National Environmental Engineering Research Institute (NEERI), Nagpur has conducted various monitoring programmes. However, the monitoring facilities are inadequate in India.<sup>71</sup> India recognizes that a strategy for addressing climate change has to be based on the strategy for sustainable development.<sup>72</sup>

### **India's Obligations under Climate Change Convention and Kyoto Protocol**

India signed the UNFCCC on 10 June 1992 and ratified the same on 1<sup>st</sup> November 1993.<sup>73</sup> India being a non-Annex-I and Group-III country under the present international climate change framework, there is no obligation upon India for the purpose of reducing the emission.<sup>74</sup> The Ministry of Environment and Forests, acts as a Nodal Agency for the purpose of climate change issues in India. India's approach to the negotiations is fully anchored in the UNFCCC and the Kyoto Protocol.<sup>75</sup> As a part of its international obligations under the UNFCCC, India prepares periodically the National Communication

(NATCOM) that gives an inventory of the greenhouse gases (GHG) emissions in India, and assesses the vulnerability and impacts and make appropriate recommendations regarding social, economic and technological measures to address climate change.<sup>76</sup> Research teams collaborated to prepare India's first NATCOM and presented in 2004 and NATCOM-II which put together an even more detailed assessment of national GHG inventories and of the vulnerabilities faced by the key sectors in India presented to the UNFCCC in 2011.<sup>77</sup>

The Government of India has set up an elaborate institutional mechanism to consider and address issues relating to climate change.<sup>78</sup> A Council chaired by Prime Minister called Prime Minister's Council on Climate Change was constituted in June 2007 to coordinate national action for assessment, adaptation and mitigation of climate change.<sup>79</sup> The Council provides the overall guidance to climate change related actions taken by various Ministries in the Government and other agencies.<sup>80</sup> Ministry of Environment and Forests is the national focal point for UNFCCC and coordinates various activities relating to the NAPCC and other climate change related policies and actions.<sup>81</sup>

Climate change presents many challenges at legal level. At present, India does not have a separate statute on climate change.<sup>82</sup> There are certain legal, regulatory and policy frameworks which can be used in the mitigation efforts of climate change.<sup>83</sup> The Energy Conservation Act, 2001, enacted to promote the efficient use of energy and the National Tariff Policy, 2006, mandating compulsory purchase of certain percentage of renewable energy are important tools in the mitigation efforts.<sup>84</sup> National Action Plan on Climate Change is the major policy document that gives direction to mitigation and adaptation efforts in India.<sup>85</sup>

The present legislative and regulatory framework having implications upon the climate change would consist of Environment (Protection) Act, 1986; the Air (Prevention and Control of Pollution) Act, 1981; the Indian Forest Act, 1927; the Forest (Conservation) Act, 1980; and the legislation related to energy, which consists of Energy Conservation Act, 2001.<sup>86</sup>

### **Environment Legislations and Policy Measures**

The Air (Prevention and Control of Pollution) Act, 1981, lays down the institutional and regulatory framework which would restrict the emission of gases from automobiles and that of industries.<sup>87</sup> This restriction of emission enunciated under Sections 20 and 22 of the Act would have an impact on the greenhouse gas emission reduction as transportations or vehicular pollutions and industrial emissions are two important sectors that have



substantial contribution in increasing the concentration of greenhouse gases.<sup>88</sup> The Motor Vehicles Act, 1988<sup>89</sup> can also play an important role in reduction of emissions from automobiles as central government is provided with the power to make rules for regulating emissions.<sup>90</sup> Under the Act, the Central government may make rules regulating the construction, equipment and maintenance of motor vehicles and trailers with respect to standards of emission of air pollutions.<sup>91</sup> The Environment Protection Act, 1986, empowers the central government to take measures to protect and improve the environment. Such measures also include “laying down standards for emission or discharge of environmental pollutants from various sources whatsoever...”<sup>92</sup>

The National Environmental Policy, 2006, clearly acknowledges that the anthropogenic climate change, significant responsibility for which clearly does not lie with India or other developing countries, may, on the other hand, have likely adverse impacts on India’s precipitation patterns, ecosystems, agricultural potential, forests, water resources, coastal and marine resources, besides increase in range of several disease vectors.<sup>93</sup> Accordingly, the National Environment Policy mentions the following essential elements of India’s response to climate change:

- (i) Adherence to the principle of common but differentiated responsibilities and respective capabilities of different countries in respect of both mitigation of GHGs, and adaptation measures.<sup>94</sup>
- (ii) Reliance on multilateral approaches as opposed to bilateral or unilateral measures.<sup>95</sup>
- (iii) Ensuring equal per capita entitlements of global environmental resources to all countries.<sup>96</sup>
- (iv) Over-riding priority of the right to development.<sup>97</sup>
- (v) Identifying key vulnerabilities of India to climate change, in particular impacts on water resources, forests, coastal areas, agriculture and health.<sup>98</sup>
- (vi) Assessing the need for adaptation for future climate change, and the scope of incorporation of these in relevant programmes, including watershed management, coastal zone planning and regulation, forestry management, agricultural technologies and practices, and health programmes.<sup>99</sup>
- (vii) Encouraging Indian industry to participate in the Clean Development Mechanism (CDM) through capacity building for identifying and preparing CDM projects, including the financial sector.<sup>100</sup>
- (viii) Participating in voluntary partnerships with other countries both developed and developing, to address the challenge of sustainable development

and climate change, consistent with the provisions of the UNFCCC.<sup>101</sup>

The Indian Forest Act, 1927, the Forest (Conservation) Act, 1980 which contains provisions for the protection of existing forest areas and the National Forest Policy, 1988, which aims at afforestation and coverage of the one-third of the land area of India under forest or tree cover, are important in the context of the Reducing Emissions from Deforestation and forest Degradation (REDD) and REDD plus approach emphasising on conservation, sustainable management of forests, increase in forest cover.<sup>102</sup>

### Energy Related Legislations and Policy Measures

The Energy Conservation Act, 2001, is a significant legislation in India with respect to energy sector and has influenced climate change also. The Act provides a comprehensive legislation for the efficient use of energy and its conservation.<sup>103</sup> In addition to these, many concepts in Indian environmental jurisprudence can be used to address the concerns raised by climate change.<sup>104</sup> Precautionary Principle is the bedrock on which the UNFCCC and Kyoto Protocol rests.<sup>105</sup> A plethora of Indian judgements has categorically stated that Precautionary Principle is a part of Indian Law.<sup>106</sup> In the specific Indian context, the Precautionary Principle imposes additional responsibilities on the governments. The environmental measures carried out must anticipate, prevent and attack the causes of environmental degradation.<sup>107</sup>

Polluter Pays Principle is another major rule which can play a central role in an emerging climate change jurisprudence in India. The fact that Article 21 of the Indian Constitution which guarantees right to life has been used as a legal foundation of these principles means that any legal or executive measure can’t circumvent them.<sup>108</sup>

In 2008, India adopted a National Action Plan on Climate Change (NAPCC) with objective of shifting to a less-carbon intensive development pattern and renewable sources of energy and thus to reach high energy efficiency.<sup>109</sup> Eight National missions are viz., National Solar Mission, National Mission on Enhanced Energy Efficiency, National Mission on Sustainable Habitat, National Water Mission, National Mission for Sustaining the Himalayan Ecosystem, National Mission for the Green India, National Mission for Sustainable Agriculture and National Mission for Strategic Knowledge for Climate Change.<sup>110</sup> Ministry of Environment & Forests coordinates the implementation of the Action Plan and other climate change related actions in India.<sup>111</sup>

## Conclusion

The laws to deal with the various environmental problems are sufficient in India but there is lack of proper implementation. Though, there is no specific legislation in India to deal with climate change problem but this problem can be addressed through other environmental legislation in existence in India at present. India being a developing country is not legally bound to reduce its greenhouse gas reduction under the climate change regime.

In India, there have been only limited regulatory initiatives implemented to address climate change and emphasis has been on voluntary, ad hoc programs.<sup>112</sup> In the absence of comprehensive legal approach to restrict India's greenhouse gas emissions, the existing local environmental protection regulations, such as Environment Protection Act, 1986, Energy Conservation Act, 2001, Air Act have the potential to play a significant role through the evaluation of major projects, minimisation of greenhouse gas emissions and avoidance of environmental harm.<sup>113</sup> However, there has been a significant dichotomy between the written law and the law as applied in practice which generally ignores the environmental implications of large scale emissions.<sup>114</sup> In the absence of comprehensive legislation regarding mitigating greenhouse gas emissions in India, in conjunction with the general lack of progress by the global community, means that there is a need for a new regulatory approach both internationally as well as within India to promote adaptation to the impacts of climate change.<sup>115</sup>

## Notes

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2. Malika Ramchandran, "Environmental Law in India." Nomita Agarwal (ed.) *Social Auditing of Environmental Laws in India* 136-143 at 136 (2003).
3. Proclamation made by the United Nations Conference on Human Environment, Stockholm, (June 5-16,1972).
4. *Supra* note 2 at 137.
5. *Supra* note 2 at 137-138.
6. *Supra* note 2 at 138.
7. *Ibid.*
8. Chattarpati Singh, *Common Property and Common Poverty – India's Forests, Forest Dwellers and the Law*, 10 (1986).
9. *Supra* note 2 at 138.
10. *Supra* note 5 at 7.
11. *Supra* note 8 at 146.
12. *Id.*, at 147.
13. *Supra* note 14.
14. *Supra* note 5 at 9.
15. *Ibid.*
16. *Supra* note 2 at 140.
17. *Supra* note 5 at 9.
18. *Supra* note 8 at 147-148.
19. *Supra* note 5 at 10.
20. *Supra* note 8 at 148.
21. *Supra* note 2 at 149.
22. The objective of legislation was to prevent diversion of forests land in India for non-forestry purposes.
23. *Supra* note 1 at 200.
24. *Ibid.*
25. *Id.*, at 102.
26. *Id.*, at 204.
27. *Supra* note 5 at 10.
28. *Supra* note 1 at 205.
29. Article 47 of the Constitution of India.
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31. Article 51 (a) (g) of The Constitution of India.
32. Paramjit Singh Jaswal and Nishtha Jaswal, *Environmental Law Environment Protection Sustainable Development and the Law*, 47 (2011).
33. Article 47 of the Constitution of India.
34. *Supra* note 38 at 48.
35. *Ibid.*
36. N.C. Gupta, "Emergence of Constitutional Provisions and Legal Framework for Environmental Management in India" in Nomita Agarwal (ed.), *Social Auditing of Environmental Laws in India*, 28-53 at 29 (2003).
37. *Supra* note 5 at 21.
38. Principle 1 of the Stockholm Declaration provided that man has a fundamental right to freedom, equality and adequate conditions of life, in an environment of quality that permits a life of dignity and well-being, and bears a solemn responsibility to protect and improve the environment for present and future generations.
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40. B. Errabbi, "Environmental Protection: Constitutional Imperatives – Indian Experience." *Law Science and Environment*, 186-191 at 189.
41. *Ibid.*
42. *Id.*, at 190.
43. *Ibid.*
44. *Ibid.*
45. *Ibid.*
46. *Supra* note 38 at 52.
47. *Ibid.*
48. *Ibid.*
49. *Ibid.*
50. For example, one of the arguments against the Tehri Dam Project was that the Dam will submerge Tehri town and 23 villages in the vicinity and 72 other villages will be partially submerged. It was expected that about 85,600 persons will be displaced because of the dam. *Id.*, at 61.
51. AIR 1986 SC 180.
52. Cited in Jaswal, n. 37 at 62.
53. *Ibid.*
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58. *Ibid.*
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60. Cited in Geetanjali, n. 58 at 65.
61. *Ibid.*
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63. Vijay Joshi and Urjit R. Patel, "India and Climate-Change Mitigation." Dieter Helm and Cameron Hepburn (eds.), *The Economics and Politics of Climate Change*, 167-193 at 191 (2009).
64. "Report on Energy Security", *Geography and You*, Vol. 9, No. 57, 54-58 (November-December, 2009).
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69. *Ibid.*
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71. *Id.*, at 112.
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73. India and International Climate Negotiations. Available at: [www.indiaclimateportal.org/National-Climate-Change-Action](http://www.indiaclimateportal.org/National-Climate-Change-Action) (accessed on August 14, 2012).
74. *Ibid.*
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76. Preparation of NATCOM is an exercise based on an extensive network of research and scientific institutions in India and draws upon expertise and excellence from different institutions.
77. *Supra* note 73 at 7.
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86. Bharat Desai, *Strengthening Legal and Policy Frameworks for Addressing Climate Change in Asia: India*. Available at: [www.unep.org/dec/PDF/casestudies/CCIIIndiadraft.pdf](http://www.unep.org/dec/PDF/casestudies/CCIIIndiadraft.pdf) Sonali (accessed on August 14, 2012).
87. Section 20 and 22 of The Air (Prevention and Control of Pollution) Act, 1981.
88. *Supra* note 93.
89. Section 110 of Motor Vehicles Act, 1988.
90. *Supra* note 93.
91. See section 110(1)(m) of the Motor Vehicle Act, 1988.
92. See section 3(2) (iv).
93. National Environment Policy, 2006, Government of India Ministry of Environment and Forests 42 (May 18, 2006).
94. *Id.*, at 43.
95. *Ibid.*
96. *Ibid.*
97. *Ibid.*
98. *Ibid.*
99. *Ibid.*
100. *Ibid.*
101. *Ibid.*
102. *Ibid.*
103. Energy Conservation Act, Section 3.
104. *Supra* note 89 at 19.
105. *Ibid.*
106. *Ibid.*
107. *Ibid.*
108. *Ibid.*
109. Praful Bidwai, *The Politics of Climate Change and the Global Crisis – Mortgaging Our Future* 129 (2012).
110. *Supra* note 89 at 9.
111. *Ibid.*
112. *Supra* note 116 at 129.
113. *Ibid.*
114. *Ibid.*
115. *Ibid.*

# Philosophical and Moral Approaches to Inter-Religious Understanding and Religious Pluralism

Rajan

“The religious myth is one of man’s greatest and most significant achievements, giving him the security and inner strength not to be crushed by the monstrosity of the universe.”<sup>1</sup> Similarly, existentialist philosopher Albert Camus points out “A man without ethics (the moral principles of a person) is a wild beast loosed upon this world.”<sup>2</sup> The quotations cited above reveals that religion and morality are unavoidable for all human beings. Our crisis is little hidden, we live when science, technology, economics and GDP have diminished our physical suffering to a remarkable degree and have changed human life at a larger scale. But can the same be true about harmony among civilization, community, and religions? Can the same be said about our psychological, spiritual and social well-being? While our life spans have been prolonged, many diseases eradicated, and per capita income has increased but this has not changed our existential and spiritual predicament.

Although science and technology have so much to offer, there is no app, device, equation, or pharmaceutical drug that can imbue our life with meaning, peace and prosperity. Because Sciences limit and deal with cause and effect and the workings of the natural world only, it struggles when it comes to the issues of humanities. That’s why we propose that religion is still important in global societies because it can provide great opportunities for spiritual and emotional well-being and a sense of belonging also which is essential for the whole world. Carl Jung stated, “It is the role of religious symbols to give meaning to the life of man. The Pueblo Indians believe that they are the sons of Father Sun, and this belief endows their life with a perspective (and a goal) that goes far beyond their limited existence. It gives them ample space for the unfolding of personality and permits them a full life as complete persons. Their plight is more satisfactory than that of a man in our civilization who

knows that he is (and will remain) nothing more than an underdog with no inner meaning to his life.”<sup>3</sup>

If we keep the rigorous analytical and intellectual approach aside for a while and ask an ordinary theistic person about the importance of religion the answer will be full of hopes and meaning. It is one of the most powerful community builders the world has known with its simple values. People often seek a better understanding of the metaphysical and moral world view and religion seeks to answer those questions as well as imbue to give life greater purpose. Since antiquity, with any form or medium, religious beliefs have set into place ideas about how to live a good life, how to treat others and binds societies and nations together. It is a very big argument in the favour of religion that if we wouldn’t have this earlier then so many disciplines like law might not have existed, it was the source of information and inspiration to so many disciplines. It is a different thing that later those discipline excluded from religion. William James penned down, “The highest flights of charity, devotion, trust, patience, bravery to which the wings of human nature have spread themselves, have been flown for religious ideals.”<sup>4</sup> The religion, in other sense, imbibes wisdom of generations past, providing solutions to our shared moral and existential dilemmas and helping unite a culture under a shared umbrella. The crisis is when religion, culture and civilization are an integral part of humanity and we also face clashes and conflicts in the name of them, what can we do about that?<sup>5</sup> In other words, if religion has also driven conflict amongst people and countries just as easily as it can bring harmony, what can communities and thinkers do about it?

### **Interreligious Understanding: A Way Forward to Interfaith Dialogue**

Interreligious dialogue is about people of different faiths and beliefs coming to a mutual understanding and respect that allows them to live and cooperate despite their differences in terms of their social-cultural system

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of designated behaviours, practices, morals, worldviews, texts, and prophecies. The term refers to cooperative and positive interaction among different religious traditions and faiths at both the individual and collective level. Each party remains true to their own beliefs while respecting, accepting and tolerating the rights, beliefs and perspectives of the other. This thing is not possible until we have a proper understanding of others religion and culture. It is prerequisite, we need to have proper understanding and only then can we proceed for any sort of dialogue.

Interfaith dialogue can't be limited to permutation and combination of mere words or talk. It includes human interaction, relationships, and exchanges of the values and virtues, that bring holistic well-being in the heart of different religious, cultural followers and bridge the gaps of misunderstanding about one another. There are some facts which need to be brought out as the foundation of any inter-religious understanding, and only then the inter-faith dialogue can take place. No religion or culture has an ethical right to impose its superiority and exclusivity over others or to absolutize it. Every religion, like an individual, deserves the same dignity and integrity. The present time requires interreligious understanding, and we do not have so many options regarding this; either we can erase religion from society which is quite hard because it is an essential part of humanity or we can seek pacific approaches like tolerance or interreligious understanding so that everyone can flourish.

### **Transcendental Unity of All Religion: A Way Forward to Interreligious Understanding**

How could we know that there is something transcendental when nothing of this world (logic, epistemology, etc.) applies to that transcendental world? We may say that the existence of a transcendental world is a matter of religious belief. But then there are religious beliefs which deny transcendental unity of all religions. What is the ground for admitting the former religious belief and rejecting the latter? What is the logic behind this equity or parity of all religions? This is the main question which arises when we discuss the idea of transcendental unity. To be clear, we are not proclaiming that everyone believes in transcendental unity, but simply propose that all (theists) believe in an Absolute Being whatever we call it Allah, God, Brahman, etc. On this common ground (absolute reality), we can seek transcendental unity. The followers of the transcendental approaches in religious freedom maintain that the Truth or Essence of all religions is the same divine reality, all religions are equal. All religions lead to the same truth; they are just the various paths. It also represents the democratic nature of this approach.

"Our starting point is the acknowledgement of the fact that there are diverse religions which exclude each other. This could mean either that one religion is right and that all the others are false; or that all religions have elements of falsehood. In reality, however, all religions are right, not in their dogmatic exclusivism, but in their unanimous inner signification, which coincides with pure metaphysics, or in other terms, with the *philosophia perennis*."<sup>6</sup>

To answer sceptics and opponents of this transcendent axiom, like Science, which always asks for evidence and apply natural laws on everything and philosophy which asks for logical consistency and arguments. But when causality, contradiction and inconsistency etc. are limited to time and space only then how are we going to apply these on something which are beyond of them. The limitation seems to be that, for the Infinite-cannot be defined in any any human language: Formal languages don't express concepts of plenums, continuity, infinity, and transcendental very well. Formal languages also don't express concepts of nothingness, void, and emptiness very well. Whether this is true of any and every logic, or just the ones we know of and can express, is an open question. Thus, transcendental unity of all religion is possible because every religion has some metaphysical entity or goal which helps us to plan the concept of transcendental unity. To better understand this argument, let us resort to the 'streetlight effect' story. A man sees a drunken man searching for something under a streetlight and asks what he had lost. The drunken man says that he had lost his keys and they both look under the streetlight together. After some time, a policeman asks the drunken man if he was sure he lost them here, and the drunken man now replies that he had lost them in the park. The policeman asks why he was searching here, and the drunken man replies, "This is where the light is."

Even so, we have to be a little careful. What is meant by the terms transcendent, transcendental, immanent, etc.? In some cases, God is said to be entirely unknowable and in some accounts, we know him partially and analogically. There is much debate about religious language and religious experience and it's relation to our ordinary language and experience.<sup>7</sup> Frithjof Schuon points out that "We wish to state clearly that this is never with the intention of convincing opponents whose minds are already made up, but to enable those who wish to understand to get a glimpse of certain aspects of reality; it is for the latter alone that we are writing, and we decline to enter into polemics that would have no interest for our eventual contradictors or our self."<sup>8</sup> These words were penned by the author while working with certain very controversial axioms (e.g. absolute reality) since we are

also dealing with such axioms so we also propose the same thing before moving further.

Let's get back to our point, the transcendent unity of religions fundamental premise is that all major religions share a common ground one can be metaphysical and another moral. This is the crux of the school of thought known as Perennial Philosophy or hermeticist spiritualism. For an instance, the duality between the platonic world of ideas and the world of appearances, the essence of religions is that it represents also the same but in multiple forms and adapted to the relative cultures. As for Plato, Ideas are transcendental, while their reflections are transitory. Although many ideas are distinct, they may be the shadows of the same idea from which they originated. With this analogy, how should someone explore the essential unity of all religious ideologies? It is possible by distinguishing between exoterism and esoterism. It needs a philosophical mode. While the exoteric knowledge may depend on the relative grounds, we can consider the exoteric one transcendent. It would be like saying that there's only one human emotion, called "emotion," that is then translated into anger, fear, joy, ecstasy, love, etc.

It is in Vedas that we find propagated the concept that the Reality is one called by many names — "*Ekam Sat Vipra Bahuda Vadanti*" and supported by the ethical and moral narrative '*Vasudeva Kutambhekam*': We are all one family. As various rivers head towards to one ocean in the same way the end of all religions is the same. All lead to salvation or liberation. Now if all the religions lead to the same truth and they are just the different pathways to that then there remains no reason for the disparity. There is parity among all religions, all religions are equally true or equally related to the truth, no religion can impose its superiority over others, as all are related to the truth.

As Swami Vivekananda advocated, "The unity of religions is based on direct perception of ultimate reality. The paths are unique but the goal remains the same. Even if the entire world becomes convened to either, it will not enhance the cause of unity. Unity in diversity is the plan of the universe."<sup>9</sup>

Exclusivity must be replaced with unity in diversity since peace and prosperity exists no less in diversity than in likeness if only the same fundamental govern both parts. As *Ramakrishna Paramahansa* said regarding Harmony of Religions, "I have practised all religions—Hinduism, Islam, Christianity—and I have also followed the paths of the different Hindu sects. I have found that it is the same God toward whom all are directing their steps, though along different paths. You must try all beliefs and traverse all the different ways once. Wherever I look, I see men quarrelling in the name of religion—Hindus, Mohammedans, *Brahmos*, *Vaishnavas*, and the

rest. But they never reflect that He who is called Krishna is also called Siva, and bears the name of the Primal Energy, Jesus, and Allah as well—the same Rama with a thousand names..."<sup>10</sup>

An open-ended question which needs to be explored is discussed by Jacques Dupuis, "In the first case, the plurality of religions... is seen as a factor to be reckoned with, rather than welcomed... In the other case, the same plurality is welcomed as a positive factor which witnesses at once to the superabundant generosity with which God has manifested himself to humankind in manifold ways and to the pluriform response which human beings of diverse cultures have given to the Divine self-disclosure. Seen from God's side, the question is whether religious pluralism is only permitted by God or, on the contrary, positively willed by Him. Or rather—if one prefers to avoid both these terms—the question is whether theology can assign to the plurality of religious traditions a positive meaning in God's overall design for humankind or not".<sup>11</sup>

Let us take the above problem from the perspective of Philosophy of religion taking an analytical approach. It is said that in order that some truths be manifest for human beings which are not directly known by intellect or sense, God chooses Revelation. Sacred books of all religions often claim to be revealed, be it the holy *Koran*, the *Bible* or even the *Veda* (sought by our seer and sages known as *rishi*). Now there is conflict about how do we understand the significance of the Revelation? Who will decide? Who is eligible to decide? How do we decide? There are multiple interpretations of the same text and there are of course different claims in texts. Some complain if the Good God wanted us all to know why he did not create a more transparent method like the shining of the sun where it is evident to all in transparent communication. Here we have different theologies. Some argue God did not create perfect beings; the world is a place for soul-making. Humans are tested for their efforts to struggle in knowing the truth and following the path of virtue. We need to use our intellect and with the steadfastness of good conduct we will rise to our full humanity and in some cases to out superhumanity or divinity. One may still wonder why this trial, what about weak will and flesh, what about moral weakness? What about interpersonal inter-group hatred, violence and conflict. The answer in the form of Lila for cosmic play offers little consolation.

The other claim is of individual faiths saying we have it and you do not so convert; it belongs to fanatics and bigots. The third view is that we are all saying the same thing, let us be virtuous and kind. Now this is very attractive but some consider that this third position has many problems: is every one saying the same thing in their metaphysics, epistemology and ethics factually? If

we are asked to selectively choose common elements, we are accepting non-religious criteria for which there has to be an agreement. This global ethical criterion would be most welcome on the secular ground. However, if there is a firm believer of a faith who sees a close connection between his faith in his God and his ethics, he would feel he is cheating God. Freedom of conscience in most constitutions guarantees him his belief in a liberal framework. So here is a genuine problem of religious pluralism in a liberal frame where reason and dialogue are important. Many religious practices and many philosophers like Kierkegaard consider reason to be antithetical to true religion.

### Ethics and Morality of World Religions: Bridging the Gaps of Differences

Although religious and philosophical ethics may not derive their moral standards from the same authority, we still ought to find some ways to establish harmony between them; otherwise, we're condemning ourselves to live amidst moral and global discord and division. "When ethics and religion collide, nobody wins; when religion and ethics find room for robust discussion and agreement, we maximize the prospects for constructive choices in our society."<sup>12</sup>

Every religion offers philosophical insights, observations, and instructions through their ethics and morality. These ethical commonalities become apparent when different sacred texts, concerning basic philosophy, are compared. The golden principle of ethics and morality, prayer, *bhakti*, character development, faith, love, and compassion. No religion in an actual sense would promote the violation, destruction, and disharmony; it is just the misinterpretation of those prescriptions and values which some bigot and eccentric people use for their selfish gains. Despite the resistance from a few bigoted people, most of the religions and their implicit ethics preach techniques, methodologies, values and virtues which can help the whole humanity and world to attain universal well-being.

Each religion has captured some essential aspects of the Great Truth and each has made some important contribution to the overall march of humanity towards holistic prosperity. Each religion with a different attitude and language, directly or indirectly, accepts the concept of the golden principle of morality: Treat others as you would like to be treated. The golden rule prescribes that what hurts us hurts others and that what heals us, heals others. This moral law is almost equal or comparable to other religion can help us to build up a good interreligious understanding due to its emphatic characteristic. All

major religions' moral standard begins with this simple golden rule: Treat others as you would like to be treated:

"*Atmanah pratikulaniparesham Nasamacharet* (What is not good for me cannot be meted out by me to others. What is not good for me would not be good for others also, because others are like me in every respect.)" (*Mahabharata* 5.15.17)

"Not one of you is a believer until he desires for his brother what he desires for himself" (40 *Hadith of an-Nawawi* 13, Islam).

"Wound not others, do no one injury by thought or deed, utter no word to pain thy fellow-creatures" (*The Law Code of Manu*, Hinduism).

"Do not do to others what you would not like yourself" (*The Analects* 12:2, Confucianism).

"If you do not wish to be mistreated by others, do not mistreat anyone yourself" (*Counsels of Adurbad* 92, Zoroastrianism).

"We get salvation by loving our fellow man and God" (*Granth Japji* 21, Sikhism).

"Having made oneself the example, one should neither slay nor cause to slay. . . . As I am, so are other beings; thus let one not strike another, nor get another struck. That is the meaning" (*Dhammapada*, Buddhism).

"One should not behave towards others in a way which is disagreeable to oneself. This is the essence of morality. All other activities are due to selfish desire" (*Anusansana Parva* 113.8, Hinduism).

"Thou shalt love thy neighbour as thyself" (*Leviticus* 19:18, Judaism).

"Therefore, all things whatsoever ye would that men should do to you, do you even so to them." (*Matthew* 7:12, Christianity)."<sup>13</sup>

### Religious Pluralism: Reevaluation of the Virtue of Toleration and Justice

The idea of "[r]eligious pluralism holds that various world religions are limited by their distinctive historical and cultural contexts and thus there is no single, true religion. There are only many equally valid religions. Each religion is a direct result of humanity's attempt to grasp and understand the incomprehensible divine reality. Therefore, each religion has an authentic but ultimately inadequate perception of divine reality, producing a partial understanding of the universal truth, which requires syncretism to achieve a complete understanding as well as a path towards salvation or spiritual enlightenment."<sup>14</sup> Here perennial thinking helps us, suggesting that the absolute reality is what allows the absolute and universal truth to be understood and argues for universalism, the idea that all religions, underneath seeming differences, point to the same Truth.<sup>15</sup>

When the world is moving towards the democratisation of individual and public life in all areas of life including social, political, ethical and economical aspect then it would not be possible to impose one's ideology and faith on others. We will have to adopt the pacific approaches like the path of positive ethics and morality in which everyone can flourish with dignity and integrity. Any form of exclusivity and fundamentalism can be evil in such a world. The richness of any religion and culture lies in the fact that it ought to provide democratic domain to all religions where every faith has an equal right to flourish and grow. A truly free society and culture protect all faiths and vice-versa. So if we move forward with intellectual humility, our ideas of religious pluralism, religious tolerance, and interreligious understanding can easily achieve success.

“The only business of the church is the salvation of souls, and it is of no concern to the Commonwealth or any member in it whether this ceremony or that is part of that celebration.” These are strong words from John Locke's “Letter Concerning Toleration”. The exclusion crisis is the immediate context for Locke's “Letter Concerning Toleration”. But we get a better understanding of this work when we think about the 150-year history of religious persecution and retribution and infighting that is one of the motifs that this exhibition has documented.”<sup>16</sup> Is it good to convince people to change their beliefs by force? John Locke revolts this approach. People might say they believe in your faith to save themselves from torture or being burnt at the stake, but their actual beliefs can't change like that. Persecution and punishment would never secure consent to the state religion, so it is in the best interest of the State to let people practice religion as they like. Locke's observations can be helpful to get a sense of what movements were forcing open the question and need for religious toleration.

Toleration and acceptance is a response to the fact of pluralism, whether religious, ethical or social. Just to complicate things a little we could think about pluralism itself as a kind of moral principle. So if one says one is a pluralist, one recognises the diversity of moral and ethical views out there and one's attitude, therefore, tolerance or toleration in negative sense and acceptance in the positive sense. So in that sense pluralism sounds like it's also a moral position and ethical responsibility too. In the idea of religious pluralism, the concept of toleration plays a major role. Another way can be that if we consider pluralism as a condition and toleration as a response to it. We acknowledge that there is a plurality of multiple approaches and opinions on the world of ethical views and so on, and the integrity we opt is that we accept or tolerate these differences. We think that we should try to explore them and should open our mind for a new

perspective. At some point it can be critical because we may have some issues, very strong views and may not be willing to tolerate or accept certain forms of diversity. It should not be, tolerance shouldn't mean accepting lower moral standards since we have a rational self, we should have dialogue and explore those standards which seems conflicting.

To conclude, we can say that it is important to realise that peace, prosperity and harmony are not easily achieved and maintained. It is a herculean task. Peace and prosperity do not occur in a day, there are obstacles as intrepid travellers struggle up the path to heights where the human spirit may struggle. Philosophical and moral approaches which bring numerous ways to tackle any possible obstacle are always there to help us in the formation of understanding and clarity. Now that the world has attached itself with a communicational unity, we are moving towards a new era in which it becomes both possible and appropriate for socio-religious thinking to transcend the fundamental and exclusive cultural-historical barriers; it is a time to exchange the values and virtues. We need to search for the universalistic or universalizable values which must be less bind up with culturally determined forms. Philosophical and moral maturity ensures giant strides for masses, to rediscover the understanding and new way of living in which everyone can flourish. Those who say religion is opium or religion is corrupt need to ask themselves whether religion corrupts man or it is the man who corrupts religion with an analogy that if dirty politics is actually dirty or is it megalomaniac politician who makes it dirty. Similarly, no culture and civilization are intrinsically bad, it is the people who shape them, and it is up to them as to what kind of form do they want to give it, good or bad. So blaming is just an excuse, we need to get out of it positively.

## Notes

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# Kerala Diaspora and the Emerging Role of Political Economy: An Evaluation

Dr Joman Mathew\*

## Introduction

Migration has been a subject of growing academic interest as it contributes significantly to economic development. What figures prominently here are certain aspects of migration such as the political and human rights rather than just purely theoretical aspects. This follows from the fact that the concerned political economy is implicated in issues of their functioning and survival. The historical background and theoretical perspectives of international migration are subjects of great interest. Miller (2016)<sup>1</sup> offers a liberal-nationalist account, which we might view as further developing the cultural argument earlier advanced by Walzer (1983)<sup>2</sup> in explicit nationalist terms. According to Miller, the right of states to control immigration is grounded in the right of nations to exercise self-determination. Many studies examining this relationship between the migrants, strength of identification, threat and their responses to it have focused upon a single category of identification: most commonly, ethnic or national identity (Boski, 1991)<sup>3</sup>. Whether migration is perceived as voluntary or forced, it affects the migrant's strategies for dealing with cultural demands, human rights issues and potentially conflicting identifications required in the new country (Lalonde *et al.* 1992)<sup>4</sup>. Historically, the trends and implications of migration from India have varied from time to time. The very tradition of out-migration of Indians might be traced back to 268-231 BCE when Ashoka, the Mauryan Emperor sent messengers or emissaries across the world to spread the teachings of Lord Buddha (Singh and Chand 2004)<sup>5</sup>. The incidence, complexity and diversity of migration on a global scale have considerably increased during the last few decades.

The migration experience of Kerala, the southern state of India, from gulf migration to the present replacement migration stimulates a lot for research. This paper mainly focuses on examining the trend analysis of migration at the global, national and regional level in the context of Kerala. My focus is on examining efforts of political economy in dealing with issues of migrant survival rather than on purely theoretical questions or issues. Hence the specific objectives of this paper are (i) to examine the trends in global, national and regional migration and (ii) to examine the role of political economy on the question of migration in the context of Kerala. The paper is based on data derived from United Nations Migration Office for the last 50 years, between the years 1970 and 2019. Statistics of migration as per International Migrant Stock Report of 2019 has also been used for net migration rate analysis of India for the last 50 years. In order to specifically evaluate migration trends of Kerala, I have also consulted Kerala Migration Survey report of 2018.

## Trends in Migration

People have been moving across borders in search of better social and professional opportunities since a long time.. However, labour migration was considerably speeded up and popularized during the era of globalization. Accurate data on migration is difficult to obtain because many migrant workers lack official status. According to World Migration Report 2018, migration has emerged in the last few years as a critical political and policy challenge in matters such as integration, displacement, safe migration and border management. There were 271.6 million international migrants in the world in 2019, according to the United Nations sources. The number of migrants, representing 3.4 per cent of the world's population, is increasing faster than the global population, driven by economic prosperity, inequality, violence, conflict and climate change. During the last 50 years, the Compound

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Annual Growth Rate of international migration has been estimated to be 2.36 per cent.

Having a long history of migration, India is the top source of international migrants. The number of international Indian migrants has more than doubled over the past 25 years, growing about twice as fast as the world's total migrant population. According to the International Migrant Stock Report of 2019, India, with 17.5 million international migrants, has emerged as the top source of international migrants, constituting 6.4 per cent of the world's total migrant population. Similarly a good number of foreigners immigrate to India. Thus, the net migration rate, the difference between the number of immigrants and the number of emigrants (people leaving an area) throughout the year, has assumed some significance. The current net migration rate for India in 2020 is -0.369 per 1000 population, a 3.66 per cent decline from 2019. It can be seen that the net migration rate, expressed as net number of migrants per 1,000 populations, has been positive during the pre-globalization period. However, the globalization era opened up opportunities for Indians on a large scale so that the number of emigrants outnumbered immigrants leading to negative figures in net migration rate since early 1990s.

### Settlement History and Kerala Diaspora

The migration story of Kerala is closely related to its settlement history. The settlement history of Kerala dates back many millennia. The Stone Age carvings in the Edakkal Caves feature pictorial writings believed to date to at least the Neolithic era around 5,000 BC, indicating the presence of a prehistoric settlement in this region<sup>6</sup>. Kerala had direct contact across the Arabian Sea with all the major Mediterranean and Red Sea ports as well those of the Far East. The spice trade between Kerala and much of the world was one of the main drivers of the world economy for a long time. Kerala was a major spice exporter as early as 3000 BC, according to Sumerian records. According to Sumerian records, Kerala was referred to as the 'Spice Garden of India' exporting spice as early as 3000 BCE. Kerala's spices had attracted ancient Babylonians, Assyrians and Egyptians to the Malabar Coast in the 3rd and 2nd millennia BCE.<sup>7</sup> Trade relations were believed to be the point of settlement or migration of foreigners to Kerala. It is believed that merchants from West Asia and Southern Europe established coastal posts and settlements in Kerala. The Jewish connection with Kerala started in 573 BCE. Arabs also had trade links with Kerala; they intermarried with the local people, resulting in formation of the Muslim Mappila community.<sup>8</sup> By 345

AD, Christians from Edessa (Mesopotamia) arrived in Kerala under the leadership of Thomas of Cana, and in 825, another group joined them. In the 4th century, some Christians also migrated from Persia and joined the early Syrian Christian community who traced their origins to the evangelistic activity of Thomas the Apostle in the 1st century (John Ralston Marr, 1985)<sup>9</sup>. Islam too arrived in Kerala through Arab traders during the time of Prophet Muhammad (AD 609 - AD 632). Kerala has had very early relations with the Middle East even during the Pre-Islamic period. Muslim merchants are known to have settled in Kerala by the 7th century AD and introduce Islam.

The monopoly of overseas trade in Malabar prospered under the Arab-Mappila alliance until the arrival of Portuguese in Kerala in the year 1498. The Dutch (1661–1795) who succeeded the Portuguese reduced the area of the Old Portuguese town, abandoned the fort and destroyed most of the public buildings built by the Portuguese. The Portuguese, Dutch, Arabs all had trade relations with the state. Later, when the traders started to take control over the affairs of state, British came as an ally to protect the state and demanded permission for trade in return. Eventually they took control over the land of Kerala.

All these trade relations in a way opened up Kerala's commercial and professional opportunities in those countries leading to large scale emigration in course of time. Migration has been a significant factor in helping reduce poverty and unemployment in Kerala. For over centuries, there has been steady migration from the state of Kerala to countries in the Gulf and different parts of India and the world. Kerala received much attention in the 1970s in view of the large number of emigrants to gulf countries. Migration from Kerala to other states of India and to countries abroad has become so influential that its impact felt in every aspects of life in the state. Through migration, the economic status of the average household in Kerala has shown signs of improvement which gets reflected in their consumption standards, quality of housing and income levels (Zachariah et al., 2002)<sup>10</sup>. The number of emigrants from Kerala to gulf countries reveals that number has been increasing constantly even if there is a decline in the rate of growth. As per estimate, there were 1.86 lakh Keralites in the gulf region in the year 1980, which increased to 2.30 lakh in 1981. In 2000, the estimated number of emigrants from Kerala to gulf countries was 15.01 lakh which was 35.75 per cent of the total emigrants from India to the gulf countries. The number of emigrants from Kerala in 2008 was 21.93 lakh and 22.80 lakh in 2011. It was 24.00 lakh in 2014 (KMS 2014)<sup>11</sup>. It is estimated that today over 10 per cent of the population of Kerala lives outside the state, in various

parts of India and abroad particularly in the Gulf region, the US and Europe. It has been estimated that there are 2.12 million emigrants from Kerala across the world in 2018 (KMS, 2018)<sup>12</sup>.

The gulf migration and the inflow of remittances into Kerala economy has led to rapid growth of Kerala economy. The socio economic impact of such remittances had contributed significantly towards the development the so-called *Kerala model* of development. It could be noticed that India stands unbeaten as the largest migrant source country, as well as remittance receiving country in the world. In 2017, there were 16.6 million Indians living abroad (UN, 2017). According to the World Bank Migration and Development Brief, 2018, India received USD 69 billion in remittances. The depreciating value of rupee is a positive effect on increasing remittances to India<sup>13</sup>. In case of Kerala, as per available information, an estimated total of all the household remittances in Kerala during the 12-month period prior to 1 March 2018 was 30,717 crore rupees. This is only a fraction of the total remittances to the state. To be precise, the share of remittances in the total NSDP of Kerala has been estimated to be 19.3 per cent, which is significant for the socio-economic advancement of this region. About 87 per cent of household remittances were received by the households as regular remittances to meet their immediate household needs. The nature of needs has changed. The survey found that the emigrants are now concentrating more on investing in buying a car, starting an enterprise, paying dowry and for education purposes (KMS, 2018).

Being a state having inherent migratory tendencies for long, it has been understood that migration shaped the economic and social dimensions of Kerala. Making advantage of the economic boom in Gulf countries, large-scale emigration from Kerala attracted a good sum of remittances to the state. Even though there is change in the destination of emigrants from Kerala during the era of globalisation, huge numbers of people from Kerala are still in gulf region. Thus, Gulf countries like UAE, Saudi Arabia, etc. remain the principle destination of Kerala emigrants. The Nitaqat crisis in gulf countries has in a way diverted the destination of emigrants from gulf countries to USA and the United Kingdom. Similarly, Kerala has witnessed a reverse trend in migration. Kerala Migration Survey 2018 has confirmed the trend that was observed in the last round – that emigration from Kerala is falling and return migration is on the rise. Even though its migration to gulf countries slightly reduced, remittances to the state have increased. This happened mainly because of higher earning jobs secured by emigrants from Kerala in those countries.

Large-scale migration of people from Kerala created a gap between the demand and supply of workers in the

labour market. This gap is effectively filled by migrant workers from other parts of the country. The shortage of local labour, higher wages for unskilled labour in the state and opportunities for employment led to the massive influx of migrant labour to the state. A recent trend in the employment sector in the state is the inflow of interstate migrant labour from other states. There were around 2.5 million internal migrants in Kerala according to a 2013 study by the Gulati Institute of Finance and Taxation. There are several unofficial data showing that the total number of domestic migrants in Kerala is more than 35 lakhs. It shows that the gap between the demand and supply of workers in the labour market of Kerala has been effectively filled by domestic migrants. This conveniently developed a culture of replacement migration in Kerala. Migrants are coming to Kerala from states like West Bengal, Bihar, Orissa, Chhattisgarh, Jharkhand, etc. There are various factors leading to this in migration. There are higher wages for unskilled labour in the state, large opportunities for employment and shortage of local labour. The largest proportion hails from West Bengal (20 per cent), Bihar (18.1 per cent), Assam (17.28 per cent), and Uttar Pradesh (14.83 per cent). There is not much difference in the age distribution of migrant labour across the states of origin.

The emerging phenomenon of replacement migration in Kerala has attracted attention of academic community in recent years. With in-migration into the state from other parts of the country, the number crossing 3 million internal migrants in Kerala mainly from the states of West Bengal, Orissa, Assam, Bihar and Uttar Pradesh, the government seriously started thinking about their welfare schemes along with issues faced by them. Kerala has a good record when it comes to providing rights and welfare to migrants, which are yet to be gained prime importance in economic and sociological research in the country.

### **Welfare Schemes for Migrant Workers in Kerala**

Perhaps the most affectionate and powerful term being used by an administration during the period of COVID-19 would be 'guest labourers'. It is in the state of Kerala where the government has started referring to nearly 3.5 million migrant labourers as 'guests' honouring them for their contributions to the state's labour force and economic progress. Being one of the friendliest states to the working class, Kerala has been witnessing a massive influx of construction workers from other Indian states during the last decade. The growth of IT sector and tourism development in Kerala necessitated several construction activities where the widening demand supply gap in the labour market is effectively

filled by the migrant workers. However, the fact that the migrants are inherently vulnerable and victims of severe human rights violations from the time they leave home to initiate their migration could easily be recognised by the state government prompting it towards various laws for protecting migrant rights. The very usage of guest workers reveals Kerala's concerns toward such workers in the state which is just an accomplishment of numerous welfare programmes for migrant workers

Kerala Migrant Workers Welfare Scheme 2010 was the beginning which provided registered migrants the benefits like accident/ medical care, children's education allowance and termination benefits. Kerala State Labour Policy, 2011, proposed to ensure minimum wages to workers in the unorganized sector, registration of workers with the Welfare Fund Board will be made compulsory and introduced many more welfare schemes. So far, around 4 lakh labourers have registered for the scheme. The state government announced a new welfare scheme, AWAZ, for migrant workers in the 2018 state budget. Under the AWAZ scheme, any migrant worker employed in Kerala between the ages of 18 and 60, would be eligible for free medical treatment worth up to 25,000 rupees and insurance coverage of 2,00,000 rupees in case of accident death. Medical treatment will be available from all government hospitals and also private hospitals empanelled with the scheme. Another scheme of the Kerala Government, 'Apna Ghar', aims to provide good quality, hygienic and safe living space at affordable rent. The Kerala government, in a first in the country, has undertaken projects to provide safe, economical and hygienic rental accommodation for migrant workers. The project named 'Apna Ghar Project' is shouldered by Bhavanam Foundation, a public sector non-profit company owned by the state government.

Apart from insurance and accommodation programmes, the state government has initiated a literacy programme for migrant workers in order to link them culturally with the place of their work. The literacy programme called *Changathi* aimed at such a cultural linkage. The idea of the mission is not limited to literacy alone but *Hamaari Malayalam*, the textbook provided to the labourers, contains lessons on everyday life, including hygiene, health, rights of workers and ethics. Kerala State Literacy Mission Authority (KSLMA) conducted the first exam in Perumbavoor for 500 migrant labourers as part of *Changathi* literacy programme. The labourers, mainly hailing from West Bengal, Odisha, Bihar, Jharkhand, Assam along with those from Nepal, assemble in district centres for classes on Sundays with great enthusiasm. As mentioned by a labourer from West Bengal, "*The classes have helped me in understanding Malayalam. This has helped*

*in communication at work, in the market and bank. Writing and reading is still a bit difficult.*"

A similar language development programme was launched in Ernakulam district for helping migrant children stay in school. *Roshni*, the programme, assists migrant workers' children in learning the local language and performing better in tests. Most of these migrants would find it challenging to study with Malayalam as the medium of instruction. Programmes such as *Roshni* help bridge the education gap for migrant children. *Roshni* trains volunteers in government and government-aided schools to help more than 1,000 migrant workers' children learn Malayalam through the use of multiple languages as the medium of instruction, including the children's mother tongue. Its breakfast component ensures that children do not go hungry, provides incentive of attendance and helps them assimilate into the local culture. The *Roshni* project, launched by the Ernakulam district administration in 2017, has supported 1,265 migrant workers' children from lower primary to high school. School dropouts across 20 schools reduced by nearly half – about 48 per cent – to just 65 in 2018-19, when compared to 2017-18, as the data from the programme shows.

When the government declared lockdown for the nation, Kerala has become the first state to announce relief measures and guarantee its people that nobody within its borders will go hungry. Effective model of involvement has been made in Kerala for migrant workers during the Covid-19 lockdown period. Kerala sets up 4,603 camps for over 1 lakh 'guest labourers' amid Coronavirus lockdown. The state has also ensured food, accommodation and preventive measures to all the workers in the camps including masks, soaps and hand sanitizers. The government has also set up community kitchens for guest labourers and along with others hit by the crisis to ensure no one in the state goes hungry. It was also decided to provide free milk for migrant workers camps and nursery children. No wonder, the state government's treatment of migrant workers as 'guest labourers' seems to be a model for the entire universe even in times of disasters. It is a rare practice which has to be imitated by countries in the globalized era of flying labourers across the borders.

## Conclusion

Migration has become a crucial factor of socio-economic development of world economies. However, the trend in migration has been undergoing changes so also the issues of migrants. In Kerala, the replacement migration has created situations of massive external migration and an equivalent influx of internal migration. The state has

developed a model of migrant welfare schemes to be noticed and researched. AWAZ insurance scheme, *Apna Ghar*’ hygienic and safe living space at affordable rent, *Changathi*, literacy programme, etc. are a few among them. Further, the state government’s treatment of migrant workers as ‘guest workers’ seems to be a model for the entire universe. It is a rare practice which has to be imitated by countries in the globalized era of flying labourers across the borders

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# Analysing Human Trafficking through Rights Based Approach with Special Reference to Gonda Circus Case

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Sadly, trafficking in human beings has taken the shape of an organized transnational crime. As per International Labour Organization (ILO) estimates, human trafficking generates an annual business of more than 150 billion dollars and currently there are 25 million victims of human trafficking around the world. While this is not a new problem, the new dimensions it has reached in recent years illustrate that it is now a crime of epidemic proportions. It is a matter of global concern and no country is immune from it. As an organized crime, human trafficking undermines the sustainable development and the rule of law because illicit profits may be used for corruption, other criminal activities and at times, even for terrorism. Moreover, it hampers the full-fledged development of human skills and personality. Therefore, the issue of trafficking requires all human rights activists to face introspection and self-assessment. It poses a big challenge to the governments and the civil society as well because despite all efforts to curb it, the menace of human trafficking has been flourishing worldwide. In the present era of globalization where the plight of the poor is very common, the time has now come for all stakeholders to move ahead with a rights-based approach as a viable tool for prevention, protection, prosecution with adequate remedy offered to the victims of trafficking. Unless this is effectively implemented, it would not be possible to break the vicious cycle of trafficking in human beings.

Trafficking in human beings is not only confined to sexual exploitation but also takes other forms; for example, children — particularly girls — from minority groups or poor families are trafficked to work as domestic servants in big cities, as labour in hazardous industries, for begging, for public sports (such as camel races),

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entertainment, bonded labour, pornography, involuntary servitude, organ transplant, smuggling, etc.

According to the United Nations<sup>1</sup>:

Trafficking in persons is a serious crime and a grave violation of human rights, which threatens national security and undermines sustainable development and the rule of law, as recognised in the Declaration of the High-level Meeting on the Rule of Law.

The most comprehensive definition of human trafficking has been given in the Convention against Transnational Organized Crime's protocol (Article 3(a)) of the Trafficking in Persons Protocol which defines trafficking inclusively as:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or others form of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.<sup>2</sup>

This was adopted by the UN General Assembly in 2000 and is a widely-accepted definition.

The hypothesis of this paper is that the human trafficking cycle cannot be broken without paying attention to the rights and needs of the trafficked victims. This paper will cover in brief, the magnitude of the problem, the definition of trafficking, its causes, the legislative framework, state measures, prevention, protection, prosecution, root causes of vulnerability with nexus and exploitation linkages. It shall also discuss, in brief, the Gonda Circus Case investigated by a team constituted by the NHRC<sup>3</sup> that became a success story in the history of the National Human Rights Commission of India.

The rights-based approach for the survivors of

trafficking is to be adopted according to the 'Limburg Principles' and 'Maastricht Guidelines' focussing on the affirmative action transforming needs in to rightful claims. For the victims of trafficking, it could be made possible by initiating special measures aimed at securing adequate security and facilities. The rights-based approach is an effective tool that tends to justify the functional character of economic, social and cultural rights. It keeps victims at the centre of any action taken. It pays attention to determining state responsibility as a facilitator starting from the systematic conceptual process to the methodological processes. It carries out an analysis of human rights violations based on important indicators such as Realization, Recognition, Entitlements, Assertion, Accessibility and Enjoyment.

In order to explore the problem and its dimensions, it is imperative to examine the causes, factors and circumstances responsible for trafficking in human beings together with the international and the domestic legal framework. Without a proper diagnosis of the problem, the solution cannot be found out. The poor economic and social conditions provide a distinct explanation for the direction and flow of trafficking. Trafficking generally flows from poorer to more prosperous countries. Huge and unaccountable profit drives every aspect of the trafficking industry from the standpoint of the perpetrators of this crime. Resources and money for survival are the central driving force that renders potential victims more vulnerable to deception, coercion and exploitation.<sup>4</sup> Many unfortunate teenaged children in full bloom are being sold for paltry sum even by their parents who are unable to suitably raise their children due to poverty. Their hopes rest on finding some form of employment for the children, like being engaged either in household duties or manual labour.<sup>5</sup>

The structural factors responsible for trafficking include economic deprivation and vicious circle of poverty, the effect of globalization, aspiration for modernity, attitude to gender, the demand for sex and situations of conflict, while proximate factors include lax national and international legal regimes, poor law enforcement, corruption, organized criminal entrepreneurship, weak education campaigns and lack of coordination between the neighbouring countries.<sup>6</sup>

In most of the countries, only a few cases of missing girls are registered at police stations in relation to the actual number of girls and women who go missing. Cases are either not reported or not registered for many reasons, most of them are associated with poor governance. Poor compliance with the UN conventions and treaties may be considered a push factor for trafficking even though push factors mainly operate at the place of origin. Human trafficking is a global phenomenon that

is driven by demand and fuelled by extreme poverty and unemployment.<sup>7</sup> Trafficking has flourished due to the patriarchal social structure, gender disparity, illiteracy and lack of awareness, exploitative socio-economic systems in the society, etc. Increasing consumerism and demand of cheap labour markets are other contributing factors.

Trafficking in women has been universally accepted as an act of violence against women, there is global consensus about it.<sup>8</sup> At the fourth world conference on women in Beijing in 1995, combating this form of violence against women was a concern strongly shared by all, added to this, the issue of trafficking has been dealt with in various international human rights instruments. A large number of international and national instruments for prohibiting trafficking have been developed in 21st century as human trafficking has become a serious human rights issue.

In Article 6 of the Convention on Elimination of All forms of Discrimination against Women (CEDAW) says: "*state parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women*".<sup>9</sup>

Likewise, there are many international mechanisms to control trafficking, such as Slavery Convention, International Covenant on Civil and Political Rights, Child Rights Convention and other instruments as well. The OHCHR has also issued 11 guidelines<sup>10</sup> with emphasis on rights based approach which are the obligations of the state parties to ensure protection and promotion of the human rights of trafficked persons. These guidelines include: promotion and protection of human rights; identification of trafficked persons and traffickers; research, analysis, evaluation and dissemination; ensuring an adequate legal framework; ensuring an adequate law enforcement response; protection and support for trafficked persons; preventing trafficking; special measures for the protection and support of child victims of trafficking; access to remedies; obligations of peacekeepers, civilian police and humanitarian and diplomatic personnel and cooperation and coordination between States and regions. However, in the absence of effective enforcement mechanisms, these guidelines have not been translated into action.

The principles and guidelines developed take into consideration the ground realities and serve as a framework and reference point for the work needed on this issue. The stakeholders must be encouraged to make use of such principles and guidelines in their own efforts to prevent trafficking and to protect the rights of trafficked persons<sup>11</sup> with human rights of the victims at the central place.

Similarly, the UN convention for the suppression of trafficking in persons and of the exploitation and prostitution of others, describes in article 1 that the state parties to this convention are obliged to:



“punish any person who, to gratify the passions of another”, “procures, entices or leads away, for the purposes of prostitution, another person, even with the consent of that person, ‘or’ exploits the prostitution of another person, even with the consent of that person”.<sup>12</sup>

It is to be noted that Article 9 of the UN Trafficking Protocol contains a set of prevention and cooperation measures. According to this article, state parties shall establish policies, programmes and other measures aimed at preventing human trafficking and at protecting the victims to avoid their future re-victimization. Bilateral and multilateral cooperation between state parties is envisaged as a way to address the root cause of trafficking in persons, namely, poverty, underdevelopment and lack of equal opportunities.<sup>13</sup>

The three Ps approach comprising measures to prevent the phenomena and prosecute the traffickers and protect the victims<sup>14</sup> is required to be implemented effectively and efficiently. It is to be understood that the problem of trafficking is not only a social but also a socio-economic therefore; measures to be taken by the state should be more preventive rather than punitive.<sup>15</sup> The trafficked person’s ability to escape is obstructed by lack of financial resources and their linguistic and cultural isolation, separation from family and relatives/friends, and dreaded fear of local authorities in destination countries. If governments are serious about combating this menace, a new approach is required by addressing the push factors of economic instability, poverty and inequality in countries of origin so that the pressure on migration could be reduced over the long term and this could be a worthy goal in its own right.

The support and help mechanisms should include legal services and other resources as trafficking victims often arrive in a country without legitimate identification papers/ travel documents, unable to speak the language, and forced into an illegal trade. The rescue services are to be equipped with the impending problems, including the HIV/AIDS crisis and special needs of trafficked children. State-level measures together with those at the centre should include activating social change, public awareness and education, potential private sector allies, rescue and data analysis, NGO networks and alliances, economic opportunity and justice.<sup>16</sup> Traffickers often take benefit of gaps in labour law enforcement in destination countries as trafficked person normally work in informal sectors with weak labour protections, such as domestic service, agriculture and illegal sex work. The fact is that there are no victim-friendly laws, law enforcement mechanisms, and regional cooperation in terms of treaties, laws to prevent the victim from acquiring the status of an illegal immigrant.<sup>17</sup>

The rights-based approach is seriously concerned with

the fact that the criminal sanction paradigm has resulted in sufferings of the victims rather than of the traffickers. The rights-based approach, therefore, leads to a situation where rights of the victim are respected and protected all along, so that the victims are not subjected to retaliation or re-victimization by the law enforcement agencies, including the judiciary during all the processes connected thereto.

The innovative steps taken by the judiciary in Delhi by constituting ‘Women-Courts’ manned by women exclusively could be implemented. In-camera trials could be held where the victim can depose without any fear. Further, the judiciary should supervise the remand homes to prevent exploitation and monitor rehabilitative programmes.<sup>18</sup> While quoting Justice A.S. Anand, it has been stated that ‘a socially sensitised Judge is better statutory armour in cases of crime against women than long clauses of penal provisions containing complex exceptions and provisos’<sup>19</sup>. The apex court in India in the landmark judgements in Vishal Jeet v. Union of India and Gaurav Jain v. Union of India has played a constructive role aimed at not only prevention of the crime and curbing the menace of trafficking but also rehabilitation of the victims.<sup>20</sup>

While looking at the Indian scenario, the anti-trafficking law, the Immoral Trafficking (Prevention) Act aims at combating the commercialization of the flesh trade, however, in practice, the Indian Penal Code is invoked to charge sex workers with crimes such as public indecency or public nuisance and without looking into the root cause of the problem<sup>21</sup> as the trafficked victim fears the ordeal of a complaint and prosecution process that may in fact put her on trial. Therefore, the crime control approach criminalizes the victim. The prime motive here is stopping the crime rather than stopping the violation and exploitation. It considers the victims approach secondary, re-victimizing them and creating fear of detecting them, forcing them to live underground.<sup>22</sup> There has to be a change in the mindset that the girls involved in trafficking are not the perpetrators of crime but the victims.<sup>23</sup>

Traffickers, when prosecuted, are typically charged with crimes related to immigration violations and not human rights abuses and victims. Therefore, they receive little or nothing in terms of assistance or justice and even if they are charged, they make payments to families for not to pursue the case. The victims surrender retreating into silence and submitting their bodies owing to their poor socio-economic and cultural condition. They should, therefore, be rescued and rehabilitated and reintegrated. Therefore, it is necessary that the crime of human trafficking must be seen from human rights perspective as well.

There is an urgent need of increased efforts to

investigate and punish traffickers, with penalties that reflect the gravity of the offence. And such efforts will not be possible and successful until officials provide victims with the assistance and protection needed to gain their trust and cooperation as informants and witnesses. The problem of trafficking can be suppressed and eradicated only if the law enforcement authorities take very severe and speedy legal action against all the delinquent persons, including pimps, brokers and brothel keepers. The judiciary is required to be more proactive and sensitive in dealing with trafficking cases. In such cases, speedy trial is very much important as it could be helpful in restoring the lost self-confidence of the survivor.

In most of the developing and underdeveloped countries, laws are weak without conceptual clarity. States often lack suitable criminal justice policies which are weighed down by cumbersome procedures, lack of effective mechanism for obtaining and testing evidence, unavailability of evidence and of witnesses for testimonials, all leads to higher rate of prosecution failure, subjecting the victim in high degree of vulnerability of revenge by perpetrators. The issue of compensation is still not addressed. The victim is devoid of free access to criminal justice system and is still in need of privacy during the trial.

Often there is no comprehensive regional framework and as such the domestic laws are often conflicting and contradictory. The law enforcement officials are hardly aware of laws of receiving countries. Political instability, lack of human rights culture, good governance, widespread gender and caste discrimination makes any regional cooperation difficult. Ironically, India treats this menace in the form of illegal migration, social and security problems. The victims, at times, are treated as violators of immigration laws. The lack of sensitization leads to secondary victimization of the victims. The anti-trafficking legal frameworks and criminal justice system are not friendly to victims. They are often arrested and prosecuted instead of the traffickers. The victim support and social rehabilitation services are not visible. There is an urgent need for harmonization of legal framework; policies, programmes and cooperation at regional level so that the rights-based approach become a reality.

It is to be kept in mind that the child victims should be dealt with separately from adults in terms of laws, policies, programmes and interventions. It is quite known that once children have been trafficked, it is difficult to break the cycle of abuse. They are at high risks of being successively criminalized and of being exposed to further abuses and the risk of potential re-traumatization by police and judicial practices. Sometimes, families may refuse to take them back because of the stigma attached and, therefore, becomes vulnerable for re-trafficking.<sup>24</sup>

Sometimes they are added to this human trafficking network.

Now in order to understand the nexus between the root causes of vulnerability and consequences, let us move with our eyes set on the most possible potential hazard in the form of dreaded disease, the HIV-AIDS. It's a matter of concern that about 2.7 million people are getting infected by HIV-AIDS across the globe every year<sup>25</sup> and the stigma is as bad as the physical condition. The efforts being made by the state authorities are like cleaning the room with tap open. The impact of vulnerability is visible in the form of physical impact wherein the victims are subjected to torture and rape not only in brothels but also on the way to destination, hitting and burning of private parts with cigarette, beating, gang raping, denial of wages, forced labour, several life threatening diseases (TB, HIV-AIDS). Official estimates have state that about 60 per cent of the sex workers contract HIV/AIDS, unwanted pregnancies, frequent abortions and are exposed to hazardous industries. The trafficked victim enters a cycle so vicious that it is next to impossible to come out of it. An easy target for HIV-AIDS and other diseases, even repatriation brings no relief. They become the target of further human rights abuses.

Another aspect to this problem is that the victims of trafficking, often on return, face the age-old women problem, the loss of chastity degrading a woman making her permanently "damaged good", unfit for marriage or even acceptance back into her family.<sup>26</sup> Even if the victims have not contracted HIV/AIDS, others presume that they are infected and hence end up being neglected by families and societies. Another root cause of vulnerability is the patriarchal myth in several cultures is that sex with a young virgin restores and invigorates adult male libido. A related myth holds that a man can be cured of a sexually transmitted disease by having sex with a young virgin.<sup>27</sup>

The impact of trafficking is visible in the form of psycho-social consequences wherein the victims face high level of stigma and have no courage to face family and society. It leads to re-trafficking due to lack of reintegration as the society considers them as pollutant to other girls and therefore they are not welcomed back. They suffer humiliation, sadness, depression, anger, and fear. The issue of vulnerability from the perspective of emotional aspect is visible in the form of constant fear of arrest, isolation, deprivation of family life, social support system, humiliation and abuse. 'Child labour' is a paradox, because when labour begins, the child ceases to be<sup>28</sup>. The victims are not aware of their rights to be free from torture and to enjoy their freedom of movement. Often, there are long delays in repatriation and also lack of access to legal remedies forming the chain of re-victimization.<sup>29</sup>

### Success Story of Gonda30 Circus Case

The famous Gonda Circus Case dealt with by the National Human Rights Commission (NHRC) of India is an eye-opener on the issue of human trafficking. The testimonies of Nepalese girls, mostly minors, rescued by the NHRC team shocked the conscience of mankind.<sup>31</sup> It explains how the organised network of traffickers is operating between Nepal and India. The case is a textbook example of how the girls are trafficked, confined, kept in bondage and exploited both physically and mentally. Poor parents were lured by the traffickers with a paltry sum paid in advance, and were made to sign a contract forcing their children to work in the Circus in violation of labour laws and the Juvenile Justice Act. Even after years of service, the children were not returned to their parents on the pretext of bondage debt. The success of the case lies in the fact that the victims were restored to their parents; the offenders were arrested and prosecuted. The case was prominently highlighted by print and electronic media resulting in creating awareness in both the countries.

The fallout of the case is that the Honourable High Court of Allahabad had put the circus industry under the category of hazardous one and very recently, the Supreme Court of India banned employment of children below 14 years of age in the circus industry.

The aforementioned case reveals the major stakeholders, the major two being the trafficked girls and the traffickers; however, this crime could not have reached to its current proportions without the involvement of others. Other perpetrators to the problem are the victims' families and other members of the community. These cohorts must have a direct or indirect relationship to debtors in order to survive due to their extreme poverty. However, not so obvious is the influence of the media and modernization itself.

From the traffickers' side, the most obvious stakeholders are the business owners seeking to procure sex workers for their brothels, or other cheap labour to inflate their profit margins. Without the extent of the demand for these workers, the problem could not have escalated to its current status.

Other stakeholders involved are law enforcement bodies (in this case also the NHRC of India) and government bodies from both India and Nepal. In the broader sense, it is imperative that the international community, including the United Nations, Human Rights Commissions and other treaties take into consideration the involvement of all parties; not just the traffickers and their victims.

The concern that *"the trafficking cycle cannot be broken without attention to the rights and needs of those who have been trafficked"* is expressed in the Recommended

Guidelines on Human Rights and Human Trafficking by the High Commissioner for Human Rights. It is, therefore, important that appropriate protection and support should be extended to all trafficked persons without discrimination. To ensure this, there is an urgent need for cooperation between all stakeholders to ensure adequate shelter to the victims outside immigration detention, access to health care and counselling, access to diplomatic and counsellor representatives, legal and other assistance and protection from harm, threats, or intimidation by offenders. The identity of the victims and their privacy should always be respected and protected. It is to be ensured that the victims who do return to their country of origin are provided with due assistance in support facilitating their social integration to prevent re-trafficking. Adequate measures should be taken to ensure proper physical and psychological health care, housing, educational and employment services for returned trafficking victims.

In conclusion, it can be argued that by adopting the 'rights-based' approach this vicious circle of human trafficking can be broken. For this, proper execution of prevention, protection and prosecution mechanisms together with state measures having human rights at the centre is needed. Added to this, fulfilling needs of the victims up to the final stage of re-integration in empowering the victims is also required. It has also been argued that in the process of rendering assistance to the victim and addressing the vulnerability factors, there is an urgent need for better modalities based on coordination and cooperation among all the stakeholders within and outside the country. It is a crime that needs to be addressed on both levels, the global as well as local.

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# Socio-Ecological Profile of Birhor Tribal Community in Eastern Chotanagpur Plateau

Somnath Mukherjee\*

## Introduction

The study of social ecology is a recent sprout in the broad field of human geography. Radhakamal Mukherjee, an Indian pioneer in this field, articulated the theory of social ecology<sup>1</sup>. According to Ramachandra Guha, Radhakamal Mukherjee drew fascinating parallels between ecological influences on the plant, animal and human worlds respectively. Guha classified the concept of social ecology into two parts and those were the ecological infrastructure and the social models. He further classified social models into four sections such as social structure, culture, economy and polity<sup>2</sup>. Murry Bookchin, a well-known North-American anarchist, elaborated the concept of social ecology. According to him, social ecology is concerned with the most intimate relations between the human being and the organic world around them<sup>3</sup>. Social ecology shows the reciprocity between ecological infrastructure (soil, vegetation, water body etc.) and different strata of human society. Tribal social ecology is an important segment of social ecology, which is concerned with the relationship between the tribe and their surrounding environment. It emphasizes on the social, institutional and cultural contexts of this relationship to analyse the complex societal issues. This approach is an appeal not only for moral regeneration but also and above all, for social reconstruction along ecological lines. It describes the entire system of domination like the domination of nature itself. It also defines the relationship between non-human and human nature. Tribal social ecology is a compatible marriage between the tribal society and ecology intrinsically weaved, tuned and blended with *ecosophy* and *geosophy* in principles and non-dualistic synergy of man and nature in approach and action. It discerns the interrelationship

between nature and social attributes such as social structure, culture, economy and polity<sup>4</sup>. So, the essence of tribal social ecology is to judge the human world from the perspective of different attributes of ecology and the traditional society.

The traditional life and livelihood of the Birhor tribe can be understood by using the concept of tribal social ecology. The Birhor tribal community is identified as Particularly Vulnerable Tribal Group (PVTG) of India. This little-known jungle tribal community is living particularly in the deep-forested uplands of the eastern part of Chotanagpur plateau. The main objective of this research is to understand the Birhor tribe in terms of five broad elements of social ecology. One can also understand the possible socio-ecological transformation of the settled Birhor tribe (*Jaghi*) in terms of their present ecological settings, cultural practices, economy and acceptance towards modern health care facilities and education after the cultural assimilation with other tribal and non-tribal communities by this study.

## Objectives

Socio-ecological profile of the Birhor tribe is observed here by the five broad elements of social ecology such as ecology, social structure, culture, economy and polity. The surrounding ecology of the Birhor tribe can be understood by this research. One can find out the social structure of this tribe in terms of ecological settings. The cultural activities, rites and rituals of the Birhor tribal community can be surmised by means of tribal social ecology. The concept of tribal social ecology can also be exploited to understand the economy and polity of the said tribal community. Possible socio-ecological transformation of a particular settled Birhor tribal group (known as *Jaghi* Birhor) in terms of their ecology, culture, economy and acceptance towards modern facilities such as health care and education system is also observed in this study.

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## Methodology

The study of the socio-ecological profile of the Birhor tribal community is based on the primary level survey and the anthropo-geographic approach and action. The survey was conducted by considering some of the conventional methods of anthropo-geography such as interviews, observations and genealogy. A questionnaire was prepared to conduct both structured and unstructured spot interviews of *Naya*, the headman of the Birhor tribe and the rest of the population of their *tanda* (settlement). All possible efforts were given to understand the ecology, economy, society, political status and some important cultural rituals particularly at the time of birth, marriage and death of this tribal community. The survey was also intended to acquire information about possible socio-ecological transformation among the settled *Jaghi* Bihors of Bhupatipalli *tanda* at Bagmundi block in Purulia district, West Bengal. Parameters such as influence of the cultural assimilation on the traditional culture, economy and their acceptance towards basic health care and conventional education system are considered in this regard to understand the possible socio-cultural changes of the Birhor tribal community. Here, the acceptance to basic health care facilities includes their access to health care centres, use of vaccination and family planning measures, offered by local family welfare center. Educational standards are analysed on the basis of enrollment of their boys and girls in the local schools starting from primary and going up to secondary classes (class X).

## Socio-Ecological Profile of Birhor Tribe

The Birhor (*bir* means jungle and *hor* means man) is known as Particularly Vulnerable Tribal Group (PVTG) of India. This tribal group (earlier known as Primitive Tribal Group) is a Government of India classification, created with the purpose of enabling improvement in the conditions of certain communities with particularly low development indices<sup>5</sup>. Their habitat is restricted to the deep-forested uplands of the eastern part of Chotanagpur plateau. The Birhor tribe belongs to Proto-Australoid racial stock. Linguistically, this tribe belongs to Austro-Asiatic (Mundari) group. The present anthropo-geographic study is conducted at Purulia district in West Bengal. Purulia is topographically situated in the extended part of Chotanagpur plateau. In this district, the tribe lives in six villages across three community development blocks, namely Bagmundi, Balarampur and Jhalda-I. The population of the Bihor tribal community in Purulia district is very low which is about only 0.05 per cent of the total tribal population<sup>6</sup>.

## Ecology and Social Structure

The Birhor tribal community is closely attached to their surrounding nature. The life of the tribe is based on their ecological base<sup>7</sup>. Traditionally, they call the whole world as *Utaye*. They divide the world into two ecological territories, one is *Disum* and another is *Muluk*. *Disum* is recognized as their own territory which is characterized by hilly terrain with deep forest coverage. They consider rest of the world as *Muluk*. On the basis of their habitat and present lifestyle, this tribe is categorized into two groups, one is *Uthulu* Birhor and other is *Jagghi* Birhor. The *Uthulu* Birhor tribe practice wandering lifestyle. They prefer to live in isolation, far away from the mainstream society. This type of Birhor is also known as a woodman, who generally lives in caves and uplands covered with deep forest. They maintain an autonomous social life. The *Jagghi* Birhor tribe is a settled community. They live in the foothills in close association with non-tribal population<sup>8</sup>. The Birhor tribe has a complex social structure. They have 37 clans (*killi*) such as Kuria, Dangrakutam, Hembrom, Indawar, Kher, Giddha, Topwar Lagri, Singpuria, Sovania, Bhuiya, Gicksiria, Nag, Nagpuria, etc.<sup>9</sup> These clans do not function as exogamous units. However, all the members of a clan feel themselves unified primarily for having a common clan deity, known as *Buru Bonga*. The religious head of the Birhor tribe is known as *Naya* who is assisted by some subordinate functionaries such as *Kotwar*, *Diguar* and *Mati*. *Mati* plays the role of an *ojha* or sorcerer who minimizes the activities of witches in the locality. All of these religious positions are generally assigned on a hereditary basis. Sometimes, depending upon the situation, these position holders may also be elected by the community members<sup>10</sup>.

## Cultural Practices

### Birth

The Birhor tribe believes in *jiu* (spirit). They consider the birth of a child as a process of reincarnation of the spirit with the blessings of their Supreme Deity, *Sing Bonga* (Sun). They also believe that birth of a child symbolizes the progress of the whole community. The birth of a child usually takes place in their *orha* (traditional hut). The most experienced and aged women of the community acts as a foster-mother (midwifery) during the birth of a child. She generally cuts the umbilical cord with a bamboo knife to avoid infection. This act also indicates that they are born hunters. Child purification ceremony is generally organized at *tulsi than*, the place of their worship on the sixth day after the birth.

### Marriage

Marriage in the Birhor tribal community is considered as the first step towards the procreation of a child with the blessing of their Supreme Deity. Marriage is taken as a symbol of expansion of the community. They believe in early marriage. The marriages are usually organized at the early teen ages of both the sexes. The newly married couple needs to build a new *orha* (hut) to enjoy conjugal life. Marriages in this community are monogamous in nature following the rules of tribe endogamy and clan exogamy. The Birhor tribe is known to practice multiple marriages in case of infertility, widowhood and widowerhood. There is a ritual, known as *kania ganam* where a token of bride price is given by the family of bridegroom at the time of negotiation. The bride price is generally paid in cash and in the form of some gifts like clothes for the bride and her family. After such negotiation, the community head *Naya* gives permission for the marriage. Many rites and rituals like *marawa*, *miti korawa*, *ubatan*, *haldi*, *tel*, etc. are involved in Birhor marriage system. *Ubatan*, *haldi* and *tel* rites are generally used to make the bride more beautiful. On the day of the wedding, both the bride and bridegroom take bath and wear new clothes. After that, the bridegroom comes to the *tanda* of the bride with his relatives. They are then welcomed with flowers and *handia* (a country beer). After refreshments, they take the bridegroom to the *marawa* (wedding place) where the bride has been waiting for the wedding. The bride and the bridegroom offer flowers to each other. They cut their little fingers slightly and rub the blood to each other as a token of love. Finally the marriage ends when the bridegroom puts vermilion on the forehead of the bride. All the family members celebrate the occasion by singing, dancing and taking *handia* and foods. Next day, the family members of the bridegroom return to their *tanda* with the new couple. Then, the newly married couple takes blessings from the elders and their *tanda* deities for sake of their healthy conjugal life. The bride stays in the house of her father-in-law only for a week and then she returns to her father's house. She comes back to the *tanda* of her husband after completion of one year of the marriage and then she starts to live in a separate *orha* with her husband.

### Death

The Birhor tribe believes that there is a life after death and the process of reincarnation is known as *gach enaia*. In this process, the spirit leaves an old body (*hormo*) and gets rebirth. They consider the death of an old man as destiny. They also believe that unnatural death gives birth to an evil spirit, known as *churgin*. The Birhor tribe generally buries the dead bodies adjacent to a river or a rivulet.

Death related rituals are performed for one week. The ritual of purification is done on the seventh day<sup>11</sup>.

### Economy and Polity

The Birhor tribe depends on the forest to the extent of five-sixth of their total economy<sup>12</sup>. Birhors are born hunters. The *Uthulu* Birhors generally engage themselves in daily hunting and food gathering. They hunt monkey, rabbit, wild rats and birds like *titir* (sandpiper), etc. in the forest by using different types of nets (*jhari*) such as *tur jhari* (*tur* means rat) and *gari jhari* (*gari* means monkey), catapult, bow and arrow, etc. The *Jagghi* Birhors are generally engaged as non-agricultural day labourers and as artisans. They also practice the age-old barter system with their neighbours from other tribal communities like Santhal. They usually exchange products like flesh of animals, fruits and ropes made of a local creeping plant, called *chihor-lata* with rice and other food items.

The Birhor *tanda* (settlement) acts as a unit of their political organization. The head of the *tanda* is known as *Naya*. He plays the role of social, religious and political head. The political structure is hereditary and hierarchical in nature. *Naya* is assisted by some subordinate workers such as *Kotwar* or *Diguar* and *Mati*. The *Kotwar* acts as a messenger who usually informs all the members of their *tanda* about the schedules of Panchayat meetings. The *Kotwar* gathers the people for the communal hunt and other purposes. The *Mati* helps people in religious and magical matters<sup>13</sup>. All forms of social disputes are discussed in their *tanda* Panchayat where the *Naya* declares his verdict and also gives punishment to the accused. *Jagghi* Birhors are more conscious and aware about their political rights and reservations than *Uthulu* Birhors.

### Socio-Ecological Transformation among settled *Jaghi* Birhor Tribe

A specific study has been undertaken on the settled *Jaghi* Birhor tribe of the Bhupatipalli *tanda*, situated at the foothill of the Ajodhya hills of Purulia district, West Bengal to understand their possible socio-ecological transformation after the cultural assimilation with the local non-tribal and other tribal communities. Acculturation among the settled Birhor tribal community is examined by the possible socio-ecological transformation of this settled tribe in terms of present ecological settings, cultural practices, economic activities and their acceptance towards modern facilities and amenities particularly in health and education. Most of the Birhors of Purulia migrated from Ranchi, Hazaribagh, Dhanbad of Jharkhand state more than 150 years ago and finally settled in three blocks of



Purulia like Bagmundi, Jhalda-I and Balarampur. While earlier the tribe habitually lived in the inaccessible forests and hill areas of Purulia district, currently they live in houses built by the Backward Class Welfare Department, Government of West Bengal<sup>14</sup>.

The Bhupatipalli *tanda* is situated at the outskirts of Matiala village in Bagmundi block. At present there are a total of 49 households in the *tanda* with a total population of 184, including 89 males and 95 females. Here the settled Birhors have a common totemic emblem, known as *Shikari* (the hunter), generally used as their surname. It symbolizes their traditional professions as hunters and food gatherers and their close relationship with the surrounding ecology. In spite of the ecological change from forested uplands to the relatively plain lands of foothills, the settled *Jaghi* Birhors have a great connection with the forest. An interview with Chunu Shikari, the *Naya* (head) of Bhupatipalli *tanda* was a great opportunity to learn about the possible changes in their life and lifestyle after such cultural assimilation with the dominant non-tribal and other tribal communities of the village. He agreed that some new elements had penetrated their lives and livelihood after contacts with local villagers, government personnel and some non-government organizations. Now they often participate in some of the Hindu festivals like Durga Puja in the village. Such activities brought about changes in the norms and practices of this settled Birhor tribe. It is observed that this settled Birhor has some form of mixed practices in their marriage ceremonies. For instance, the use of vermilion (*sindura*) in a marriage may come from such assimilation between the *Jaghi* Birhors and the dominant Hindu communities. The use of vermilion though is not the main ritual of their marriage ceremony as that of the Hindu culture. The rubbing of blood to each other's forehead still persists as the most significant practice of their wedding ceremony, because it symbolizes their hunting nature.

Simplicity and self-sufficiency were the two main characteristics of the economic life of the tribal villages in the eastern part of the Chotanagpur plateau. Those were retained primarily due to local topographical features and the lack of communication between the tribal villages and the villages of the plain land and foothills of the plateau. These villages now have some economic links with the outside world to maintain some traditional economic activities like barter system and simultaneously to dispose their forest produce in the local markets. The *Jaghi* Birhors are vitally bound to local markets where they dispose of their jungle produce. Though always on the move, they are never far from a market centre<sup>15</sup>. The Birhors are mainly a nomadic community, but now most of them have settled down. As they are small landholders, they support their

economy by selling their labour, making and selling rope and by collecting and selling forest produce<sup>16</sup>. The settled Birhors of Bhupatipalli *tanda* primarily engage in collection of minor forest produce from the nearby forest. Beside this, they also work as labourer in the field of construction, household industry, rope-making, livestock forestry and agricultural sector etc. More than half of the total working force is engaged in collection of minor forest produce (32%) and as a day-labourer in the construction sector (24%). Rest of the economic force is engaged in rope making from a local creeping plant *Chihor-lata* (20%), agricultural labourer (17%) and other services (7%). None of them are found working in mining and quarrying activities. Interestingly enough, they do not practice *pub khata* (*pub* means east and *khata* means work), a typical economic activity of the agricultural labourers of both tribal and non-tribal population of Purulia who used to migrate seasonally to Bardhaman, Hooghly, and other districts of West Bengal as casual, daily wage earners in agriculture. They do all such activities in and around the village and its adjacent villages. They often sell out their collected forest produce like firewood, etc. and some household products like ropes, plates and bowls made of leaf, etc. in the local markets to earn money. The barter system is still alive particularly between the Birhors and other tribal communities like Santhal, where the Birhors usually exchange animal flesh, ropes for rice and other food items.

Presently, the settled Birhors sometimes go to the nearby health care centers for health checkups. But the rate of access to health care facilities is still at minimum level. MANT (Manbhumi Ananda Ashram Nityananda Trust), a non-profit organization, provides mobile health care facilities to the settled Birhors especially to their women and children. Due to the continuous intervention by such non-government and government bodies like the Backward Class Welfare Department, it has been observed that the *Jaghi* Birhors of Bhupatipalli have come to accept vaccination for their children. There is no single case of poliomyelitis as the whole *tanda* is already declared as polio free. But they do not accept any family planning measures offered by the local family welfare centre and any form of delivery system in the primary health centre or hospitals. Birth still takes place at home with the blessings of *Sing Bonga* (sun), the Supreme Deity.

The Birhor have a poor literacy rate<sup>17</sup> though the present education status of boys and girls of the settled Birhors of Bhupatipalli is improving with the intervention of the State Welfare Department. As per the government sources, previously they did not send their wards to educational institutions.<sup>18</sup> It is found that due to the continuous efforts from the government side, some Birhor parents now send their children to nearby

schools particularly for elementary education. Almost cent per cent of boys and girls of this tribal community have now taken to enrollment at primary level. However, the dropout rate at the high school level is almost cent per cent. Manju Shikari, a Birhor woman of Bhupatipalli, was the only student who passed the secondary examination. She had to stop her further studies due to her early marriage at the age of 16. The traditional culture like early marriage, economic backwardness, and low literacy level of the parents are possibly the main detrimental factors which do not allow them to continue their studies.

### Conclusion

Tribal social ecology explains the interrelationship between ecology and tribal society. In this study, I have tried to give a clear picture on the life and livelihood of the Birhor tribal community living in the extended part of the eastern part of Chotonagpur plateau by means of tribal social ecology. The present study highlights on ecology, social structure, culture, economy and polity of the Birhors. There is a close and keen relationship between their habits and habitats. They have a complex social structure depending upon their ecological base. A part of Birhor tribal community prefers to live in isolation and far away from modern civilization. Another part of this community are settled who share the same ecological, cultural and socio-economic base of non-tribal and other tribal communities. The study of socio-ecological transformation of the settled Birhor tribe of Bhupatipalli *tanda* indicates that due to ecological change and cultural assimilation, the age-old traditional cultural practices and beliefs of the Birhor tribe are influenced to some extent by relatively more dominant cultures of the non-tribal communities. Economy of the settled Birhor tribe is still based on the forest and the forest produce. They still practice barter system to sustain their economy. The impact of acculturation gradually alters their economic activities. Now, they are working as labourers in non-agricultural, agricultural and household industries. Awareness towards health care and education is now at its initial stage. Previously they did not send their children to educational institutions and did not go to the hospitals and health centres for treatment. But after continuous intervention from some of the government and non-government organizations, they are starting to believe in the benefits of conventional health care facilities and education system. The complete polio immunization at Bhupatipalli is an example of such change in this community. However, some traditional practices like early marriage and extreme poverty continue to prevent both boys and the girls of this settled *Jaghi* Birhor tribal community from achieving education. Irrespective of

such isolation and assimilation, both *Uthulu* and *Jaghi* Birhors are able to retain their inherent culture and identity. The development of any society depends on its economic growth without destroying the ecological base. Therefore, if the Birhors become deprived of their base, then they will have no alternatives other than to accept subordination under the dominant community of peasants.

### Glossary of technical terms used by the Birhor tribe

<i>Utae</i>	:	The whole world
<i>Disum</i>	:	The natural environment of the Birhor tribe
<i>Muluk</i>	:	The unknown territory occupied by the non-tribal communities
<i>Tanda</i>	:	The settlement of the Birhor tribe
<i>Orha</i>	:	The hut of the Birhor tribe
<i>Killi</i>	:	The close-knit group of interacted people united by kinship and descent
<i>Uthulu</i>	:	The nomadic Birhor tribe lives in deep forested uplands
<i>Jaghi</i>	:	The settled Birhor tribe
<i>Naya</i>	:	The head of the Birhor tribal settlement ( <i>tanda</i> )
<i>Buru Bonga</i>	:	The deity of the Birhor tribe, living in the hills ( <i>Buru</i> )
<i>Sing Bonga</i>	:	The supreme deity of the Birhor tribe (the sun)
<i>Churgin</i>	:	The evil deity
<i>Jiu</i>	:	The spirit
<i>Gach Enaia</i>	:	The process of reincarnation
<i>Tulsi than</i>	:	A common place of worship of the settled Birhor tribe
<i>Kania Ganam</i>	:	A traditional cultural practice organized during settlement of the marriage
<i>Marawa</i>	:	A traditional wedding place of the Birhor tribe

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# The First English Translation of *Mahabharata*: Authorship, Authority, Translation and Utility Matters

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“As Professor Max Mueller noted ‘printing is now the only means of saving your Sanskrit literature from inevitable destruction’.”

P.C. Roy: “Preface” *The Mahabharata of Krishna Dwaipayana Vyasa*: p. 30

This essay explores the issues associated with the fraught entry of *The Mahabharata* into the domain of print modernity in India. It focuses on the twin issues of authority-authorization and utility-realism as they inform and colour such entries. I describe *The Mahabharata* in India, before the 18th century, as a vast, complex and intermedially worked-out ‘event’ rather than a ‘text’ in the modern sense of the term. The critical distinction made between a ‘work’ as self-contained and ‘text’ as porous, enabling reader-response, must take into account that both (‘work’ and ‘text’) operate within, and are produced by the overarching operations of print modernity. An ‘event’, on the other hand, is surely something far more amorphous and preceding the cultures of modernity.

*The Mahabharata* ‘event’, even when operating within cultures of orality<sup>1</sup>, was a complex collaborative, intermedial processes of narrativizing. Such a process implicated *The Mahabharata*’s ‘orality-performativity’ within its ‘orality/performativity-in-écriture’ dimensions.

The renderings of Neelkantha Chatudhara’s 17th century Sanskrit *Mahabharata* or Kashiram Das’s Bengali *Mahabharata* or numerous renderings of the *Bhagwad Gita* as the essence of *Mahabharata* did not claim distinction as autonomous ‘texts’ but sought privilege as *Mahabharata*’s *tikabhasya*, being part of its exegetical process. These were offerings to the ‘event’ called *The Mahabharata* that were culled on the anvil of *bhakti*<sup>2</sup>.

The *Mahabharata*’s difficult entry within the ambit of print modernity meant crucial shifts of emphasis from it being an ‘event’ in continuum to the rupture

from its immediate past and being congealed into a standard text/edition. This also meant *The Mahabharata* being textualized with auteurs that were now claiming ‘authority’ of their ‘translation’ into modern Sanskrit; or/ and into the modern Indic and European vernaculars. Such translations now also clearly state the original authorship of *The Mahabharata* (following the inexorable logic of print modernity) as belonging to a person called ‘Krishna-Dwaipayana Vyasa.’

These vast transnational processes of *The Mahabharata* entering within print modernity cultures also meant ‘fixing’ the ‘event’ genealogically, that is, within non-permeable generic categories. While one set of individuals (Indologists such as Albrecht Weber and Friedrich Max Mueller) described *The Mahabharata* as *mahakavya* and *mahakavya* as signifying ‘epic poetry,’ another set (Sanskritists, such as Pundit Shashadhar Tarkachudamani and Bankimchandra Chattopadhyay) described it as *itihasa* in the sense of ‘history’ that is a record of empirically verifiable facts. Yet, the ancient Sanskrit aesthetic categories of *mahakavya* and *itihasa* had semantic charges very distinct from their English language ‘equivalent’ significations<sup>3</sup>.

I will narrate (following *The Mahabharata*’s digressive, eclectic, contra teleological style) the story of its entry into print cultures, in the form of its first complete English translation and its standardization as a reliable ‘text.’ This effort paid obeisance to the principal god of print-modernity, the nation-state. This nation-state deity, however, was paradoxically implicated and operating within transnational and Empire-informed ideologies!

J. van Buietenen’s “Introduction” to his English translation, *The Mahabharata: Book of Beginning* (Book I, *Adi Parva*) is in respectful acknowledgement of the ‘authority’ of the Pune-based Bhandarkar Oriental Research Institute’s (henceforth called BORI) standardized Sanskrit *Critical Edition*. The task of editing this ‘definitive text’ began in 1918 at the behest of Professor Vishnu Sitaram Sukthankar and was finally

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published in 1966. Van Buitenen's English translation of *The Mahabharata* is anchored in BORI's scholarship and its critical methodologies crystallizing several recensions, and versions into an ultimate, standard text.

van Buitenen, however, does not consider the first complete English translation of *The Mahabharata* by 'P.C. Roy' in 11 volumes and published from *Datavya Karyalaya Press* in Chitpur, Kolkata, between 1883-1889, as worthy of critical respect. In addition, van Buitenen describes the 'P.C Roy edition' as having been rejected by readers of its own times, as well as by those in ours. J. van Buitenen's grudging admission that the first English translation possesses a degree of scholarly rigour does not, however, ameliorate the fact that it is lacking in both the qualities of 'authority' and 'ethics.' I quote van Buitenen's response to this first English translation of *The Mahabharata*, as these are the very charges I wish to refute:

Thus, one complete translation was published from Calcutta (eleven volumes, 1883-1896) under the name P.C. Roy, but was in fact executed by Kesari [sic] Mohun Ganguli. This translation was not well received, either in India or in the West. Indeed the English is grating and refractory in the extreme and does not allow comfortable reading even to one used to Victorian English applied by the Indian provinces to the rendering of Sanskrit classics. [xxxvi] The apparatus is minimal to the point of non-existence, and the reader who tries to wind his way through *The Mahabharata* finds not even a table of contents to guide him. Still in spite of the strictures one might level at it, the translation [...] was by no means a careless job (Buitenen, "Introduction" Book 1, *The Mahabharata: Book of Beginning*, Chicago: Chicago UP, 1973, xxxviii)

By the time van Buitenen had come to introduce his second volume of *Mahabharata* translation ("Preface" *The Mahabharata, Book 2, The Book of Assembly Hall*), he wanted to "amplify" that the first translation of *The Mahabharata*, coming from colonial Bengal, "appeared as if done by P.C. Roy but was in fact executed by K.S. Ganguli"! A somewhat contrite van Buitenen admits that this fact/truth is stated by Ganguli himself in the "Translator's Postscript"! This is an admission, notes Buitenen, that comes at the end of the 'Roy's' eleven-volume edition ("Preface: A Correction." *Mahabharata: The Book of Assembly Hall*. Chicago UP, 1979, x). J. van Buitenen also revises his earlier dismissive stance towards the quality of the Ganguli's translation and admits that the edition does have a critical apparatus; a table of contents-instruments that 'authorize' a scholarly translation-and that Buitenen "often consult[s]" the 'Roy' translation, "and mean[s] no slight to [his] predecessors" ("Preface" *Book of Assembly Hall*, x).

I might also add that the Roy translation, that which is actually the Kishorimohan Ganguli edition (henceforth to be called by its name *The Mahabharata of*

*Krishna Dwaipayana Vyasa* or *TMOKDV*), remains till date the only complete scholarly English translation of *The Mahabharata* and all Western efforts at translating the text (and that includes the prestigious Chicago edition, whose translational endeavour J. van Buitenen had led, till his death) have remained, till date, incomplete enterprises.

### Authority and Authorship

This first English translation of *The Mahabharata*, authored by Kishorimohan Ganguli, in the second last decades of 19th century colonial Bengal in eleven volumes (1883-1896), and published by a person called Protap Chandra Roy,<sup>4</sup> the owner of the *Datavya Karyalaya Press* in Chitpur, north Kolkata, is the focal point of my study.

My essay studies not merely the act of this translation but its production underpinnings, or what I describe as the 'enterprise of production of the first English *Mahabharata*'. Such an 'enterprise' comprised garnering intellectual and governmental support; raising funds and ensuring financial support from the public at large; comparing often conflicting versions of an event called *The Mahabharata*; translating/crystallising into English a text so culturally dense that it is practically untranslatable; publishing, disseminating gratuitously (and I want to emphasise the act of free distribution of *TMOKDV* copies by the *Datavya Karyalaya Press*) advertising, and its reprinting. This massive enterprise that Roy and Ganguly headed and in which an entire 'jati-people' were implicated, embodies those complexities that an 'event' entering within print modernity cultures had had to engage with.

However, every excellence of the text entitled *The Mahabharata of Krishna-Dwaipayana Vyasa/Translated into English Prose*; but printed without the name of an 'author-translator' and with the name of its publisher—P.C. Roy—was overlooked once the fraught questions regarding *TMOKDV*'s 'authorship' came to light. Charges of fraudulence and imposture emerged to besmirch the text's every value. Its quality of nuanced English (a phenomenal achievement, given the Indians' relatively recent acquaintance with English language in India); the sheer enormity of the enterprise and the virtual untranslatability of a conceptually-dense *Mahabharata*; and the utmost rigour of scholarship that marked this translation were undermined repeatedly by *Mahabharata* critics, post 1960s.

Charges of fraudulence and unethical authorship-assumption on the part of the publisher P.C. Roy (and the consequent denying the actual author, Kishorimohan Ganguly, of his rightful due) were bandied about, primarily at the behest of the Kolkata-based professor of English and yet another trans-creator of *The Mahabharata*—Purushottam Lal.

P. Lal cannot be entirely blamed for his assuming that P.C. Roy was a fraud as many (and that includes contemporaries of P.C. Roy, such as Rudyard Kipling) had described the Bardhaman-based publisher, Protap Chandra Roy, the owner of the Dityavya Bharat Karyalaya Press as the first translator of the complete English version of *The Mahabharata*; the author of the 11-volume *TMOKDV*. Such 'recognition' of 'authority' of P.C. Roy seems obvious, given that Roy's name appears on the inner title page of the first volume of *TMOKDV*, and everywhere else, including in its Prefatory matter (though as publisher) of the first volume of the *Adi Parvan* whereas Ganguli's name is completely absent! "The supreme irony" notes Prof. Purushottam Lal is that:

[T]he K.M. Ganguli translation, now reissued from Calcutta's Oriental Press in eleven volumes (11 D Arpuli Lane, Calcutta, 1961) nowhere mentions his name, but openly credits P.C. Roy as 'translator and publisher' on the title page of each volume (*An Annotated Mahabharata Bibliography*. Calcutta: Writer's Workshop, 1967).

These charges were amplified by J. van Buitenen in his "Introduction" in *The Mahabharata: Book I, Book of Beginning* and seemed to acquire a normative status. Buitenen's "Correction" that came as part of the "Introduction" to the second volume of his *The Mahabharata* translation (*Book Two, Book of Forest*) did very little to sanitize an already besmirched reputation. The imputations of *TMOKDV*'s plebian, non-scholarly essence and its lack of critical methodology seemed to follow from the original charge of its fraudulent imposture. Buitenen quotes an essay from the 1884 edition of *The Hindu* (a prestigious Indian newspaper published from Madras) as evidence of readers' rejection of the Ganguli translation, during Ganguli's own lifetime.<sup>5</sup>

The importance of authority-authorship issues (that I claim to be central to the print modernity cultures) is reduced, and its complex implications lost if one deploys the analytical frame of binaries, comprising of 'villainous perversity' on Roy's part and 'innocent victimhood' as Ganguli's portion, with regard to the authorship of a text called *TMOKDV*.

A more enabling and responsive frame would be to 'read' the authorship-issue as the outcome of relative *naivete* on the part of the *TMOKVD* stakeholders in matters pertaining to 'authorship' and intellectual property rights, at the inception of print-modernity cultures.

The 'victim' Kishorimohan Ganguli's explication is significant. My highlighting certain lines of the passage that the 'duped' Ganguli wrote as his "Translator's Postscript" and that comes at the end of Volume XI (1896) of the English *TMOKDV*, is revealing. Ganguli notes that even "before, however, the first fasciculus could

be issued, the question as to whether the authorship of the translation be publicly owned arose." While "Babu Pratapa Chandra Roy was against anonymity" Ganguli "was for it". Ganguli ascribed his unwillingness to publicize his name as the "translator" of *TMOKDV* right away as he was doubtful about "[...] possibility of one person " being able to "translat[e] the whole of the gigantic work." Ganguli was also conscious that "other circumstances than death might arise in consequence of which" his "connection with the work might cease." Kishorimohan Ganguli felt that it would look decidedly odd and "to issue successive fascicules with names of succession of translators appearing on title pages" (*emphasis mine*).

The last sentence of Ganguli's explication exposes the relative *naivete* of the publisher-translator duo regarding contemporary methods of couching, entitling, naming, entitling such collaborative projects. Given that the Chicago University's *The Mahabharata* translation project (from 1973 onwards) has had, as of yet, three translators (owing to the death of J. van Buitenen who had completed translating the first five *parvans*) and given that the translation task was now reposed in the able hands of Prof. Wendy Doniger, and Prof. James Fitzgerald (the latter having completed translating the sixth and seventh *parvans*) and yet continues to be known by the name of the Chicago *Mahabharata*, because its principal funding agent was the Ford Foundation under Chicago University's South Asia Programme, exposes how the 'naming' and 'framing' methods of such collaborative projects have evolved in the contemporary world.

The *Clay Sanskrit Library* of ancient Sanskrit texts is so called because the principal funding 'authors' are John and Jennifer Clay. The Clay Library's translated texts, having named the principal funding agent, then named their publisher, New York University Press. The names of the editor-in-chief, Richard Gombrich and editors-translators of particular volumes—Isabella Oriana and Somdeva Vasudeva (for example), come even later. Other names might be added along as co-translators as the work reaches completion, having had begun in 2006. This is exemplary of recent developments in editorial team formation, and 'naming methods' that acknowledge an 'editor-in-chief' or 'translator-in-chief', along with a team of author-translator at the beginning of a project, while being utterly comfortable in the translation being known by the names of their principal funding agents— J.J. Clay, and University of New York Press, in this instance.

Such printed acknowledgement of a 'team of authors/translators' is also predicated on firm commitments on the part of team-members, and even more firm commitment regarding the project funding.

The translator-in-chief of the Chicago project J. van Buitenen notes that his *The Mahabharata* translation would not be possible, and he “could not have gone ahead with the publication had it not been for the substantial subvention it received from a private donor and from a foundation-supported University committee.” That donor was “George V. Bobrinsky, Emeritus Professor of Sanskrit at the University of Chicago” whom Buitenen describes as a “warm. ever-helpful. most generous colleague and friend.” Also, “the Committee on Southern Asian Studies which largely with the aid of the Ford Foundation” has been responsible “for the development of Indian studies at this University” (“Preface”, *Book I, The Book of Beginning- The Mahabharata*. Chicago University Press, 1973).

The van Buitenen translation and all subsequent English translation editions, such as those by Purushottam Lal’s *Writers’ Workshop Edition*, Bibek Debroy’s *Penguin Edition*, had the additional advantage of being anchored within the Standard Critical Edition of *The Mahabharata* of BORI, Pune. This project was completed largely by Professor Vishnu Sitaram Sukthankar (but a host of other ‘authors’ such as Ramkrishna Gopal Bhandarkar who pioneered the manuscript collection and Indological methodologies in British India, and Professor S.K. Belvakar and Professor R.N. Dandekar were appointed as joint general editors in 1957 after V.S. Sukthankar. The project was also made possible by huge financial support from the Raja of Aundh, (in the Satara district in modern Maharashtra) as well as public donations and (what is most vital) the deploying of (by then, firmly established) German philological principles, more popularly known as the Lachmann method<sup>6</sup> to steady and guide the translational ship.

Neither such intellectual network-where-withal, nor committed funding for such a huge project that ensures fixity of ‘names’ of translators was available to Protap Chandra Roy. Roy came from a desperately poor family from the Sanko area of *muffusil* Bardhaman, in colonial Bengal. Having lost his parents and raised by a widow, his adult life was spent mostly in selling books from door to door and setting up a small bookshop in Kolkata. Ganguli himself doubted Roy of possessing the necessary intellectual credentials/network and resources, so necessary to implement a project of such huge dimensions. It is the presence of the influential Durgacharan Banerjee (father of the nationalist leader Surendranath Banerjee) vouchsafing Roy’s intentions, and an assurance of an English nobleman—Marquis of Hartington—in a letter written to the German Indologist, Dr Reinhold Rost, that made Ganguli even consider Roy’s *The Mahabharata* project as feasible!

More than twelve years ago, when Babu Pratapa Chandra Roy, with Babu Durga Charan Banerjee, went to my retreat at Seebpore, for engaging me to translate the *Mahabharata* into English, I was amazed at the grandeur of the scheme. *My first question to him was—whence the money to come—supposing my competence for the task (emphasis mine).*

It is then that P.C. Roy, the arranger of an incredible amount of funding; enthusiastic visualizer of the “utility” and outreach of such translation project among British administrators, educationists and American scholar, benefactors, “showed” Ganguli, “Dr Rost’s letter”. The letter “suggested some assistance and British administrative support for the translation plan.”

This power vector of British administrative support was that one more step towards the authorizing of the project. The letter of Dr Reinhold Rost, a great German Oriental professor of the Jena school, and references to the French Orientalist, Auguste Barth (1834-1916), whose book, *Les Religions de Inde* of 1879, had created a major impact in India especially in its English translation, also acted metonymically to ‘authorize’ the project. European Indology-informed scholarship, and British administrative support-intent induced Ganguli to come on board of an unknown-publisher P.C. Roy’s translation project.

We now know that it is only after the completion of such a mammoth project that its “utility” was recognized and Lord Dufferin (Viceroy and Governor General of India 1884-1888) sanctioned a grant of 11,000 rupees (a princely sum for those times). Lord Ripon, the next Governor General, also contributed handsomely to the project. Sir Rivers Thompson (Lt. Governor of Bengal from 1882 to 1887) sanctioned 500 rupees for the project; Sir Auckland Colvin (1838-1908) Lieutenant Governor of the North West Provinces, founder of Colvin Talukdar College in Lucknow, and financial advisor to the Council, gave 2,000 rupees, and Sir Alfred Croft (Director of Public Instruction of Bengal from 1877-1897) granted 5,000 rupees. The official list of funding agencies extended to American scholars and benefactors, such as Professor Charles Rockwell Lanman (American scholar of Sanskrit in Johns Hopkins and Harvard University, 1850-1941), Professor Maurice Bloomfield of Johns Hopkins University (1855-1928, Sanskrit scholar from Yale University) among ‘others’.

The phrase ‘others’ stands as an innovative method of crowd-funding that Roy had devised and explained in his “Preface” to the English *Mahabharata* text. One of the ‘innovations’ was to distribute as many number of copies of the translation possible free of cost (*datyavyabitaran*) to maximum number of people in India and the West, and to charge a handsome amount, from those who could pay

(50-65 rupees) as part subscription, and part price. It is this piece of innovative marketing and one that was tied up with the translation-publishing of *The Mahabharata* (the Indian text) into English, (an important European language-culture) as expressive of national pride, that made this effort so special! In his publisher's "Preface", Roy notes with considerable pride:

Roughly estimated, the *Bharat Karyalaya* has distributed up to date nine thousand copies of the *Mahabharata* and *Hariivansa* taken together [...] Leaving aside the arithmetical results of the *Karyalaya's* operations, it might be fairly presumed that the genuine demand for 18000 copies of sacred books of India represent a degree of interest of the people in the history of their past that is certainly not discouraging to patriotic hearts.

Protap Chandra Roy's efforts in organizing funds, building up a patronage network among British officials, printing, publishing the text and disseminating them mostly free of cost (as the name *Datavya Bharat Karyalaya* indicates) as an act of overt nationalist identity assertion cannot be underestimated and makes Roy as much a 'author' in the project as Ganguli.

Ganguli ratifies that it is in the context of a real anxiety regarding the hugeness of the project and money promised, but not yet forthcoming that led to the joint decision "to withhold the name of the translator." However, when "an influential Indian journal came down upon poor Protap Chandra Roy and accused him openly of being party to a great literary imposture", Roy revealed the name of the translator as printed in the later fasciculus and forced them to apologize!

There are other textual layers of this translational story. Ganguli clears critical space by condemning the ill-informed and non-scholarly vernacular translations of *The Mahabharata*, available in the market, and refers to the authority of the Neelkantha Chatudhara's Sanskrit edition of the *Mahabharata* in 17th century India. There are numerous co-translators of Ganguli that are mentioned in the "Translator's Preface" and some of them are Krishna Kamal Mukhopadhyay, Shyamacharan Kaviratna, Charucharan Mukherjee, and Aghorenath Bannerjee, but they are not formally 'acknowledged' as joint translators of the text in print in the title page!

Finally, of course there is the looming shadow of Friedrich Max Mueller over this project! Roy had left with Ganguli, a copy of translation "received from Professor Max Mueller"! What extent of *The Mahabharata* had Max Mueller actually translated into English? Ganguli notes that the Max Mueller version was actually "executed thirty years ago by a young German friend of this great Pundit!" Who was that young friend of Max Mueller? He remains unknown and unacknowledged!

Ganguli claims that the Max Mueller version was literal and "had no flow" and so it had to be compared line by

line with an original Sanskrit (Neelkantha Chatudhara's *The Mahabharata*) and redone by Ganguli. Even someone like van Buitenen who must clear critical space to make way for his new English translation (that incidentally is not yet complete despite the enormous might of Anglo-American funding!) acknowledges that for all its flaws, the Ganguli translation is scholarly and is the result of painstaking academic rigour.

I describe this process of the first translation of *The Mahabharata* into English and the translational decisions taken in such detail, to expose the complexity of authorizing events like *The Mahabharata* and the difficulty of congealing them within a single-author textual frame. While Prof. Richard Gombrich does not mind his *The Mahabharata* to be referred to as the *Clay Text* because it encodes the name of the funding supporter, I don't see the validity of Prof. P. Lal and many subsequent critics' contempt for Roy's incredible efforts to bring such a work to its desired completion.

### Translational Methods

I would also like to at this point, dispute J. van Buitenen's claims that Ganguli's English is "grating to the ear", "Victorianized" (in the pejorative sense of 'antiquated' and note that it was exactly that kind of 'normalized English' that was being used by both Anglo-Indians (British in India) and their compradors, the English educated *bhadralok* of Bengal. This class had adapted to this Victorianized English better than any other South Asian group because of their physical and intellectual proximity to the ruling group and being extensions as it were, as clerks and writers, of their British rulers in language use. Rabindranath Tagore's self-translation of his Bengali *Gitanjali* into English and for which he was awarded the Nobel prize for literature is far more 'Victorianized' than Ganguli's translation of *The Mahabharata*, and as van Buitenen also agrees, translating a complex and huge text such as *Mahabharata* into a European vernacular, and making it meaningful to a modern culturally-uninformed, and racially prejudiced (Kipling for example) European audience was a fraught task.<sup>7</sup>

While I recognize Buitenen's space-clearing efforts to make room for his new translation, I cannot agree that his translations are more mellifluous or 'correct' *vi a vis* that of Ganguli's! To put it simply: Buitenen 'naturalizes/anglicizes' the Sanskrit text to suit his European readers. That often has disastrous consequences given that he is not a cultural insider. He admits that:

I am very much aware of the danger that such literalism might result in quasi translation. [...] terms for social ranks, *Brahman*, *kshatriya*, *vaishya* and *sudra* have been rendered by the Anglicized "brahmin" and "baron," "commoner" and "serf"



respectively. [...] Other words [such as *tejas*] I had to give up on [...] ("Introduction", *Book I, Book of Beginning, The Mahabharata*, xii).

I appreciate Buitenen's bewilderment with words such as *dharma* as they seem to imply different things in different contexts and is possibly the most complex, layered word in the known world, I militate against his deploying of the most absurd equivalents for culture-specific concepts such as '*khastriya*' as 'baron,' the lower part of Draupadi's sari as 'skirt', and proper names such as 'Vrikodara' as 'wolf-belly.' Every *maharathi*-heroic figure in *Mahabharata* is imbued with multiple names and Krishna has eight hundred. Each of those 'names' is proper noun as well as attributes of the hero. Arjuna is known as 'Phalguni' because he was born in the month of *phalgun* but it is also a proper noun. Parthasarathi is an equivalent of Krishna (because he is the *sarathi*-charioteer of Partha or Arjuna) but also a proper noun and a name and therefore untranslatable.

Ganguli being a cultural insider retains most of these culture-specific terms in his English language translation; insists on 'foreign-ising' the text and letting its Sanskrit and culture-specific muscles, bones and blood be seen through its translucent English-language skin<sup>8</sup>.

A comparative study of the translational logic of Sanskrit *Mahabharata(s)* into English in British India and the translational logic that informed translational-efforts of Greek Homeric epics in English in England is worthwhile<sup>9</sup>. The translational-textual reclamation of the Greco-Roman epics in the English language as discursively coeval of 'high Englishness' was a process that had begun with John Dryden but reached its self-reflexive peak with that priest of high culture and the English nationalism, Mathew Arnold.

The bringing of the Homeric epics into the domain of proper English translation was to lay claims to Greco-Roman classics as distinctive and coeval of English 'high culture'. This translation-act that was one of cultural reclamation was to distinguish English culture from the penumbra of Victorian philistinism on the one hand, and the 'darkness' of the colonized margins, on the other. Mathew Arnold's translation act also purports to purge Homer of his 'barbaric dimensions' and recast Homeric epics seamlessly, so as to function as the origins of a cultural tradition, within which the 'individual talents' of modern English litterateurs may reside.

### The Nation: Its Epics and its 'Outer Barbarians'

Arnold and Ganguli were both grappling with issues related to translation of epics into modern vernaculars (in this case, English) in times of print modernity. Both were acutely aware of the importance of such

translational projects in constructing heroic national-identity positions. While Arnold was aware of the high stakes involved in appropriating epics in English and rendering the European vernacular language cultured/prestigious thereby; Ganguli was conscious of 'using' English (prestigious as the language of the rulers of India) to keep alive his beleaguered classical traditions; and fob off imputations of them being 'monstrous' and 'barbaric' merely because India had been territorially conquered by the British<sup>10</sup>.

Mathew Arnold's rejection of Francis William Newman's, (brother of Cardinal Newman) 'quaint' 'Victorianized' Homeric translations, in favour of a difficult, more literal, against-the-grain translation (*On Translating Homer, Three Lectures*, London: George Routledge, 1861) is comparable to the stated translation goals of Kishorimhan Ganguli and Protap C. Roy. Arnold forges English nationalist aspirations on the anvils of a Homer that is reclaimed as 'simple', 'noble' and 'difficult.' His outlining of translational methods that 'foreign-ise' Homer in English translation and clear the epic poet of any 'primitive barbaric' dimensions (as imputed by some 'civilized' Victorians such as Francis Newman) creates that bulwark against that maudlin, sentimentalized, philistine English language/culture, that Arnold was wary of. Appreciation of the Arnoldian construction of English 'high culture' as a superior kind of Englishness, and one that resists Victorian philistinism, is often restricted to a reading of his *Culture and Anarchy*. However, it is in his outlining of methods of translating Homer that Arnold imagines a trans-nationally-valent high Englishness that is noble but not barbaric; simple but not simplistic; and intellectually tough to be sufficiently out of reach so far as contemporary European philistine 'barbarians' are concerned. The 'barbarian' that perpetually threatens the high national culture is also necessary as its distinctive Other. It is a similar conceptual construction that informs Ganguli-Roy's prefatory matter as well.

On the one hand, Ganguli insists on 'foreign-ising' the Sanskrit text in English, so that the spirit of the original *The Mahabharata* is retained:-

In this regard to translations from the Sanskrit, nothing is easier than to dish up Hindu ideas so as to make them agreeable to English taste. But the endeavour of the present translator has been to give in the following pages as literal a rendering as possible, of the great work of Vyasa [...] ("Translator's Preface" Book 11 *The Mahabharata of Krishna Dwaipayana Vyasa*, 1-2).

On the other hand, the Roy-Ganguli combine entreats Queen-Victoria to not "look [...] upon the conquered people as outer barbarians" but to "understand their aspirations" [...] "by a study of their national literature". The rising prestige of epic poetry in 19th century Victorian England and Europe; the recognition of such poetry as

marker of national-cultural identity formation; and the need to textually reclaim it as a distinctively nationalist act is repeatedly emphasized in the "Preface".

In his publisher's "Preface", Roy notes, "this thirst for the ancient literature of our Fatherland [...] could not but inspire feelings of pride in every patriotic bosom [...]." Such publications might succeed in persuading Indians "to contemplate, [...] *the immutable truths of Aryan philosophy, the chivalry of Aryan princes and warriors, the masculine morality that guides the conduct of men in most trying situations*" and convince both Queen Victoria and his countrymen to "look upon Vyasa and Valmiki with feelings of proper pride" (Roy "Preface" "Adi Parava", *Mahabharata*. Calcutta: Datavya Bharat Karayalaya, 9-10, *all emphasis mine*).

The most important contribution of Roy as a publisher, fund raiser and visionary, was to discover in the English *Mahabharata*, post Queen Victoria's Proclamation of 1858 and post-Mutiny, a foundational stone, in the project of 'Indian subject position constitution'. Such a position was informed by demands for equal rights of Indians as subject-people of the same Empire, as the Caucasian-British.

Roy notes that:

In her gracious Proclamation, constituting the Charter of our liberties, the Queen Empress of India enunciates the noblest principles of government, [...] Instead of looking upon the conquered people as outer barbarians, those in authority over them always manifests a sincere desire to enter into their feelings and understand their aspirations by personal converse and, what is certainly more efficacious in this line, by a study of their national literature.

Roy notes that such understanding of the conquered races is best done through translation "with regard to the *Mahabharata* in particular". The Oriental scholars affirm that this is the text on which "Orient[al] poets and prose writers of succeeding ages have drawn as on a national bank of unlimited resources." Hence Roy is "fully persuaded [of] the usefulness of such a translation [...]"

Roy's skillful steering between the Scylla of nationalist aspirations; demands for equal subject rights and cultural equivalence on the one hand; and the Charybdis of sedition, is worthy of admiration. Roy displays acuity in emphasizing the *Mahabharata's* 'utility' within an imperial system that seeks to know its subjects while venerating the 'timeless appeal' of their sacred texts.

Roy emphasizes, *pace* Professor Monier Monier-Williams, the un-ruptured relation between classical Sanskrit and Indic vernacular cultures as against the more marked rupture between classical Greco-Roman cultures and modern European vernaculars. This also makes the reading of an English *Mahabharata* useful to European civil servants wishing to govern India.

## Utility and Realism Matters

I will end my somewhat eclectic essay on the first English translation of *The Mahabharata* with the one reader-response that was contemporary to the translation's publication. On the one hand, this response corroborates Ganguli-Roy's claim that the translation was very well received and rubbishes van Buietenen's declaration of the edition being rejected in its own times and ours.

In 1886, Rudyard Kipling wrote an article for the *Civil and Military Gazette* on *The Mahabharata* that was then being translated into English. Kipling notes that:

The twenty-fifth portion of Babu Protap Chundra Roy's translation of *Mahabharata* -excellently printed on fair paper-is now before the public. [...] it is impossible not to admire the unflagging zeal and industry of the author[...].

Kipling also notes that most Englishmen, including prestigious journals such as the *Indian Antiquary: A Journal of Oriental Research* (published from 1872 and founded by the renowned archeologist James Burgess to enable transnational Indological knowledge sharing), commend the work and opine that "it is almost impossible to say too much in support of an undertaking."

What he does hotly contend, however, is that "the epic will be regarded as a thing of interest to be studied" as "this is an article of faith and therefore unverified by research". He militates against Indological constructions, noting that "Monier-Williams and Max Mueller have told the world what to believe, and the world is content to take their assertions on trust; agreeing unhesitatingly in what they say." The author of *Kim* begs to disagree, noting that the reading of the English *Mahabharata* has left him bewildered! He is unable to discover any "utility" of such a text for contemporary times, though this 'complaint' has everything to do with the epic's essence and little to do with its translation!

Meanwhile the ever-pragmatic Roy insists that this translation could help British civil servants to understand India better as the epics are Indian culture in their essence and imperialist governance is produced by cultural knowledge:

Viewed also in the light of a means to an end, the end, viz, of understanding the wishes and aspirations of the Indian races for purposes of better government, and given the practical difficulty of British civil servants acquiring enough Sanskrit to read and understand a huge and complex text such as *Mahabharata* this translation's supreme 'utility' resides in that all that "is contained in the great Sanskritic works of antiquity becomes obtainable by Englishmen through the medium of translation [...]."

Now such an explanation regarding the *Mahabharata's* 'utility' and necessity of its English translations might

appear slavishly craven, and repulsive to the modern Indian ears, given that it is seventy years that they have been rendered 'people' with "rights to rights," with distinct subject positions and 22 scheduled languages (English being one of them) asserted as distinctly Indic.

The last lines of Roy's "Preface" might assuage the bruised ego of modern Indians because it is also a position espoused by cosmopolitan thinkers such as Tagore and Goethe. The translation of Sanskrit *Mahabharata* is useful because:

The production of genius [is] the common inheritance of the world. Homer lived as much for Greeks, ancient or modern, as for Englishmen or Frenchmen, Germans or Italians. Valmiki and Vyasa lived as much for Hindus as for every race of men capable of understanding them.

## Notes

1. *The Mahabharata* is considered a *smriti* text, one that is remembered and retold by numerous tellers who recollected it, and therefore of later origin than the *shruti* texts such as the *Vedas* which were heard.
2. I am indebted to Sujit Mukherjee's *Translation as Discovery* for first introducing me to this idea.
3. Refer to Bankim Chandra Chattopadhyaya's *Krishnacharita* for more on this debate.
4. I use the Bengali transliterative practice of naming. So it is not the Anglicized Kishori Mohun, but Kishorimohan as it refers to a male (in this case, god Krishna) who infatuates

young girls, whereas 'Kishori' delinked from its *sandikaran* (*liaison*) with 'mohan' simply means a young girl! Protap Chandra Roy should be Pratapchandra Roy but this is the spelling that Roy insists on and so I retain it, albeit in protest.

5. This essay (as referred to by van Buitenen in the "Introduction" to his *The Mahabharata: Book I, Book of Beginning*) in the newspaper *The Hindu* is one that I was unable to access and I am, therefore, compelled to cite, at second hand.
6. The German scholar, Karl Konrad Wilhelm Lachmann (1793-1851), was a significant figure in the development of European philology and his research methods played a significant role in enriching the discipline of Comparative Philology. The 'Lachmann method' refers to reconstructing the text on the basis of genealogical kinship between languages.
7. Refer to Mahasweta Sengupta's essay "Translation, Colonialism and Poetics: Rabindranath Tagore in Two Worlds" on Tagore's English translation of his Bengali *Gitanjali* in Susan Bassnett and Andre Lefevere edited *Translation, History and Culture: A Sourcebook*. London: Cassel, 1995.
8. I am indebted to Harish Trivedi for this idea in *Postcolonial Translation Theory: Theory and Practice* (edited by Bassnett and Trivedi, London: Routledge, 1999).
9. This is something that van Buitenen acknowledges in his "Introduction" to the, *Book of Beginning*.
10. Many scholars, including van der Deer and van Buitenen, refer to these connections between examination and translation of Homeric texts and *The Mahabharata*.

# Philosophy, Metaphysics and Ethics: A Critical Response to Analytical Trend

Amrita Tripathi\*

For the thinkers of antiquity, “the mere word *Philosophia* — the love of wisdom — was enough to express this conception of philosophy. In the *Symposium*, Plato had shown that Socrates, the symbol of the philosopher, could be identified with Eros, the son of Poros (expedient) and of Penia (poverty). Eros lacked wisdom, but he did know how to acquire it.”<sup>1</sup> But to now define and analyse the philosophy and its sub-disciplines has become a herculean task because the world has changed a lot. Opposing disciplines have come up, with some alleging that philosophy was dead and obsolete. But it is also important to preserve any particular discipline and its legacy. So we will try to interpret and preserve the legacy of philosophy and its main sub-disciplines while responding to analytical approaches which have somehow moulded the whole course of philosophy and its discipline. As Socrates once pointed out, “A thirsty ambition for truth and virtue and a frenzy to conquer all lies and vices which are not recognized as such nor desire to be; herein consists of the heroic spirit of the philosopher”.<sup>2</sup>

Philosophy is an umbrella under which so many important disciplines flourish, and if we miss philosophical spirit in those disciplines then those disciplines wholly lose their purpose. Religion becomes superstition, ethics becomes preaching, metaphysics becomes utopia or intellectual mediocrity, etc. Plato said that “philosophy begins at wonder”, his statement somehow indicating towards those questions which are quite metaphysical and have been the part of human curiosity since antiquity. This intellectual thirst for wonder represents the importance of metaphysics. There are also some questions which are directly associated with everyone’s life, like how one ought to live? What we ought to do? What is a good life? How can we live and

die well? With these important questions, we have given these disciplines special space in our paper to analyse their nature, purpose and importance. The question is bound to arise: what is the genuine aim of philosophy, why metaphysics and ethics have been given a special status while neglecting the others discipline like logic and epistemology, etc.? The paper suggests that metaphysics and ethics deserve a special status, while logic and epistemology presides in the centre to help us to move forward in the realisation of self and reality and also help us to attain well-being, just and good life.

## Philosophy as a Critical Inquiry and a Way of Life

In analytic speculation, the central concern is mostly located in the field of philosophy of language, mind and epistemology; few thinkers will handle the problem about the metaphysics and ethics directly. Based on the first criticism, many philosophers inside or outside the analytic tradition think that the problems addressed by analytic thinkers are too trivial and academic. Such criticism is very common in the continental tradition. Despite this criticism, analytical philosophy doesn’t lose its value, it has given so much to the philosophical world with its unique methodology and philosophization.

The lacuna which we find in it can be a fill-up with the help of philosophy of antiquity so that both ‘method and matter’ become rich with the help of each other. To anyone familiar with the modern way of doing philosophy, it may seem quite strange that philosophy itself, as a whole, or any philosophy—a discipline of philosophical, however comprehensive—could all by itself constitute, for its adherents, a total, all-consuming way of life. “Philosophy” modern time represents itself as a rigorous academic philosophy, as opposed to work of consolation and service of humanity, including ones that are spoken to contain and advocate a “philosophy as a way of life”. By contrast with such more popular conceptions of

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philosophy, philosophy in the strict and narrow usage is taken for an enterprise of reasoned analysis of language and words, antagonistic argumentation, rigorously disciplined which give no place for ethics of care or any other positive and essential emotion. It should not be an essence of philosophy as Henry David Thoreau penned, "To be a philosopher is not merely to have subtle thoughts, nor even to found a school...it is to solve some of the problems of life, not only theoretically, but practically."<sup>3</sup>

Modern-day anxiety in philosophy is quite critical. Today, some consider philosophy to be a superfluous task, valuable only to those with their "head in the clouds" and time to kill. This view may be partially attributable to the growing interest that contemporary philosophers have with producing ideas intended only for their fellow academics. "...modern philosophy appears above all as the construction of a technical jargon reserved for modern specialists."<sup>4</sup> But it is a crisis which so many thinkers have exploded so many times in the history of philosophy. When philosophy was considered to be a way of life, when one of the main tasks of philosophy was to mould the soul towards goodness from any wrongdoing and evil, philosophy for stoic philosophers was a way to order our life, guide our moral standards, show us what we ought to do and what we ought not to do, and focus on the being good (virtue ethics) rather than discussing what one should do at a particular time and in a situation. "There are indeed mistakes made, through the fault of our advisors, who teach us how to debate and not how to live. There are also mistakes made by students, who come to their teachers to develop, not their souls, but their wits. Thus, philosophy, the study of wisdom, has become philology, the study of words."<sup>5</sup> These words sound true at the current time when the philosophy of ethics has strongly lost its sight due to the domination of some philosophies such as logical positivism, analytical philosophy, and linguistic trend, etc. The question which strongly demands the attention of the wise people of the world has somehow lost its strength of vowing the intellectual.<sup>6</sup>

In contrast, to present way of philosophizing, the philosophy of antiquity was concerned not with just mere speculation of a word through permutation and combination, but with the attainment of the wisdom of life for the sake of instigating a transformation of self as well as the society and the world. "Modern philosophers are "artists of reason", says Hadot while ancient philosophers were "artists of life".<sup>7</sup> Philosophy, as it is practised today, is abstract, theoretical, and detached from life, just one academic subject among others. Greek and the Roman philosophical world was something quite different in all sort of conception related to philosophy and its nature, argues the French philosopher, Pierre

Hadot. Philosophy was a normative inquiry and a way of life. Not merely a subject of study and parroting, philosophy was considered an art of living, a practice aimed at overcoming life suffering and shaping it also, and remaking the self according to an ideal of wisdom, knowledge and understating: "Such is the lesson of ancient philosophy: says Hadot in his book philosophy as a way of life an invitation to each human being to transform himself. Philosophy is a conversion, a transformation of one's way of being and living, and a quest for wisdom."<sup>8</sup>

One thing more, philosophy is not just only the reflective activity on the situation of human experience and knowledge or their cognition but it concerns fulfilling and flourishing human life. Philosophical traditions of antiquity accept knowledge or wisdom not only formal reasoning, information, induction, deduction, calculation, computation, etc. but as virtue also and hence philosophy is not confined to formal/logical reasoning only but it is valued and hence practised also. It belongs to the tradition of wisdom that comprises knowledge and cultivation (*Achara and vichara*) — individual and social. Seers, sages, scholars from the antiquity preached what they practised and practised what they thought. They presented a proper harmony between their thought and action, the highest virtue a man can consist of himself. Taking the human aspirations and utility of philosophy in satisfying them in view, talk about the utility of philosophy can relevantly be initiated. "Philosophy, throughout its history, has consisted of two parts inharmoniously blended: on the one hand a theory as to the nature of the world and on the other, an ethical or political doctrine as to the best way of living. The failure to separate these two with sufficient clarity has been a source of much-confused thinking."<sup>9</sup>

The philosophy of antiquity has never been welcomed as a dry exercise. The seers preach what they live. Thoughts must be disinterested and independent from different allegiances of mind: otherwise, they may misguide the thinking. The openness of thoughts and thinking useful for uncovering wisdom within must dawn in a self-conscious activity. Since discriminating knowledge of what to do is good and what is harmful and hence to be avoided is determined by philosophical reflection, escaping the light of philosophy, not only individual but social, political and ethical life also cannot run properly. "We should exercise ourselves with realities, not with dialectical speculations, like a man who has devoured some textbook on harmonics but has never put his knowledge into practice. Likewise, we must not be like those who can astonish their onlookers by their skill in syllogistic argumentation, but who, when it comes to their own lives, contradict their teachings."<sup>10</sup>

Some thinkers proclaim that the techniques, method and predilections of analytic thinking are not only

unhistorical but anti-historical, and primarily against textual commentary. Analytic philosophy might not be uninformed, but it usually tries to seek a very high degree of consistency, clarity and precision of formulation and argument, and it often seeks to be informed by, compliment with natural science. This thing needs to be taken into account, but despite having this strength analytic philosophy might have some pros and cons which need to be addressed for the service and spirit of philosophy like there must be some philosophical material which it will analyse. History of philosophy, metaphysics, and descriptive ethics is that material which deserves to be mean (philosophical material) to be analysed. We should take a history of philosophy including all its disciplines into account according to which we are "edified" by learning of the "great philosophical arguments", and which can be explored and analysed further for the development of philosophy.

Philosophical reflections aim at conceptual clarification, interpretation and lastly wisdom, it indicates the question of risk against philosophy does not hold merit. It is only by taking human aspirations that philosophy fulfils in view that the question of future of philosophy is warrantable. So we need to be emphasised over the applied and normative nature of philosophy which ought to be its bonafide nature since it helps humanity to live not just forced to survive reluctantly. Human is rational as well as social being so harmony and flourishing ought to be its primary requirement. At last, we would quote Cicero, "*unless the soul is cured, which cannot be done without philosophy, there will be no end to our miseries.*"<sup>11</sup> Thus, we can imagine and wonder about the importance of applied and normative nature of philosophy.

### Respecting Metaphysics and Saving Philosophy

It is a very common notion among modern philosophers that analytical thinking rejects the metaphysics and ethics, to some extent it sounds true but it's not the full picture. It has become conformity among modern thinkers not to even pay attention to the metaphysical queries by considering them 'non-sensical' which somehow leaves a lacuna in analytical philosophization. Analytical thinking and methodology deal with the question, concepts and fundamentals, so if we accept these tasks on the behalf of analytical enterprise then what will be the approach of analytical thinkers regarding metaphysics and ethics. Immanuel Kant used to consider metaphysics as "a bottomless abyss" and "a dark ocean without a shore" while William James considered it "nothing but an unusually obstinate way to think clearly."<sup>12</sup> If we will look at the history of the discipline, examine its subject matter, and search for the optimistic approach in the 20th

century philosopher Ludwig Wittgenstein's influential views on metaphysics, our conception will not be as much nihilistic as much we have adopted.<sup>13</sup>

Ludwig Wittgenstein, as everyone knows, was also quite sceptical about the ability to solve the subject matter of metaphysical puzzles or answer metaphysical questions. As he peened down: "Most of the propositions and questions to be found in philosophical works are not false but nonsensical. Consequently, we cannot give any answer to questions of this kind, but can only establish that they are nonsensical. . . (They belong to the same class as the question whether the good is more or less identical than the beautiful)."<sup>14</sup> What did Wittgenstein, who it should be noted is by no means the clearest of philosophers, mean when he said that most philosophical propositions and questions are not false, but rather non-sensical?<sup>15</sup> "His point simply follows this: Philosophical propositions are not false, they do not misstate facts which could be correctly stated, for they do not state or misstate any facts at all – they merely look like propositions but are in reality, not propositions in the strict sense. The attempt to say something (in the sense of stating propositions) about what transcends the world (the inexpressible) results in nonsense."<sup>16</sup> In other words, Wittgenstein did not believe that the questions posted by metaphysicians, ethicist and aestheticist would be answerable with the use of language. Instead of the problems of metaphysics, ethicist and aestheticist, according to Wittgenstein, "transcend" the world, or as he put it, "The solution of the riddle of life in space and time lies outside space and time." Alternatively, "There are, indeed, inexpressible things. They show themselves. They are what are mystical".<sup>17</sup>

However, it should be noted that even though Wittgenstein did not believe that most of the problems of metaphysics and axiology could be answered, yet he was also not completely against the disciplines. He was influenced by Arthur Schopenhauer who gave a well-elaborated and extensive metaphysical system. Wittgenstein himself reveals the legacy of metaphysics and in appreciation of metaphysics, he wrote: "Don't think I despise metaphysics or ridicule it. On the contrary, I regard the great metaphysical writings of the past as among the noblest productions of the human mind."<sup>18</sup> The indispensability of metaphysics is due to its primary objective of explaining the nature of reality. Metaphysics forms the foundation upon which all scientific ideas are resolved and their validity as well as distinct elements established. The fact that all scientific endeavours are aimed at explaining a particular phenomenon, metaphysics comes into play by evoking the inquisitive nature of research with the "what is?" question. It, therefore, forms the core driving force for

any scientific inquiry.<sup>19</sup> Its importance doesn't limit to science only but extends further within the discipline of philosophy. Although it's quite controversial, since antiquity it has provided the foundation most of the discipline of philosophy and human inquires. History of philosophy tells us that it is the foundation and most basic branch of philosophy and philosophical disciplines and rejecting metaphysics radically is an impossible feat, which if it were possible will not only destroy what binds and keeps society together but will also imply the absence of other philosophical disciplines like ethics, aesthetics, philosophy of religion, etc.

Another lacuna which we find in the analytical philosophy or positive philosophy is rejection of metaphysics and ethics and since the 1970s in the 20th century, there is a so-called naturalism movement inside the analytic thinking. The naturalist philosophers suspect the traditional disciplines of philosophy especially those which are most close to human life. The basic idea of naturalism is that philosophy is continuous with science. So, if there is no distinction between philosophy and science, we should refer to science if we want to get the truth in philosophy. This assumption has done so much damage to metaphysics, ethics and aesthetics by attracting the idea of radical realism and evolutionism, etc. if we simply ask if there is no division between science and philosophy, then what will be the difference between the work of science and philosophy. Then the modern allegation that philosophy is dead seems sound. And if we want to tackle such kind of allegations then only disciplines of metaphysics, ethics and aesthetics, etc. can help us. We need to propose that reality consists of much more than what we perceive with the senses. Science knows this but its arrogance that only it is right seems quite dogmatic. "Science is a bit like the joke about the drunk who is looking under a lamp post for a key that he has lost on the other side of the street because that's where the light is. It has no other choice."<sup>20</sup> This analogy suggests that scientists and drunks have something in common: both seek the truth where the process of seeking is not challenging, rather than where truth is. Here metaphysics and philosophy help us, where the methodological humility lies, the very essence of these discipline lies in the fact that 'knowing is life, accepting is death', and this knowledge-seeking must be consistent and forever.

Sometime analytic trend seems a bit like the medieval scholastics because of their common focus on rigorous analysis. Both are large-scale represents delineated among many different practitioners who specialize in a particular area. Both are effectively subordinated to particular discipline; the scholastics subordinate to theology, the analytics to natural science. The latter one is

a little tenuous, though, since some analytic thinker used to repudiate scientism. The classical analytic philosophy of the 20th century was very much subordinated to science, though, as found in Quine's approach that only philosophy of science is philosophy enough. This approach seems quite radical and a threat to the future of philosophy which needs to be addressed by the thinkers.

For instance, moving from anthropocentrism to cosmo centrism has always been considered a good philosophical approach which analytical trend solely misses. As far as ethical, metaphysical and socio-political arguments are considered, contemporary thinking scenario including analytical approach adds further weightage with anthropological/biological evidence due to its inclination towards natural sciences, as seen in quine's dictum. Well, one more interesting dimension might go with a famous argument (with a hint of evolutionism) that "every cosmo centrism is (in a way) a refined form of (thereby leads to) anthropocentrism only". This sense can be traced in those trends whose arguments focus on or derived out from the influence of the natural sciences phenomena. The analytical trend is one of those trends; it unintentionally justified almost all wrong acts done by a human in the name anthropocentrism like environmental destruction. Thus, it somehow can be traced that how the scientism is a threat to ethics and morality.<sup>21</sup>

Rationality, ethics of justice, analysis, is good but it also has a limit and some lacuna which leaves us incomplete. For instance, metaphysics, aesthetics, ethics of care which gives enough importance to emotions, instincts, curiosity, wonder, and suffering and other aspects of the universe need to be accepted in philosophization. And the crisis which we felt about how anthropocentric arguments are quite dominating in the present scenario is genuine to arise, and one of the main reasons behind this would be scientific castism with which so many analytical thinkers like to associate the philosophy. The way it treats to metaphysics, dogmatic faith in sensory experience, consider matter only the foundation of everything and surprisingly consider a matter to be pointless, aimless. How this dogma defines life from a matter which is pointless and meaningless? They are, thus, failing in one of the basic duties of philosophy, which is to keep one's assumptions under review and be willing to seriously question even the most basic of them. So the question and problem which analytical philosophy excludes to address are not so much useless and pointless.

### Tackling Some Challenges and Threats of Ethics

Generally, ethics, as it is explored in the Western philosophical tradition from Gracio-Roman to modern times, may be divided into three branches: descriptive

ethics, normative ethics; and meta-ethics. As we classify, the job of the first is to give an objective ground of the moral prescriptions, norms, and values of an individual and community or group and to show how action-guiding precepts and principles are applied in specific contexts. Normative ethics proposes general rules and principles governing how we ought to act and how one ought not to act and tries to define the character and shape of the 'good life' and 'well-being', or the way of life. It also aims to offer philosophical justification, clarification, and validation for norms it seeks to establish. And at last but not the least, meta-ethics finds its task as providing fundamental and conceptual clarification by analysing the meaning of moral concepts and characterizing the philosophical relations in moral arguments. It philosophically (critically) examines the logic of ethical enterprise and validation, and considers the overall question of the vindication of competing for ethical systems.

Our modern thinking scenario is that we care much more about our rights than about our 'good' and responsibility. We are much more hesitant to talk about our goodness: it seems moralistic or elitist. Similarly, we are nervous talking about duties and responsibility because of that a greater amount of our ethical energy or moral senesce goes to protecting claims and rights against each other which includes securing the state of our soul as purely private, purely our own business and whatever is left we put in metaethics. "A system of philosophy is generally tested by its ethical doctrine. Though criticism of life, philosophy is judged by its capacity to improve life" these words were penned by Sarvapali Radhakrishnan regarding the ethics of Vedanta, where he tried to explore and interpret the ethics of the Vedanta. I think we also need to adopt this approach if we are concerned about humanity, and should check every philosophy or system on this parameter. Otherwise, there is more chance that the thing which should be the instrument of human life improvement may become the philology or just the permutation combination of words.<sup>22</sup>

Some argue that morality is basically 'individualistic' which is quite problematic. The problem lies in the fact that it will direct morality towards relativism or subjectivism which so many thinkers find a threat to ethics. Now thinkers are searching for the ontological aspect of morality, researching the objective nature of it. So the universalizability standard which is one of the main aims of the ethicist, moral realist and philosophers like Immanuel Kant, Simon Blackburn, Emmanuel Levinas (who establish the ethics as first philosophy and criticized the individualistic conception of morality, because it may justify the brutal act of past century like Hitler's barbarism, Stalin's cruelty etc.), John Rawl's conception of justice, etc. falls apart. Obviously, individual choice,

dignity and freedom is the foundation of any moral principle but a sense of justice ought to govern those choices otherwise crude relativism is waiting for us, so many brutal instances can be traced in the history which is easy to justify based on subjectivism and relativism. We have all learned to become cautious about the physical world. We have a sense that we depend upon it, that it is fragile, and that we have the power to destroy it. Perhaps, fewer of us are sensitive to what we may call the moral or ethical sense or sense of being good. This is the sense of ideas about how to live and die well without harming others first (negative sense of morality) and how can we contribute something in the world and the lives (positive sense of morality).

Typical empiricists like John Locke believed in only two kinds of knowledge: matters of fact/empirical truths and relation of ideas/analytic truths. David Hume sharpened this analytic-synthetic distinction: "If we take in our hand any volume; of divinity or school metaphysics, for instance; let us ask, does it contain any abstract reasoning concerning quantity or number? No. Does it contain any experimental reasoning concerning matter of fact and existence? No. Commit it then to the flames: for it can contain nothing but sophistry and illusion." Unfortunately, moral statements fall in neither of the above two categories. It simply means 'grass is green' and 'murder is wrong', which are two different categories of propositions. First one is the empirically verifiable and second one is devoid of truth value, neither true nor false but still can be considered as a moral fact. How? It is not a fact in a scientific term which can be verified or experimented but factual in a sense that we can't experiment on any wrong act then know whether something is wrong or not.

Now, there are various opinions on the nature of moral propositions. A.J. Ayer calls them emotive expressions, few see them as command and for few its approval or disapproval of moral acts. Meanwhile, G.E. More comes into the picture with *Principia Ethica* and argues that the philosopher's job is to explain moral terms. That's all. Whether we take David Hume seriously or not, that's a different issue. But, analytic philosophy is highly influenced by David Hume. Modal logic (including philosophy of language) and cognitive science (including neuroscience) are major areas of interest for analytic philosophers. It needs to be examined as advocated by Alexander Macintyre in his classic book *After Virtue* and Elizabeth Anscombe in her famous paper "Modern Moral Philosophy for the Betterment of Moral Philosophy". G.E.M Anscombe in his famous paper "Modern Moral Philosophy" gave thesis that "the first is that it is not profitable for us at present to do moral philosophy; that should be laid aside at any rate until we have an adequate



philosophy of psychology, in which we are conspicuously lacking. The second is that the concepts of obligation, and duty — moral obligation and moral duty, that is to say — and of what is morally right and wrong, and of the moral sense of 'ought', ought to be jettisoned if this is psychologically possible; because they are survivals, or derivatives from survivals, from an earlier conception of ethics which no longer generally survives, and are only harmful without it."

If anyone says one moral statement is same as any other moral statement (moral relativism) then that person is like who is trying to become a grammar expert of a language which he doesn't even know, so it seems quite non-philosophical. Even though some argue that every moral assertion is the same as that of any other but instead of relativism, they preferred term contextualism by using the old wine and new bottle method. Their spirit matches as when a critic asks Heraclitus that if everything is in flux, so does it mean your statement also holds the same principle. Remember what Heraclitus responded. The response (possibly given by one of the followers of Heraclitus, but it's certainly assured that Heraclitus would have agreed on that) would be: "Everything is Flux" is a linguistic statement denoting ontological entities/phenomenon (not metaphysical, to be noted here). Now flux pertains every entity which thereby remains in constant flux, but not a linguistic statement on which the principle of change cannot ever be imposed. In this case, no contextualist is ever denying a minimum reductionist moral principle of a) universality b) necessity and c) objectivity. They are simply asserting that the manifestations might vary as per context (if-then).

This is quite problematic to the objectivity of morality and moral philosophy. Man doesn't seem to be instinctively or essentially morally courageous, and because moral acts take plenty of courage and 'strength of will' so due to this fact one may use the 'if-then' method or contextual approach as a permanent excuse to run away from moral responsibilities. Then an analytical thinker will come up with a well-known question 'but then every scientific/factual statement is technically an if-then statement. Isn't?' It is a real problem where emotive moralists misunderstood moral issues with comparing scientific facts and statements. Objective moral standards is not a fact in the scientific term which can be verified or experimented but factual in a sense that we can't experiment on any wrong act then know whether something is wrong or not. Another objection which a contextualist may have would be that to speak of "plenty of moral courage" and 'weakness of will to be moral agent' sounds too much of self-obsession, maybe a typical trait of the unfinished project of anthropocentrism. Obviously, it is unfinished task of humans to be moral

saint which constantly has to explored, moral perfection is not something that is reached from one point to another, instead it's a process towards which we can proceed and progress. But here both end and mean must be consistent, contradiction free.

It is not easy to convince moral relativist, because there are so many instances which are not actually in the moral domain but to prove their claim relativist forcefully insist them to be moral acts. To prove the theoretical aspect of if-then: 1. If we are practising Hinduism, then we cover our head on our way to temple/gurudwara. 2. If we are a Semite/Christian, we make sure to uncover our head while visiting king/senior/church. At both levels, there is an underlying objective principle of "respecting the respectable", but we can't follow the same behaviour universally, lest it becomes a sort of blasphemy. So if we are in India, then a specific code of conduct, otherwise different. After all, we chose a drowning man over a drowning cat, but in a different scenario, save a drowning cat over a drowning table. It is true when it is advocated what we do? What we ought to do? But when it comes to what we ought not to do (negative aspect of morality) then somehow if and then failed. If I say raping a child is wrong, and then it's wrong, no if will work here. A very valid point but then negative reinforcement sometimes works more efficiently. Relativist insists that rape, in any case, shouldn't be used in case of ethics, but the case of perversion. Any ethical discussion is meant for a regular society (if not ideal). But then what about slavery, sexism and so on. These activities then should also be used in act of perversion, but they don't do this, they just give some historical excuses like slavery and sexism had their connotations, anthologies and contexts which have changed and keep on changing overages. But they forget that these excuses don't convert wrong into right, wrong will be wrong.

Since it is also the work of an ethicist or moral philosopher to speculate about what is right and what is wrong then I think every wrong act should be included in ethics; thus, wrong must be considered wrong and right must be right, irrespective of all condition, especially when it comes to the danger of morality. Thus, since ethics and morality are the true guide of humans which helps us to choose good and well-being, and prevent us to do anything wrong, then it can be concluded that ethics is the most lively part of philosophy. To conclude, "The question "what is good?" is certainly the most important question you can ask...," says Richard Taylor in his famous book *Good and Evil*. For it comes to this: each of us has or might have one life to live, and that life can be, as it commonly is, wasted in the pursuit of specious goals, things that turn out worthless the moment they are possessed, or it can be made a deliberate and thoughtful

art, wherein what was sought and, let us hope, in some measure gained, was something all the while worth striving for. Or we can put it this way: there will come a day for each of us to die, and on that day, if we have failed, we shall have failed irrevocably."<sup>23</sup>

## Notes

1. Hadot, Pierre, and Arnold I. Davidson. *Philosophy as A Way of Life: Spiritual Exercises from Socrates to Foucault*. Malden, MA: Blackwell. 110n15, attributed to Epicurus. 1995
2. J. Flaherty, trans. *Socratic Memorabilia*. Baltimore, 1967, p. 147.
3. Henry David Thoreau, *Walden*
4. Hadot, Pierre, and Arnold I. Davidson. *Philosophy as a Way of Life: Spiritual Exercises from Socrates to Foucault*. Malden, MA: Blackwell. 110n15, attributed to Epicurus, 1995, p. 275
5. Lucius Seneca, Letters from a Stoic, letter-49
6. The idea that ethics should pay special attention to definitions was greatly encouraged by Moore, who in his *Principia Ethical* (1903) advanced a set of views about goodness: it was a non-natural, simple quality that could not be defined (see, Williams, Bernard *Ethics and the Limits of Philosophy*, , Taylor & Francis, 2011, p. 126)
7. Ibid.
8. Hadot, Pierre, and Davidson, Arnold I. *Philosophy as a Way of Life: Spiritual Exercises from Socrates to Foucault*. Malden, MA: Blackwell. 110n15, attributed to Epicurus. 1995, p. 275
9. Russell, Bertrand. *History of Western Philosophy*, 1961.
10. Ibid, p. 267
11. Cicero, Marcus Tullius, and King, J. E. *Tusculan Disputations*. Cambridge, Mass: Harvard University Press, 1966, III. p. 13.
12. Goodman, Russell B. Wittgenstein and William James, Cambridge: Cambridge University Press, 2002.
13. Nihilistic in a sense that as may now be self-evident metaphysics and it's subject matter inquire with some very abstract questions, queries which many thinkers, metaphysicians amongst them, accepts may not even be answerable and soluble. FH Bradley quotes humorously: "*Metaphysics is the finding of bad reasons for what we believe on instinct. . .*"
14. Fann, K.T. *Wittgenstein's Conception of Philosophy*, University of California Press, 1969, p. 23.
15. Ibid, p. 27
16. Ibid, 28
17. Tractatus Logico-Philosophicus, Ludwig Wittgenstein, 1921, extracts edited by D. Cole 1999, <https://www.d.umn.edu/~dcole/phillang/TractatusExerpts1999.htm>
18. Sherry, Patrick. *Religion: Truth and Language Games*, Springer, 17-Jun-1977, p. 46
19. Ochulor, Apebende, & Metuonu, *The Necessity of Metaphysics*, 2011
20. Chomsky, Noam. letter to auother, 14 June 1993.
21. See, Simon Blackburn's famous book *Being Good: A Very Short Introduction to Ethics*, in which he has argued how evolutionism is a threat to ethics along with some other six threats.
22. Empty is the word of that philosopher by whom no affliction of men is cured. For as there is no benefit in medicine if it does not treat the diseases of the body, so with philosophy, if it does not drive out the affliction of the soul. Epicurus fr. 54 Bailey=LS 25C & Just don't go on discussing what sort of person a good person ought to be; be one. Marcus Aurelius, 10.16". See, R.W. Sharples, *Stoics, Epicureans and Sceptics: An Introduction to Hellenistic Philosophy*, Routledge, 07 August 2014, p. 1.
23. Taylor, Richard, *Good and Evil (Great Minds)* , Prometheus; revised edition (November1) 1999, p. 173.

# Understanding the Significance of Satyagraha in Post-Independence India: Reflections on the Role of Gandhian Social Movements

Priya Sharma\*

## Introduction

Gandhi emphasized on the power of soul-force or love-force encapsulated in Satyagraha. This force that emanates from the self, played a major role not only in freeing the country from the clutches of the British rule, but through this nonviolent means of resistance, he also brought about a churning among the marginalized, suppressed sections with respect to how they see themselves. In *Hind Swaraj*, he mentions:

‘What is a nonviolent means?’ It will take long practice to standardize the meaning and content of this term. But the means thereof is self-purification and more self-purification. What Western thinkers often lose sight of is that the fundamental condition of non-violence is love, and pure unselfish love is impossible without unsullied purity of mind and body.<sup>1</sup>

Establishing a bond between the mind, body and soul, Gandhi, further, argued for a Swaraj that would restore the dignity and self-dependence of every single individual. He emphasized on self-reform and self-governance so as to treat the larger social, environmental and political problems pertaining to untouchability, education, domination of alien rule, unjustified exploitation of natural resources and so on. He, thus, asserts that India will be free, only if, we become free by adhering to the basic lesson of Swaraj which is to rule ourselves. This is the reason that he had no fear of the British as such. He believed that if we were just with ourselves and if did not let our individuality be engulfed by modern means like machinery, we can even befriend Englishmen, who could support us in moving towards our goals. He, therefore, refuted the notion that his Swaraj merely dealt with

removing the British from seats of power in the country. He even warned against the idea of replacing the ‘White sahibs’ with the ‘Brown sahibs’. Hence, it can be said that the self-belief that Gandhi hints at, forms the basis of individual as well as collective Swaraj.

It is also to be noted that Gandhi’s vision of India was deep and substantive because he argued for a holistic, harmonious relationship between human, nature, culture in the spheres related to social, political and economic. He took such a holistic connection to already exist in the Indian civilization. Gandhi saw the possibility of achieving the goal of a non-hierarchized world in Indian civilization. According to him, a true civilization shows humans the path of duty. Following this path of duty leads to understanding of the significance of morality, which basically calls for having self-control. For Gandhi, self-realization is linked to self-control and both these formed the stepping-stones towards attaining Swaraj. Hence, Swaraj focused on substantive freedom defined in terms of a holistic freedom at the level of the individual that was to be in relation to the freedom of the larger society. He could foretell how modernity, capitalism and Western framework would ultimately be leading to a nasty power game introducing hierarchies, dependence and a kind of submission and slavery in the name of freedom. In this context, Gandhi writes:

This civilization takes note neither of morality nor of religion. Its votaries calmly state that their business is not to teach religion. Some even consider it to be a superstitious growth. Others put on the cloak of religion, and prate about morality. But, after twenty years’ experience, I have come to the conclusion that immorality is often taught in the name of morality. ...Civilization seeks to increase bodily comforts, and it fails miserably even in doing so.<sup>2</sup>

Today, we see Gandhi’s apprehensions coming true. Stark binaries are visible between human beings and

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nature, mind and body as well as between modern and traditional values. Hierarchies in every sphere had been normalized either implicitly or explicitly. In the name of 'national interest', 'development', 'welfare', people were being forced to submit silently without any dissent. Putting the matter more explicitly, Anuradha Veeravalli argues:

As a consequence of the necessary surrender of self-governance for security and peace, dissent is not merely a suspect but a criminal act under the law of the modern nation state. All pretensions of 'deliberative democracy' evaporate as soon as the state is challenged with the possibility of self-governance, whether individual or communitarian, economic, political or social.<sup>3</sup>

The above argument highlights that what we have achieved is only formal freedom and there was still a long way to go before we realized true Swaraj. The modern state has tried to focus on homogenizing the differences in a way that serves its own interests. It has suppressed plurality of voices so as to give ascendancy to a "monolithic rationality with the vision of a caricaturized civil society resounding with the din of political correctness in the midst of a violent war fought by the self-proclaimed angels of rationality and the equally self-proclaimed defenders of the faith."<sup>4</sup> Thus, the state turns intolerant towards any scheme that does not fit its interests. Such intolerance and implicit or explicit ways of violent suppression of different waves of ideas, thoughts and actions reinforce the monolithic concept of rationality, suiting only a few sections of the society. Dissent that represents the voices of different marginalized people is necessary to save the real spirit of democracy and allow plurality to flourish in the country. Highlighting the centrality of dissent in a democracy, Soli J. Sorabjee states, "The right to dissent is the hallmark of a democracy, indeed its very essence. In a real democracy the dissenter must feel at home and ought not to be nervously looking over his shoulder fearing captivity or bodily harm, or economic and social sanctions for his unconventional or critical views."<sup>5</sup> In the very recent times, state's fear of dissent can be clearly gauged by the desperation it has shown in brutally suppressing voices of students in Jawaharlal Nehru University, Jamia Millia Islamia, and of its own citizens all over the country protesting against the Citizenship Amendment Act, 2020.

Taking clue from the above explanation it can be said that Satyagraha can offer a way towards introducing substantive changes, overcoming unjust oppression and re-building society, politics and economics in an integrative, non-hierarchical framework. In order to discuss this argument, the paper is thus divided into two broad sections. The first section focuses on explicating the meaning of Satyagraha as propounded by Gandhi. The

second section discusses how Satyagraha has manifested itself as creative force against injustices prevailing during the post-Independence times. In this context, the paper highlights three nonviolent resistances that kept Satyagraha at the centre of their struggle. These are: Chipko Movement in 1970s, Jal Satyagraha in 2012 and Jan Andolan in 2018.

## I. Meaning of Satyagraha

The genesis of Satyagraha as a principle could be traced even before it was identified with the same name. As Gandhi mentions, "The principle called Satyagraha came into being before that name was invented. Indeed when it was born I myself could not say what it was."<sup>6</sup> An atmosphere of ambiguity that envelops these lines put forth the possibility that this principle was entirely a novel idea which made it difficult to weave Satyagraha in the ordinary fabric of practices for resistance so far available.

Gandhi's cautious approach in letting Satyagraha to be not mixed with 'passive resistance' confirms his conviction in the principle of Satyagraha being exclusive. Differentiating Satyagraha from passive resistance, Gandhi makes it clear that his passive resistance was about the 'soul force' which was a weapon of the strong and fearless. According to him, Satyagraha (Satya-Truth; Agraha-Firmness) is a "force which is born of Truth and Love or non-violence".<sup>7</sup> On the other hand, passive resistance that was interpreted by the English people was a weapon of the weak.

Contrasting passive resistance with Satyagraha, Gandhi emphatically argues:

brute force had absolutely no place in the Indian movement in any circumstances... no matter how badly they suffered, the Satyagrahis never used physical force and that too although there were occasions when they were in a position to use it effectively.<sup>8</sup>

These few lines encapsulate the strength and a firm belief of the Satyagrahi in the principle of *ahimsa*. An unflinching faith in Satyagraha or truth-force lends the Satyagrahi not only an unwavering conviction in the cause for which he or she is fighting but also infuses the courage and energy to bear suffering on the self to the extent that "pain to a Satyagrahi is the same as pleasure."<sup>9</sup> The ability of a Satyagrahi to bear intense pain germinates from the moral strength that defined Satyagraha.

Unlike many philosophers like Hobbes and Machiavelli, Gandhi presented an unprecedented picture of human nature. Instead of eulogizing war and justifying humans as full of greed for power, Gandhi believed that humans have the force of love within themselves and this is the

reason that life is not actually nasty, short and brutish. His absolute denial of 'history' as the sole determinant of love force and his assertion on the soul force or love force being natural becomes lucid in the following lines he said:

History, then, is a record of an interruption of the course of nature. Soul-force, being natural, is not noted in history.<sup>10</sup>

Such a firm faith in the goodness of human nature, not historically recorded and yet existing in reality forms the core of Gandhi's Satyagraha.

Gandhi did not limit this belief (of love force being natural to humans) to the Satyagrahis only but also extended it to the opponents as well. He endeavoured (as a Satyagrahi) to make the opponent as a friend and not an enemy. Gandhi, thus, aimed at breaking the divide between 'us' and 'them', as can be observed in his anxiousness that Rajendra Prasad describes in 'Satyagraha in Champaran'. Rajendra Prasad explains:

What he [Gandhi] was anxious about was the trouble of the tenants should disappear and friendship established between the two parties, and their relations should be such that each should wish well of the other.<sup>11</sup>

These sentences put forth the concern of Gandhi as a Satyagrahi not only for the suppressed and marginalised but also for the exploiter.

Gandhi upheld that the heart of the opponent could be converted by a Satyagrahi through the means of love force. The conversion of the opponent is to be achieved by relevant, sane arguments, morally upright nonviolent actions and self-suffering by a Satyagrahi. Gandhi included persuasion, civil disobedience and fasting in Satyagraha. Therefore, it can be said that Satyagraha when seen as a method for conflict resolution is based on concrete steps. It is based on thorough understanding of the context and the parties involved.

It was not as though Gandhi did not take into account the dimension of winning or losing in a Satyagraha. He was concerned about the cost-benefit calculations as well, but not always from the prism of utilitarianism. But the true essence of Satyagraha lies in that it goes beyond such a cold calculation of the consequences. Therefore, Gandhi aptly says, "The very nature of Satyagraha is such that the fruit of the movement is contained in the movement itself."<sup>12</sup> It was due to this reason that Gandhi was uneasy with the end of Kheda Satyagraha and remarks,

Although, therefore, the termination was celebrated as a triumph of Satyagraha, I could not enthuse over it, as it lacked the essentials of a complete triumph. The end of a Satyagraha campaign can be described as worthy, only when it leaves the Satyagrahis stronger and more spirited than they are in the beginning.<sup>13</sup>

Thus, true Satyagraha, aims at moral, physical, social upliftment of each Satyagrahi.

Gandhi, further, explains that as Satyagraha proceeds, it is the Satyagrahi who tends to become stronger and is on the gaining side as compared to the opponent. He states:

The adversary is not a Satyagrahi, Satyagraha against Satyagraha is impossible, and is not bound by any limit of maximum or minimum... Therefore, as a Satyagraha struggle is prolonged, that is to say by the adversary, it is the adversary who stands to lose from his own standpoint, and it is the Satyagrahi who stands to gain.<sup>14</sup>

These sentences direct towards the benefits that are implicitly present in Satyagraha.

According to Gandhi, Satyagraha does not perish with time but expands unlike other struggles that get reduced as it moves further. He states:

A Satyagraha struggle progresses onward, many another element helps to swell its current, and there is a constant growth in the results to which it leads... For in Satyagraha the minimum is also the maximum, and as it is the irreducible minimum, there is no question of retreat, and the only movement possible is an advance.<sup>15</sup>

It is progressive in nature and the intensity of actions taken by a Satyagrahi gradually escalates as the struggle gets tougher. Apart from fighting for the issue and positively impacting the parties involved, Satyagraha envelops the possibility of constructive work for the betterment of the society at large. Gandhi emphasized on the virtue of self-dependence because of which he considers constructive programme as one of the paths to create substantive change. He asserts that the constructive programme may otherwise and more fittingly be called construction of Poorna Swaraj or complete independence by truthful and non-violent means. Complete independence through truth and non-violence means the independence of every unit, be it the humblest of the nation, without distinction of race, colour or creed. This independence is never exclusive. It is, therefore, wholly compatible with interdependence within or without.<sup>16</sup>

The above sentences explain that for attaining complete independence, constructive programme is important. According to Gandhi, constructive programme directs towards a search for truth which should be carried out in a nonviolent manner by focusing on not only the external world but the internal self. Therefore, a harmony between the external and the internal is indispensable in the scheme of Gandhi's constructive programme. For the overall development of the masses, Gandhi relied on educating the concerned people. Rajendra Prasad explains Gandhi's faith in education in Champaran Satyagraha by mentioning:

It was the opinion of Mahatma Gandhi that one of the main reasons of the sufferings of the tenants of Champaran was their ignorance.... Mahatmaji had accordingly decided that arrangement for spread of education was as necessary among them as the redress of their grievances.<sup>17</sup>

It should be noted here that for Gandhi, education was not mere knowledge of letters. Education, according to Gandhi, should ensure character-building in moral and ethical terms. The kind of education that Gandhi endorsed encapsulated strengthening the inner- self. Therefore, it can be said that for Gandhi, the 'search for truth' was at core of Satyagraha and this search demanded more than a mere struggle. It called for building a constructive society, for a better future, apart from just winning the struggle. Winning or losing at any cost was not its fundamental condition.

## II. Satyagraha in Post-Independence India

Soon, after the removal of British rule, Gandhi's ideas were given a backseat and India witnessed a bloodbath in the form of Hindu-Muslim riots as the aftermath of Partition. August 15, 1947 was not a day of celebration for Gandhi. It was a day when he fasted and prayed. He was utterly disappointed with violence that his own countrymen were spreading. Gandhi was left alone with only a few true followers.

The India of his dreams did not crystalize in reality. "I would prefer to die rather than live in an India where such brutalities are practiced,"<sup>18</sup> Gandhi declared on October 1, 1947. The post-Partition riots had blighted Gandhi's plans of establishing a truly, nonviolent and harmonious India. Looking at the failure of people to take nonviolence as a creed, as a philosophy, Gandhi, introspectively and critically, mentions just 10 days before Independence that:

...our non-violence was of the weak. But the weak of heart could not claim to represent any non-violence at all. The proper term was passive resistance. Passive resistance was a preparation for the active resistance of arms. Had it been the non-violence of the strong, the practice of a generation would have made the recent orgies of destruction of life and property impossible.<sup>19</sup>

Although, Gandhi recognized the loophole in the resistance, but he also made it clear that the faulty execution of nonviolent struggle does not stain the inherent worth that nonviolence holds. His unwavering faith in the nonviolence as a creed is evident in his belief that when nonviolent in all its purity can be applied only by the strong.

Gandhi had already predicted that, "Mankind is at the crossroads". "It has to make its choice between the law of the jungle and the law of humanity."<sup>20</sup> He warned

against the dismal condition that India would be in future if it followed the path of violence. Describing the incompatibility between democracy and violence, Gandhi said, "...Democracy and violence can ill go together. The States that are today nominally democratic have either to become frankly totalitarian or, if they are to become truly democratic, they must become courageously non-violent."<sup>21</sup>

The question now arises that, after so long, has Gandhi's predictions come true? Is India a false democracy? Has the legacy of Satyagraha died? If yes, then, is there something being done to redress it? How is the Gandhian legacy being valued and practiced in contemporary times? In order to answer these questions, as aforementioned, the paper discusses the significance of three movements that took place in the post-Independence India and kept Satyagraha as their focal point. Through a study, these movements it can be deciphered that Satyagraha is flexible enough to survive even in the present circumstances, where violence in every form, has been ascending.

Satyagraha reflects the unflinching faith in Gandhi's legacy of nonviolent struggle. Instead of resorting to violent means, these movements chose to resist wrong or evil through Satyagraha. The essence of these Satyagraha lies in the conscious choice of these movements to not only follow the footsteps of Gandhi, but also, understand the post-Independence context, issues and nature of the post-colonial state. It is because of these reasons that these struggles have presented new, innovative forms of Satyagraha. Without discounting on the core values of Gandhian nonviolent resistance, they have succeeded in strengthening the significance of Satyagraha in the post-Independence India.

According to Vandana Shiva and J. Bandopadhyay, "The Chipko Movement is, historically, philosophically, and organizationally, an extension of traditional Gandhian Satyagraha. Its special significance is that it is taking place in post-independence India." Forest Satyagraha throughout India had begun in the pre-Independence times right from 1930-31. These were against domination of the British government over forest resources and exploitation of these resources for commercial interests that was making the common pool of forest produce, an exclusive commodity.

The political struggle for social justice and sustainable ecology in Garhwal was carried forward with the influence of eminent Gandhians like Mira Behn and Sarala Behn. This continuation of Gandhian struggle became imperative. The reason behind it was that although, after an enormous loss of life, Satyagraha was successful in reviving some of the traditional rights of the village communities to various forest product, but the objective of growth in financial terms continued. This objective

still directs the contemporary forest management in post-Independence India and that too, with even greater ruthlessness, since it is now carried out in the name of “national interest” and “economic growth”.

Unveiling the dangerous consequences of tagging injustices as “economic growth” and in “national interest”, Pablo Kala aptly highlights in context of the people being displaced due to construction of dams in the Narmada valley:

The dominating discourses of the state and its institutions are shot through with state-centred and, under the sign of globalization, corporate-biased — abstractions like ‘national interest’, ‘administrative requirements’, and ‘development’. Through such abstractions it seeks to erase the rights of particular communities, and erase difference and diversity in the interests and propagation of the same. These abstractions are encoded with hegemonic geopolitics and geoeconomics — perpetrated by the agents of the state and globalization — for which the people and the environment of the Narmada valley are simply dispensable.<sup>22</sup>

Jal Satyagraha, led by Narmada Bachao Andolan in Khandwa district of Madhya Pradesh ended after 17 days on 10 September 2012 with a victory for the people affected by the Omkareshwar dam. The State had to lower the water level in the Omkareshwar reservoir from 190.5 meters to 189 meters, to abandon its plan to increase the water level to 193 meters, and to announce that it would comply with the Supreme Court judgment of 11 May 2011, requiring allotment of a minimum of 2 hectares of land to each displaced cultivator family.<sup>23</sup> The Jal Satyagraha made headlines and raised a consciousness among the audiences regarding the issue. This movement, like Chipko Andolan, made the cause, the means for raising Satyagraha. As encroachment on forests was the issue in Chipko Andolan, the Chipko activists decided to embrace the same forests, ready to sacrifice their own lives, similarly, Narmada Bachao Andolan found the way of carrying out their movement by submerging half their body in waters of Narmada.

Apart from *Jal Samarpan* (sacrifice in the waters), the mass movement represented by NBA came up with a plethora of new strategies and programmes on nonviolent lines. Village-level *samitis*, tehsil-level coordination committees, *Samvad Yatra* (Dialogue March), Narmada fair, *padyatras*, village-level protest actions, collective fasts in all the villages (*chulhabandh*), vehicle rally around the Narmada, *dharnas* (sit-ins), demonstrations, formation of a youth wing of the organization, establishment of a *sankalp-stambh* (Pillar of Resolve) proclaiming the people’s right over land, water and forest, *Nyaya Yatra* (Justice March), *Satyagraha* in 20 June 1999 in Domkhedi (Maharashtra) and in Jalsindhi (Madhya Pradesh), *Manav Adhikar Yatra* (Human Rights March), ‘Narmada

*Sangharsha Parikrama*’ and so on are examples of ways in which the movement resisted.

Joining the trail of such nonviolent responses was Jan Andolan, 2018, a foot-march from Gwalior to Morena in Madhya Pradesh, participated by 25,000 landless Satyagrahis from all the states of the entire country, under the leadership of P.V. Rajagopal, the founder of Ekta Parishad. Walking on busy roads and highways, these Satyagrahi claimed that earth is for every one and right to a piece of land, sufficient enough to sustain an individual and her or his family is a basic, natural right that need not require any papers to prove ownership over it. In fact, prior to Jan Andolan, 2018, Ekta Parishad-led Jan Satyagraha, in 2012, organized a march from Gwalior to Delhi, participated by one lakh landless Satyagrahis, Jan Samvad Yatra and Janadesh in 2007, again a foot-march to encourage marginalized communities to come forward for expressing their grievances and galvanize support in a nonviolent manner.

The Chipko Movement that became a national campaign in 1970s and 1980s was a struggle on a multi-dimensional front. It represented conflicts over forest resources at the scientific, technical, economic, and ecological levels. The underlying argument of the Chipko Movement that the main products of the forests are not timber or resin, but soil and water, clearly put forth the substantive goal of the movement which was not only to save the economic benefits that the local people reaped from the forests but to protect the entire ecology by saving forests. Moreover, it aimed at protecting the forests and preserving cultures along with maintaining the livelihood means of the local people. The bond of humans with nature reflects from the following sentences spoken by one of the Chipko activists, “Chipko had a very humane appeal: Cut me down before you cut down the tree. The tree is far more important than my life, it is the basis of my survival.”<sup>24</sup> Respecting nature and treating its resources as the basis of survival has resulted in deepening the link between nature, culture and humans.

As aforementioned, Western concept of rationality and dominance of scientific over traditional knowledge has given a backseat to the harmonious relationship between human and nature, yet, these movements highlight how the wounds of depreciating ecological assets affect the local people and ruin the treasure of traditional knowledge. This can be calibrated by the receding trust of the people in their own traditional knowledge about the river Narmada as narrated by one of the respondents:

When the Narmada would swell we would know rains were coming - the river and the rain were related. Now everything depends on the dam and the dam gates. The upper dams have affected the system of nature. Earlier we would know the four months when the monsoon would be here. In the third and

fourth months, on full moon days, the river would swell. During the rains the river would behave just like a 'nala' - from all its catchments it would swell and be a torrent and after a few days it would return to normal. Now because of the dam nothing is predictable, because the water is not flowing anymore and it depends on water released from the upper dams. Therefore it brings changes to traditional knowledge of how the river behaves - the knowledge system of the river.<sup>25</sup>

The discussion above directs towards the homogenizing, mainstreaming tendency of the modern nation state by removing all the differences that come in their way of establishing ascendancy of modern values, interests, institutions and structures. Thus, quoting Pablo Kala would not be an exaggeration here, as he writes:

For the poor, the lower castes, the adivasis, it was neither development nor progress. It is an erasure of difference, through homogenizing technologies and cultures of development; an erasure of resources, through exploitation for corporate profits; and an erasure of life worlds through displacement. It is erasure without end. Since their consent to be erased has not been sought, the victims of erasure have but one path open to them. They must resist.<sup>26</sup>

Resist they must but these Satyagraha also highlight how, following the lines of Gandhi, the struggle can be meaningful only if it is understood that it is for building a constructive and sustainable future for all rather than targeting a particular institution, state or individual. In this context, Ramesh Sharma, one of the national conveners of Ekta Parishad, views dialogue to be a major factor is driving democracy in the right direction. He explicated that re-exploration and dialogue is supported by Ekta Parishad. He says, "Nobody is 'enemy', it is 'opponent'. Democracy moves through dialogue with the opposition, while enmity stops this."<sup>27</sup> From these sentences it is clear that how Gandhian social movements, like Ekta Parishad today, have succeeded in erasing the difference between the 'self' and the 'other.' Taking the discussion further, P.V. Rajagopal asserts that the three premises based on Gandhian values on which the politics of Ekta Parishad rests are *samvad* (dialogue), *sangharsh* (struggle) and *sanrachna* (constructive work). According to him, this allows for a sustainable and future-oriented Satyagraha.

Here, an analysis of modern societies by Prof. Ajay Gudavarthy<sup>28</sup> explicates the point clearly. He divides these societies into two kinds of structures, the dynamic and the dialectical. Placing social movements in the latter category, he states that dialectical structures try to resolve contradictions rather than just balance them which the dynamic structures do. Moreover, the dialectical structures are "transformation centric"<sup>29</sup> as they "look at relations in terms of a process."<sup>30</sup> Thus, they aim at realizing substantive democracy as these structures focus upon building human solidarity instead of functional

solidarity which moves according to the dictates of the market and "guarantees successful execution of transactions in a market society."<sup>31</sup>

Apart from the tangible victories that these Satyagraha have achieved at different time periods, in different contexts and with respect to different issues, the significant point is that these Satyagraha have been able to strike the dormant concerns for environment, they struck the consciousness of the masses towards the on-going injustices, either overtly or covertly. For instance, they have strongly put forth the need for re-defining development. Gandhian social movements have the strength to put forth a substantive form of dissent that can meaningfully question the exploitative structures and can also highlight the on-going crisis of liberal democracy. In this context, Alberto Melucci, in one of his articles, explains "Contemporary forms of collective action act as revealers, exposing that which is hidden or excluded by the decision-making process. Collective protest and mobilization bring to light the silent, obscure or arbitrary elements that frequently arise in complex systems decisions."<sup>32</sup> The Gandhian social movements as a form of collective action act as 'revealers' as suggested by Melucci. These movements unveil the exploitative ploy that the state builds up in the name of 'development', 'national interest' and 'welfare.'

In this context, Vandana Shiva and J. Bandopadhyay write:

The deliberate introduction of this false and dangerous dichotomy between "development" and "ecology" disguises the real dichotomy between ecologically sound development and unsustainable and ecologically destructive economic growth. The latter is always achieved through destruction of life-support systems and material deprivation of marginal communities. Genuine development can only be based on ecological stability which ensures sustainable supplies of vital resources.<sup>33</sup>

The above lines explicate that Satyagraha launched by the Chipko movement seeks to be a part of encouraging ecologically sustainable development instead of becoming an obstacle in the process of development.

Talking about Jal Satyagraha, it can be argued that through this Satyagraha a fundamental developmental challenge came to the limelight. Jal Satyagraha made it clear that building dams at the cost of lives of people and their environment amounts to unjust and destructive development. In the larger picture, it can be observed that Narmada Bachao Andolan succeeded in putting across the table the issue of building large dams. It forced the World Bank to review its decision of funding these projects not only in India but throughout the world. Sanjay Sangvai rightly highlights, "It was for the first time in the Bank's history that it agreed for a review of any Bank-



funded ongoing project.”<sup>34</sup> The World Bank, which was the largest lender for the Sardar Sarovar Project, pulled back the funding and also decided to constitute a World Commission on Dams. It noted the unaddressed social and ecological questions and made such recommendations to the governments that should be incorporated before constructing large dams.

Likewise, it can be observed that Ekta Parishad’s Jan Andolan 2018 emphatically stood for land ownership rights for both women and men. With the vision of strengthening three concrete models of community-based governance (gram swaraj), local self-reliance (*gram swawlamban*) and responsible government (*jawab deh sarkar*), this Satyagraha *padyatra* made substantive demands with respect to declaration and execution of National Homestead Land Rights Act and Women’s Agriculture Entitlement Act, Announcement and implementation of National Land Reform Policy, activation of the National Land Reform Council and the National Land Reform Task Force set up by the Government of India. Moreover, it demanded the establishment of Monitoring System at National and State level for effective implementation of Forest Rights Act, 2006 and Panchayat (extension to Scheduled Areas) Act, 1996, along with Fast Track Court for quick disposal of land related cases.

Therefore, these Satyagraha ask the pertinent question, which is “Development for whom?” many such relevant question that are often brushed aside or overlooked by the state are being asked in the contemporary times through Satyagraha.

#### Conclusion

To conclude, it can be argued that Satyagraha opens up the avenues for reflection, for innovation, and for envisioning a more humane and meaningful future. Thus, it goes beyond the limits of resistance and winning over the opponent. It places a whole new space for deliberating and acting towards creating a just world and this is where its creativity lies. The present capitalist structure has frozen our minds due to which reliance over violence (the paraphernalia for the execution of which are ample) has been made easier. But, Satyagraha, demands finding the resources for the struggle from within, from the nature, due to which, in any context, it is possible, provided that one pushes the self to have a substantive relationship with the internal as well as the external.

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## Advaita Vedānta and Environmental Ethics: Some Critical Observations

Laxmikanta Padhi\*

### I

After the publication of Lynn White's *The Religious Roots of our Ecological Crisis* in 1967, it has been widely accepted that there is a relationship between religious beliefs and attitudes towards nature/environment. White remarks: "What we do about ecology [that is, the natural environment] depends on ideas of the man-nature relationship. More science and more technology are not going to get us out of the present ecologic crisis until we find a new religion or rethink our old one. The beatniks, who are the basic revolutionaries, show a sound instinct in their affinity for Zen Buddhism, which conceives man-nature relationship as very nearly the mirror image of the Christian view."<sup>1</sup> Lynn White and several environmental philosophers argue that the Western worldview and religious traditions which encourage dominance and control over nature bear the responsibility for the tragic state of our world resources and ecology today. If indeed Indian traditions have fundamentally eco-friendly philosophies and texts that encourage frugality, lack of possessions, and worldviews that include nature as continuous with human life, one may wonder why Indians have had a lamentable record in combating ecological disasters and rampant industrialization.

The answers are obviously complex. There are views on environmental philosophy which presuppose that there is a definite connection between worldviews and practice.

Recent academic opinion blames Western thoughts and Western practices for the devastation of land in Third World countries. J.B. Callicott suggested that Western intellectual colonization is responsible for the failures we see in Eastern and Southern Asia. This view is also

advocated by some eco-feminists, like Vandana Shiva, who focus almost entirely on the West, and the Third World's experience of colonial modernity as the root of environmental devastation. But this tends to ignore the pre-colonial aspects of the problem. For a long time, attempts have been made to praise the ecological potential of certain elements that potentially inspire environmental sensitivity in Indian philosophy and culture. These include concepts of Ultimate Reality, Humanity and Nature that are said to foster a more environmentally sensitive outlook.

One may be skeptical about whether or not religious ideas have actually influenced environmental practice. But there is no doubt that the philosophical-religious systems of the Indian civilization contain important strands that appear to avoid the pitfalls which Lynn White finds in the Judeo-Christian tradition. There are ways of thinking in the Indian civilization that seem to have great potential for inspiring environmental ethics and sensitivity. The central focus in this contribution is that of the Advaita Vedānta tradition in Hindu Philosophy which postulates as "All this [world], verily, is *Brahman* (the Absolute)" (*Chhāndogya Upaniṣad* 3.14. 1). In this paper, I attempt to examine the relation between Advaita Vedānta and environmental ethics/ecological ethics, albeit only briefly. I have attempted to show that there are aspects of Advaitic spirituality that give us clues on rethinking possible resolutions to the ecological distress that now affects both the Indian subcontinent and the world in general.

Advaita Vedānta provides us the basis for an environmental awareness and ethics. The philosophy of *Brahman* provides essential ingredients of an environmentally sound ethics, namely, *Reverence for Nature* at par with Albert Schweitzer's *Reverence for Life*. Schweitzer mentioned that "life itself as such is sacred. Ethics consists in the necessity of practicing reverence for life towards all will-to-live, as towards our own. It is good

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to maintain and cherish life; it is evil to destroy and check life"<sup>2</sup>. In Indian philosophy, animals, birds and different living entities are to be treated with respect because God, the Supreme Being Himself, was incarnated in the form of various species. The following may be some of the resources available in the Indian tradition for carrying out research on this issue. The *Upaniṣads* and *Bhagavad Gītā* provide vital essences concerning environmental sensitivity and ethics. The general ethical framework and some specific passages from the *Upaniṣads* and *Bhagavad Gītā* help us to reconstruct traditional views on certain issues like *ahimsā*, *dharma*, anthropocentrism, anthropomorphism, the question of value, etc. The *Narasimha Purāṇa* describes the concept of *Dasāvātāra* which states that the first incarnation of Lord Viṣṇu was a fish. The second was a tortoise, then a boar, then Vāmana – the dwarf incarnation of Vishnu and so on. The *Yājñavalkya Smṛti* suggests and supports vegetarianism. The *Śāntiparva* of *Mahābhārata* describes the fact that the life of a man and an animal is of equal value and impose the same punishment for the destruction of either forms of life.

One may say that religious precepts embedded in various religious scriptures seem to find their expression in the structured legal systems of various traditions and communities. The praxis-centred concepts influenced wide range of ethical thoughts in such a way that environmentalists support their principles and thought it significant to look more closely at these religious presuppositions. Environmental Ethics has been developed as a response to the apparent failure of ethical theories to deal with problems faced by mankind today in understanding human being's moral status vis-à-vis environment/nature. Thus, it is an acknowledged fact that religions have not only determined the way we perceive the world but also set roles for individuals to play in environment/nature. Consequently, neither religion nor environmental ethics can survive unless and until they are integrally tied up. It may be necessary that a moral science of environment and its underpinnings in theological doctrines have to be redefined and re-coordinated for a proper interdisciplinary articulation.

However, if by Vedānta we mean the Advaita or non-dualist school founded by Śāṅkara, its potential contribution to environmental philosophy has been vastly over estimated. Undoubtedly, Advaita Vedānta represents a profound spiritual foundation for fostering environmental sensitivity. In tune with environmental line of thought, it fosters values such as simplicity of life, frugality and non-violence. But there are opponents who claim that Advaita Vedānta also encourages attitudes of devaluation and neglect to the natural universe. Such attitudes are not directly responsible for environmental

degradation, but may carry the potentialities to undermine environmental concern. What Advaita Vedānta has to say about environmental concern and ecology, therefore, has been and continues to be important. Advaita Vedānta has long been known to deny the substantive reality of the world. However, there is a need to rethink this aspect of our tradition in light of the current literature on religion and environmental ethics debate.

Let us try to show that how Advaita contributes to the following three notions<sup>3</sup> that are critical to a satisfactory environmental ethics:

1. The concept of *karma*, a pervasive theory within Hinduism and according to which humanity is interconnected with everything else in the cosmos.
2. The unity of all things is in *Brahman*. This implies that fundamentally all life is one, and that in essence, everything is Real. This way of thinking supports reverence for all living things in the cosmos.
3. A logical consequence of the Vedāntic 'emanationist' theory of creation, i.e. everything in nature has 'intrinsic spiritual worth'.

For Advaita Vedānta, there is no sharp duality between the body and spirit of man; each contributes to the whole and may express the full integrity of the whole.<sup>4</sup> The goal of human life is not to escape from life but to escape from the self-centred view of life. Advaita Vedānta believes that *Ātman* or the true *Self* is one with *Brahman*, the idea that all beings are separate only apparently, but actually emanations of the one *Reality/Brahman*. This gives Advaita Vedānta a 'cosmic' outlook on life: The nature of the self includes all lesser forms of existence. The universe, though it appears to be merely-symbolic or *pratibhasika*, is actually *paramarthika* or Divine Consciousness itself. Thus, it can be said that Advaita Vedānta tradition has an ecological conscience as it proposes an essential unity of all existence in God which promotes a sense of identity and empathy with the natural world. But, there are some difficulties too which may be addressed thus:

- The claim that Advaita Vedānta finds spiritual value inherent in nature is quite difficult to accept.
- We cannot overlook the fact that Śāṅkara and his followers devalue the material world and that in the Advaitic liberation experience, the world is not revered but rather tolerated until all consciousness of the world passes away.

## II

The questions whether nature has inherent value, and whether all value require an evaluator is generally raised in the traditional environmental ethics. These questions are basically raised between nature objectivists and

value subjectivists. The former presupposes that nature is inherently/intrinsically valuable, while the later holds that it takes an evaluator to ascribe value. Reconciling these two opposing views we could argue that human beings evaluate things and events only when they take an interest. That is why a value relationship comes to the picture where it did not exist before. This evaluation is though anthropogenic or generated by humans, but not solely centred on humans or human satisfaction/desire and, hence, not anthropocentric. Such process of evaluation requires some “properties” or “potentialities” in cosmos/nature which are objective properties. For instance, a plant can defend its own life, synthesize glucose by using photosynthesis. Animals have their own life, and can have their objective preferences. This reconciliation between the nature objectivists and value subjectivists requires *Reverence for Nature* and the concept of *Brahman* in Advaita Vedānta supplies essential ingredients for *Reverence for Nature*.

It is reasonable to believe that reverence implies values perhaps even extraordinary values in the object being revered. Thus, a question is raised: Does Advaita Vedānta lead us to see such extraordinary values in nature? Does it hold that there is an “inherent spiritual worth” in everything in natural world such that it should be cherished and protected? For an answer to this question one may turn to the well-known dialogue between Yājñavalkya and his wife Maitreyī in the *Bṛhadāraṇyaka Upaniṣad* question.<sup>5</sup> As Yājñavalkya was married to two wives, and showed greater affection towards Maitreyī, one may hope for some sense of relatedness to the things of mother earth (*Devi Vasundhara*) and in cosmos/nature. Yājñavalkya left the natural world and his wives to become a world renouncer. When his wife asked for a final word of wisdom before he departed, Yājñavalkya said: You have truly been dear to me; now you have increased your dearness. But my heart is truly elsewhere. He further proceeds to say that he was leaving not as the husband, but for the sake of the Self (*ātman*) in the husband. Not for the sake of the wife is the wife, but for the sake of the Self is the wife. He continues with the same formula, including sons, cattle, wealth, caste status, and even the *Vedas*. His analysis includes the Gods, living beings and the world. Finally, he declares, not for the sake of all is all, but for the sake of the Self is all.

From the above assertion of Yājñavalkya one may understand this as a statement that husband, wife, and so on have value as expressions of the Self. Thus, he sees his wife as an expression of God. But this is not actually what Yājñavalkya is saying. He actually expressed the renouncer’s devaluation of the natural world in favour of the supreme value of the Absolute. Śaṅkara describes that “with the intention of teaching non-attachment

which is actually the means to immortality, Yājñavalkya creates distaste for his wife, husband, sons, and so on, so they may be renounced.”<sup>6</sup> Reverence for the things in life and mother earth, according to this view, is a misdirected reverence for the Self as it needs to be redirected towards the Self. Yājñavalkya tells Maitreyī that “it is the Self, not the husband that should be seen, heard, reflected upon, and meditated upon.”<sup>7</sup> The *Bṛhadāraṇyaka Upaniṣad* claims “one should meditate on the Self alone”. According to Vidyāraṇya, “since the Self is the highest object of love, one becomes indifferent to all objects of experience and transfers one’s love to the Self. Objects of experience exist only for the sake of the experiencer, i.e. the Self”.<sup>8</sup> Thus, value is located in the Self alone and far from being worthy of reverence, all that is other than the *Ātman*, including nature, is without value. The opinion of Sureśvara may be significant here. Sureśvara opines: “This supreme or *Brahman-Ātman* is said to be the savour or *rasa* of this world of effects which itself is devoid of the savour.”<sup>9</sup>

The second difficulty in the previous section is that Advaita Vedānta embraces negative evaluation of life in the cosmos/natural world. Far from encouraging reverence for nature, it inculcates fear of it. It is no accident that an Advaitin is required to be a renouncer. Śaṅkara and his disciples see the universe of birth and rebirth or *samsāra* as a “terrible ocean” that has to be crossed over. Individual selves are trapped in *samsāra* and going from birth to birth without attaining peace. They are like worms, caught in a river, being swept along from one *chakra* to another *chakra*. The sole purpose of an Advaitic *guru* is to overcome ignorance, together with its manifestation, the world. In this context, question is raised; what should be our attitude to participation in life? Śaṅkara answers: “One should despise, fear, have disgust for the existence in *samsāra*, thinking “Let there be no falling into this terrible, vast ocean of *samsāra*”.<sup>10</sup> Śaṅkara describes that to study Vedānta, a student must have intense desire for liberation from this world (*mumuk. sutva*). In this state, the student cries, “When and how, Lord, shall I be released from the bondage of *samsāra*?”<sup>11</sup>

We can find the mention of animal species in Advaita literature, where animals are not valued as fellow embodiments of spirit but as symbols of the sufferings experienced in *samsāra*. The universe is not a community, but a hierarchy, in which gods enjoy great happiness, human beings experience moderate happiness and pain, and animals suffer “extreme misery”<sup>12</sup>. As a result of evil *karma*, souls are born as plants, which endure suffering when they are harvested, cooked, and eaten. Trees serve as bodies in which the results of sins may be experienced through reincarnation.<sup>13</sup>

Also, in *Chāndogya Upaniṣad* we can find the birth of a human being as a dog or a pig whose conduct has been evil. Those who neglect both spiritual knowledge and ritual works will be reborn again and again in disgraceful births as *tuchha prāṇi*. Śaṅkara comments: They take birth as small creatures: mosquitoes and other insects — which are reborn again and again. Their continuity in a succession of births and deaths is said to be caused by the Lord. They spend their time in mere birth and death, having opportunity for neither ritual nor enjoyment. Such tiny creatures pass their lives in experiencing pain. They are “driven into terrible darkness from which it is difficult to escape, as if into a bottomless sea without any raft, without hope of crossing it.”<sup>14</sup>

### III

In Śaṅkara’s Advaita metaphysics, the world of cosmos/nature, i.e. the world of change and multiplicity, undergoes a comprehensive objectification and radical ontological devaluation. This process includes human body and mind. Advaita bases itself on *viveka* (discrimination) between *Atman* and *Anātman*, a process that is dualistic. This idea is sometimes called *Dṛgdrśyaviveka*, i.e. the discrimination between the seer (*dṛk*) and the seen (*drśya*). This is not the familiar Western dualism of mind and body. We need to distinguish between spirit and matter, the pure subject and its objects. Mind along with emotion, memory, and all that constitutes personality is regarded as a subtle form of matter. It must be rejected, together with body and nature, in favour of the pure awareness of the Self. One may say that it is pointless and misleading to say that Advaita fully overcomes the Western duality of mind and body. The body, which is considered as a symbol of change, decay, and the bondage of spirit, is objectified as an object of mistrust. In the *Aparokṣānubhūti*, it is said, “I am not the body whose nature is unreal or *asadrūpa*”.<sup>15</sup>

The goal of Advaita is to realize that the Self is in fact other than matter, other than the body and that its embodiment is only apparent. The truth to be realized is that the Self is eternally liberated, eternally disembodied or *aśarīra*. One may ponder; can we speak of ‘matter’ in a system in which all is *Brahman* according to Advaita? The answer may be yes since along with the idea of objectivity or *drśyatva*, the notion of insentience or *jaḍatva* also comes. According to the objectivity, all that is other than the Self is insentient, unconscious, *jaḍa*, or *ajñāna*. Śaṅkara argues against Sāṅkhya that it is possible for *Brahman*, which is conscious, to be the cause of the world, which is unconscious. That the cause is conscious does not entail that the world must be. Although it exists, it does share in *Brahman*’s *sattā*, and the world itself, as phenomenal, is in fact unconscious or *acetana* and *aśuddha*. Padmapāda, a

disciple of Śaṅkara, mentions that ignorance, the source of the world-appearance, is an insentient power (*jaḍātmikā avidyāśakti*).<sup>16</sup> Since *māyā* or the creative power of *Brahman* and all its products, including mind, are insentient, the universe as universe is unconscious and inert. Thus, in the context of Advaita, to say that the natural world is the supreme Consciousness itself is out of question.

In fact the goal of the Advaitins is to attain a state of complete independence (*nirālambatā*) in which spirit is no longer dependent on or limited by the body, the mind, or the world of nature.<sup>17</sup> Having an objectified cosmos/nature and reduced it to insentience, the ascetic turns his attention away from it. To help him overcome his natural human identification and attachment to his false phenomenal support, the ascetic must practice “seeing the defects” in them, i.e. *doṣa-darśana*. The body for him is inert or *jaḍa* and endless impurities. Thus, he needs to cultivate positive disgust for it and for all other phenomena. The defects of the body, mind, and objects of experience are innumerable. The discriminating Self has also no more liking for them. This distaste needs to extend to include the entire cosmos/creation. The Advaitin contemplates it as illusory (*māyika*), transient (*āgamāpāyīn*), insignificant (*tuḥḥa*), painful (*duḥkha-rūpa*), and to be abandoned (*heya*). Ultimately, the ascetic must aim at a total ‘renunciation of the universe’ (*tyāgo prapañca-rūpasya*).

### IV

Advaita Vedānta regards the world as an illusion and some thinkers have taken such ideas to encourage breaking away from all worldly bondages to attain ultimate liberation. This attempt negates and denies the world and, therefore, does not promise environmentalism, at least not in the sense as environmental philosophy is practiced today. Also, the theory of transmigration of soul encourages the connection of humans with other living beings, thus encouraging an awareness of interdependence and respect/reverence towards nature. Thus, environmental thinkers in Indian traditions have applied Vedāntic idea of omnipresence of divinity to give highest respect the natural/non-human entities such as rivers, mountains, animals and trees. It can be said that it is very tough to avoid the argument that Advaita is alienated from eco-centrism. It achieves its non-duality not inclusively but exclusively: the world of cosmos/nature is finally cast out of the Absolute, cast out of existence. We can find world alienation and Śaṅkara’s position denies the existence of cosmic world thus, he ultimately became monistic. From the *pāramārthika* perspective, the world is simply not there and has a dependent status. Advaita’s non-duality is, in fact, only provisional. From the *vyāvahārika*

perspective, the world is admitted as an inexplicable appearance, neither real nor unreal, neither different from nor identical with *Brahman*. But this is not a world affirming doctrine.

It is believed that there is always a world and there is always matter. The question remains: How do we escape from the dilemma of this contradiction? How do we expel the world from consciousness that disturbs the unlimited soul? Only by giving an arbitrary existence, we always float between existence and non-existence, and await its annihilation. Ultimately, this arbitrary existence must be transcended. The logic of Advaita Vedānta, and its longing for liberation from all form, moves it inevitably in the direction of an a-cosmic monism. Whether or not Advaita Vedānta encourages the kind of a-cosmic world is debatable. This may cause misunderstandings of the subtleties of the Advaita Vedānta position. It can be argued that Śaṅkara's denial of the value of empirical experience in *mukti*, his assertion that the world vanishes "like a dream, may be explained as his way of saying that non-dual perception is so radically different from ordinary perception as to be a kind of non-perception. There can be no doubt that Advaita Vedānta tradition as a whole promotes devaluation and disregard of the world, with important consequences for people's attitude towards cosmos/nature.

Let us cite an example of the sacred river *Gaṅgā*. Millions of gallons of raw sewage, hundreds of incompletely cremated corpses, and huge amounts of chemical waste are dumped daily in to this sacred *Gaṅgā*. The situation is very much critical and an ecological disaster is knocking at the door. Yet a person who worships *Gaṅgā mātā* still says the river *Gaṅgā* is a *Devi* and can't be polluted. It is true that this person is not a typical Advaitin but his claims are established consciously or unconsciously in consonance with the thought of the Vedānta tradition. He simply reiterates the argument of *Bhagavadgītā*<sup>18</sup> and the *Kaṭha Upaniṣad*<sup>19</sup> that the destruction of the natural, material component of life does not affect the *Ātman*. The person who respects river *Gaṅgā* reaffirms his attitude what he has learned through his culture from the preceptors of Advaita, namely, that only God or *Brahman* is real, that the world of cosmos/nature is ultimately unimportant or *tuṅṅha*.

One may ponder: what attitudes towards cosmos/nature the person who respects river *Gaṅgā* might learn if he has a chance to study Advaita Vedānta. In *Aparokṣānubhūti* of Śaṅkara, it is said that "pure non-attachment is a disregard for all objects from God (*Brahman*) down to plants and minerals, like the indifference one has towards the excrement of a crow or *kāka-viṣṭhā*."<sup>20</sup> Can we claim that this *Aparokṣānubhūti* inspires the person who respects river *Gaṅgā* to respect the cosmos/nature as

spiritual? This attribution may be criticized by scholars as mistaken, but I am concerned here with the popular and commonsensical understanding.

While responding to the environmental disasters, an *Ethics of Responsibility* may be the appropriate perspective in the 21st century environmental crisis. This is because, we think that we are not bound to solve all the problems in the world; our duty is only to avoid creating problems. We must not be responsible for evil to others; we must not harm others; if we harm, we must repair the damage. This is called *Ethics of Responsibility* and the answer to the question what makes human beings valuable and why should we revere the cosmos/nature and lead a meaningful life.

## Notes

1. White, Jr. L. 'The historical root of our ecological crisis' *Science* 155: 1203-1204, 1967.
2. Schweitzer, A. *Reverence for Life: Civilization and Ethics* trans. A. Naish, Blackwell: London, 1923.
3. Eliot Deutsch, 'Vedānta and Ecology,' *Indian Philosophical Annual*. Madras: The Center for Advanced Study in Philosophy, 7: 1970, pp. 81-83.
4. *Ibid*, pp. 81-83.
5. *Bṛhadāraṇyaka Upaniṣad* 2:4
6. *Bṛhadāraṇyaka Upaniṣad* with Śaṅkara's *Bhāṣya*, 2.4.5
7. *Bṛhadāraṇyaka Upaniṣad* 1.4.8.
8. *Pañcadaśī of Vidyāraṇya*, 12.32; 7. pp. 202-206.
9. Lance E. Nelson, "Reverence for Nature or the Irrelevance of Nature? Advaita Vedānta and Ecological Concern", *Journal of Dharma: Dharmaram Journal of Religions and Philosophies*, 16:3, July-September, 1991, pp. 282-301.
10. *Chāndogya Upaniṣad* with Śaṅkara's *Bhāṣya*, 5.10.8.
11. *Brahma Sūtra* with Śaṅkara's *Bhāṣya* 1.1.1
12. *Brahma Sūtra* with Śaṅkara's *Bhāṣya* 2.1.34
13. *Chāndogya Upaniṣad*, 5.10.7-8
14. *Chāndogya Upaniṣad* with Śaṅkara's *Bhāṣya* 5.10.8.
15. *Aparokṣānubhūti* of Śaṅkara, 24-28
16. Surendranath Dasgupta, *A History of Indian Philosophy*. Delhi; Motilal Banarsidass; 1975, 2:105 and Sri Swami Satchidanandendra, *The Method of the Vedānta*. London: Kugnn Paul International, 1989, p. 388.
17. *Aparokṣānubhūti* of Śaṅkara, p. 123
18. In other words, how can one who knows the soul to be imperishable, eternal, unborn, and immutable kill anyone or cause anyone to kill? (*Bhagavadgītā*, 2:21)
19. The slayer who thinks of slaying this and the slain who thinks this slain, both these do not know. This slays not, nor is slain. Therefore, all *samsāra*, the fruit of virtue and vice, is only in the case of those who do not know the *ātman*, and not in the case of one who knows the *Brahman*; for in his case, virtue and vice are inappropriate both from the authority of the *Srutis* and from the cogency of reasoning. (*Kaṭha Upaniṣad* 1.2.19.)
20. *Aparokṣānubhūti* of Śaṅkara, Verse-4.

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## Book Review

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# World's Parliament of Religions 1893. Participation from the Indian Subcontinent with Photographs of the World's Exposition

Rajagopal Chattopadhyaya  
Kolkata, The Author, 2nd reprint, 2011, pp. 112, Rs. 300

Amiya P. Sen\*

Along with Nrisingha P. Sil, Niranjana Dhar and Surath Chakravarti, Rajagopal Chattopadhyaya belongs to that small but powerful league of authors who represent a zealously revisionist and critical scholarship on the Ramakrishna-Vivekananda tradition, more specifically on Swami Vivekananda. The work under review is a contemporary reading of the World Parliament of Religions, convened at Chicago in 1893, celebrated both at the time and thereafter. The event affected several nations of the world, most notably the USA and India. On the one hand, it demonstrated the industrial and economic might of the USA as indeed was the intention of the organizers; on the other, it provided a great boost to Indian nationalism and the personal image of Vivekananda as a spokesperson of a subject people. Vivekananda's success at the Parliament not only put Hinduism on the global map but offered a colonized nation a new voice that echoed deep conviction and self-belief. Little known to Indians themselves before 1893, the Swami hereafter became a revered nationalist icon. However, though not oblivious of the impact that the event had on global history, Chattopadhyaya contests the allegedly disproportionate importance given to Swami Vivekananda to the relative neglect of other participants from the subcontinent.

The Parliament of Religions was hosted across a large area in central Chicago and lasted for about 18 days. It attracted participants from no less than 17 nations with India sending one of the largest contingents. This number

might have been larger had there not been constraints of language and resources. Thanks to Chattopadhyaya, we now know that the number of Indian participants was around 20 which included four Christian missionaries, spokespersons representing Buddhism, Jainism, the Brahmo Samaj, Dev Dharm, Theosophy, Sri Vaishnavism-Vishishtadvaita, the Kayasth community of Lahore, Indian Islam, Hinduism and the sole woman representative, Jeanne Sorabji. Of these at least four did not attend the Parliament but sent papers that were read out on appropriate occasions. There were also those who attended but did not speak. Although Chattopadhyaya does not mention this, I do know that the Organizing Committee had also sent out an invitation to Dulal Chand, the leader of the rural Kartabhaja sect from Bengal, but 30 years after he had passed away. Among those who declined to participate were the Sultan of Turkey and the Archbishop of Canterbury. It is commonly believed that the Archbishop did not condescend to share the platform with 'heathen' and colonial subjects from British India. If Chattopadhyaya is to be believed, it was also on this occasion that hamburgers and Quaker Oats were first introduced into the American diet!

The work under review has three chapters in all which are useful summaries of press coverage on Indian participants at the Parliament. These are interspersed by reproductions of press columns appearing in major newspapers of the east coast and Midwest covering the events. Understandably, the bulk of them is drawn from Chicago-based papers. There is also an excellent collection of rare photographs of the city and its various sites taken from two sources, the official report on the Parliament by

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John Henry Barrows and from James W. Buel's *The Magic City* (1894).

Chattopadhyaya concludes that contrary to public perception, it was not Vivekananda but the Sinhalese Buddhist, Anagarika Dharmapala, who was the star attraction among Indian delegates at the Parliament. He demonstrates this in a tabular form, judging by the number of pages devoted to each Indian delegate in either Barrow's book or else in press columns. One has to say though that such computation does not appear to take into account matters like differences in editorial policy, whims of the reporter and the quality of the paper or speech reported. There is evidently a subjective element buried in these sources that cannot be discounted. Perhaps the inclusion of a paper would have also increased the space given to a delegate when compared to shorter summaries of oral presentations.

It is not improbable that the history of the event may have been somewhat 'distorted' by the followers of Vivekananda as Chattopadhyaya claims (Preface). It is also on record that the Swami continued to write home unhappy letters alleging indifference and hostility from people such as the Brahmo Protap Chandra Mozoomdar, the Buddhist Dharmapal and the Theosophists. And yet, even assuming this to be true, the fact remains that of all the Indian delegates it is only the work of Vivekananda that has endured and continues to mark its presence in contemporary America. Admittedly, delegates other than Vivekananda have suffered from neglect which needs to be corrected. And yet, in his bid to offer us a corrective, Chattopadhyaya himself commits an identical mistake.

What this work visibly lacks is an analytical commentary on the presentations made by all Indian delegates and of the press coverage these received. Chattopadhyaya fails to notice the misrepresentations of some Indian religious sects that the American press was guilty of. Thus, on 25 September 1893, the *Chicago Daily Tribune* called the Brahmo Samaj 'the Christian branch of the Buddhists'. Apparently, some delegates like Sorabji and Nagarkar chose to speak not on religious matters but the social and the likes of Manilal Dwivedi and Mozoomdar angrily referred to Muslim atrocities on Hindus in a manner that might not have fostered inter-religious tolerance and understanding that the Parliament meant to promote. I personally also think that the work could have been better organized. There is much extraneous material that distracts attention as for instance the excerpt from Mozoomdar's *Sketches of a Tour Round the World, 1884* or how a European Muslim defended polygamy in Islam, much to the distaste of the audience present. On page 66, the author miscalculates the number of days that the American press covered Dharmapal (8 days, not 7 going by Table 3). On the same page, he also wrongly uses the word 'discovered' in place of 'invented'.

On the whole, the author is to be commended for having so painstakingly compiled such rare source-material on a subject of enduring interest. Scholars and laymen who wish to take a fresh look at the events of 1893 will do well to turn to this well researched work which enjoys the twin advantages of being both accessible and affordable.

## Bengal Renaissance and Western Philosophy: Rammohun to Rabindranath

Amitava Khastgir  
Kolkata, Rabindra Bharati Society, 2019, pp. 56, Rs. 150

Amiya P. Sen\*

This little booklet carries a surprisingly acute intellectual content given its length. It combines brevity with insights and, quite uniquely, employs a philosophical gloss on the study of a subject that has hitherto been dominated by sociologists and historians.

In this work Khastgir's agenda is to examine how Western educated Hindus in 19th century Bengal negotiated certain key ideas or values emanating in the contemporary West. It is now commonplace that the Bengal Renaissance was a creative response to the mental and moral challenges thrown by the West before the new intelligentsia that was the product of modern educational institutions; Khastgir takes the story further, however briefly, by examining the manner in which such challenges were met with or resolved, making this work an important contribution to our modern intellectual history. To my mind the important point that the book makes, though not very self consciously, is about how ideas carried a certain autonomy of movement: in 19th century India, bourgeois ideas and values were indeed accepted and internalized under material conditions which would not permit their growth.

From what I have been able to make of this monograph it would appear as though educated Hindus related to the new philosophical and scientific knowledge from the West in some distinctive ways.

First, there were those enthused by the new and socially radical ideas coming from the West but could not creatively integrate this with what they had imbibed

from their own tradition. The educationist and reformer, Vidyasagar, had a vast collection of books imported from the West but fell short of producing an original treatise based on Western ideas or values. This can be justly contrasted to the work of the novelist Bankimchandra who was, perhaps, the best read in the philosophical discourse of the West without possessing an impressive personal library. His *Dharmatattva* (1888) is the first full-length moral and philosophical treatise produced in modern Bengal that cites a good number of Western thinkers ranging from Fichte to Marx.

Second, there were those whose reading of Western philosophy looks somewhat shallow and contrived. Vidyasagar, for example, confused the subjective idealism of Berkeley with the monistic idealism of non-dualist Vedanta. He also believed that training in Western languages and knowledge systems would suitably expose the 'fallacies' in indigenous philosophical schools like Vedanta and Samkhya. Indeed, this was the substance of his two successive notes on education, dated 12th April 1852 and 7 September 1853 respectively. This critique is surprising if only because two completely opposed philosophical schools, idealistic Vedanta and materialistic Samkhya, could not have been both false. His agnosticism and arguments against the idea of a benevolent God too appear to have been derived from the writings of Mill, Hume and Spencer. Vidyasagar used Bacon to critique certain other philosophical schools like Nyaya which quite uncharitably he called a 'cobweb of learning'.

Third, we can also think of individuals who were willing to accept the Western philosophical traditions rather selectively. Reportedly, Maharshi Debendranath Tagore's gifted away a good collection of books on

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Western thinkers to the library at Santiniketan presumably because he had no use for them. Both the Maharshi and the prominent Brahmo theologian, Keshabchandra Sen, preferred to borrow Western theism, not philosophy: focusing on the unity and personality of God and on the value of prayer and repentance. It is no coincidence that they both also contributed towards marginalizing indigenous philosophical systems: the Maharshi by refusing to accept the authority of Vedanta-*shastra* and Keshab, by profusely borrowing from the eclecticism of Victor Cousin and the New Testament.

In his incisive survey of Indian reception of Western thought, Khastgir makes three other points of substance and which, in my knowledge, have not been made earlier with comparable clarity. For one, he points to the tendency among educated Hindus of the 19th century of adulating relatively minor philosophical thinkers like Bacon to the relative neglect of Kant and Hegel. They were also in error in combining people as removed from one another as Bacon and Comte. Bacon, unlike Descartes, had no ideas about the applicability of mathematics to the study of nature and was more a naturalist than a philosopher (p. 11). And Bacon perceptibly differed from Comte inasmuch as he did not accept the worship of Humanity as religion (p. 19). My own thoughts on the matter are that Bacon's popularity arose primarily from two factors: his aversion to idealism and his preference for the inductive method of reasoning over the deductive,

which, arguably, better promoted a scientific and rational temperament. This was a point Bankimchandra makes too in his "The Study of Hindu Philosophy". We are also alerted about the tardy pace at which Western ideas entered Bengal. It is true that Paine's *Age of Reason* were sold at many times its price by unscrupulous book sellers but even so, communication links between England and India were not as rapid or effective in the first half of the century as they were in the second. Khastgir is quick to notice Rammohun's confusing monism with monotheism or his addressing the metaphysical Absolute, Brahman, as 'God', the latter because the term Absolute was popularized only by Fichte and his followers and clearly, Rammohun was not familiar with it in the 1820s (p.12).

I disagree with the author's claim that Akshay Kumar Dutt was a Brahmo (p. 18) or that Debendranath renounced faith in both the Upanishads and Vedanta *darshana*. It is a pity also that the work does not seriously take up the contribution of Bipinchandra Pal, the militant nationalist turned Vaishnava theoretician. I distinctly recall his persistent use of neo-Hegelianism in explaining key concepts in Vaishnava religion and aesthetics.

What tarnishes the value of Khastgir's otherwise very useful book is the inexcusably large number of typos and one wonders if the publisher arranged for proof-reading at all. All the same, to those interested in the history of thought during one of the key periods in modern Indian history, I heartily recommend the book under review.