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13.1 INTRODUCTION

Science and technology have played a pivotal role in the development of human society. The human beings from prehistoric times had curiosity to observe and understand nature so that they could control and manipulate nature for their benefit and welfare. As a result of collective involvement of large number of people in scientific and technological enterprise all over the world, the twentieth century witnessed a tremendous progress and development, which has brought enormous benefits to humankind. Long and healthy lives, economic prosperity, faster and newer modes of transport and communication, pleasant and convenient life-styles, reduction in human drudgery due to large-scale use of machinery have resulted from technological progress based on advances in scientific knowledge. However, at the same time, these advances in science have also given rise to development of tools such as biological and nuclear weapons, which have brought the world to the precipice of destruction. In this unit, we will briefly discuss the developments in science and technology in India from the ancient to the present times and try to examine them in the light of Gandhian perspective of science and technology.

Aims and Objectives

This Unit enables you to understand

- The scenario of science and technology in ancient and medieval India
- Its development in the modern India and
- Gandhi's views on science and technology.

13.2 SCIENCE AND TECHNOLOGY IN ANCIENT AND MEDIEVAL INDIA

India has a glorious culture of education, science and technology from ancient times and had made significant contributions in the field of astronomy, arithmetic, geometry, metallurgy, Ayurvedic system of medicine and surgery. The Indian scholars had developed geometrical theorems much before Pythagoras did in sixth century BC. A detailed description of these theorems and axioms is found in an ancient text called *Sulvasutra*, which dates back to around 600-300BC. These sutras were used for making intricate devotional altars in Vedic times. Apart from this, *Sulvasutra* describes construction of geometrical figures, combination and transformation of areas, measurement of areas and volumes, squaring the circles and *vice versa*, making of similar figures with different areas, and a host of other related problems. *Sulvasutras* contain several examples of addition, subtraction, multiplication, division and squaring of fractions. Quadratic equations, indeterminate equations, permutations and combinations also appear in *Sulvasutras*. The concept of zero and the place value concept in the decimal system of numbers reached Europe from India through the Arab world. Starting from Rig Vedic period, great strides were made in the field of astronomy by tracking the motion of heavenly bodies. The priests gave division of time in days, months and years and drew up calendars which were required for sacrificial ceremonies. Aryabhatta, a great astronomer born in 476 AD, believed that earth revolved around the Sun. He also gave an explanation for the occurrence of eclipses and constructed trigonometric tables. He developed formulas for the sum of arithmetic and geometrical series. *Carak Samhita*, considered to be the main Indian treatise on medicine and the surgical text, *Susruta Samhita* are generally estimated to have been originated around 600BC. By the 500 - 400BC the Indian metalworkers had attained a high degree of perfection in iron and steel making. The 4th century AD famous iron pillar near Qutab Minar in Delhi, known as the rustless wonder, is testimony to the art and science of steel making in ancient India. The Indian technology of extraction of zinc predates by a couple of centuries that developed in Europe.

By 6th century BC, the Taxila university gained prominence and several foreign scholars from different parts of the known world visited and studied there. Nalanda, Kanchi and Vikramshila came into existence in 5th and 6th century AD. Up to about the middle of the 16th century, Indian science was at the same level as science anywhere else in the world, particularly European science. But then prevailing social conditions in India could not

sustain it. There was considerable economic prosperity and social stability in which religion and caste system had a hold in the society, which contributed to reconciliation with fate and social hierarchy. Therefore, science and technology in India declined. On the other hand Renaissance, Scientific and Industrial Revolution led to the emergence of modern science in Europe, which made big strides forward and left Indian science way behind in the period that followed. The British, who came as traders to India, subjugated and colonised the country on the strength of their superior science, technology and industry. India's scientific culture and educational system suffered considerably.

13.3 SCIENCE AND TECHNOLOGY IN COLONIAL INDIA

The British were primarily interested in strengthening their political and economic domination over India. They exploited India's resources to the full and developed only a nominal scientific infrastructure which met for this purpose. They gathered maximum possible information about India, its people and resources thorough knowledge of geography, geology and botany of the area under their control. They invested in these areas and hoped to get direct economic benefit. Education and research in chemistry, physics, medical and other sciences were thus ignored.

With the creation of the Supreme Court in Calcutta in 1774, Hindus of Bengal became eager to learn the English language. With the support of Sir Edward Hyde East, Chief Justice, Supreme Court, Hindu College, Kolkata was started on January 20, 1817 for giving liberal education to the children of the members of the Hindu Community. Increasing realisation of the value of English education made Hindu College a coveted destination of scholars from all over India. In October, 1853, the Governor of Bengal suggested that a new general college should be established at Calcutta by the government and designated 'The Presidency College' which should be open to all youth of every caste, class or creed. On June 15, 1855 the Presidency College was formally established. In 1855, The Presidency College, Madras was also started, followed by setting up of St. Xavier's College, Mumbai, Fergusson College, Pune, St. Stephens College, Delhi etc.

With the demand for higher English education gathering momentum, in 1857 the Universities of Calcutta, Bombay and Madras were set up on the pattern of London University. Initially these universities supervised

education at undergraduate level; post-graduate courses were started much later but research in these fields was almost impossible.

The Indian Association for the Cultivation of Science was established in July 1876 at Bowbazar Street, Kolkata by Dr. Mahendra Lal Sircar, a philanthropist, and Fr. Eugene Lafont, Rector and Science Professor at St. Xavier's College, the activities at the Association in the very early years were supported by generous public contributions. The Association came up in the backdrop of the great cultural and intellectual awakening of the 19th century Bengal and was intended to be an institution 'solely of the native and purely national' to cultivate science advancement by original research and apply to the arts and comforts of life. Many distinguished scientists of modern India had carried out research there, for example, Sir C V Raman did his work on Physical Optics leading to the discovery of the Raman Effect, which won for him and India the first Nobel Prize in Physics. Several eminent Indian scientists including K S Krishnan, S Bhagavantam, and M N Saha also worked here and enriched the research culture of the Association in the early decades.

The Indian Institute of Science (IISc) Bangalore was conceived as a 'Research Institute' by Jamsetji Nusserwanji Tata in 1896 with the aim of advancing the scientific capabilities of the country. The constitution of the Institute was approved by the Viceroy Lord Minto and the land and other facilities for the institution were provided by Shri. Krishnaraj Wodeyar IV, the Maharaja of Mysore, Government of India, and Tata himself. IISc is considered as the premier institute for scientific research and study in India, and is ranked higher than any other Indian university in world university rankings. Shri.Homi Bhabha conceived the idea of the Tata Institute of Fundamental Research (TIFR) and an Atomic Energy Programme while working in the Department of Physics. Vikram Sarabhai, the founder of India's space program was an alumnus. Following his premature death, the Indian Space Research Organization (ISRO) was built by the farsighted leadership of Satish Dhawan, who simultaneously held the position of the Director of the Institute with the greatest distinction. The first Indian Institute of Technology (IIT) at Kharagpur was established by J.C.Ghosh, who was the Director of IISc in the period 1939-48. Notable scientists include G.N. Ramachandran, Harish Chandra, S. Ramaseshan, A. Ramachandran and C.N.R. Rao.

Dr. Homi Jehangir Bhabha realized the importance of atomic energy in the development of the country and requested financial assistance from Sir Dorabji Tata Trust for setting up a scientific research institute. With the support of J R D Tata, then Chairman, of the Tata Group, Tata Institute of Fundamental Research (TIFR), Mumbai was founded in 1945 and Homi Bhabh was appointed its first director. After independence, in 1949, the Council of Scientific and Industrial Research (CSIR) designated TIFR as a centre for all large scale projects in nuclear research.

To meet the requirements of colonial India in agricultural research, the Imperial Council of Agricultural Research was established in 1929, with emphasis on plantation research, experimental farms for introduction of new varieties and problems related to cash crops – cotton, indigo, tobacco and tea which were exported to England.

With the first stirrings for freedom from colonial rule and demand for self-rule, the Swadeshi Movement provided further impetus for promotion of education with special reference to science and technology and for industrialisation of the country. The outbreak of the Second World War and the interruption of direct sea route between India and England made it necessary for the colonial government to allow development of greater industrial capability in India. Therefore a Central Research Organisation began, which eventually led to the establishment of Council of Scientific and Industrial Research, New Delhi in 1942. Its objectives were:

- promotion, guidance and coordination of Scientific and Industrial research in India,
- establishment or development of institutions and assistance to departments of existing institutions for specific study of problems affecting particular industries and trades,
- establishment and award of research fellowships,
- establishment, maintenance and management of laboratories, workshops, institutes and organisations to further scientific and industrial research,
- collection and dissemination of information in regard not only to research but also to general industrial matters, and
- Publication of scientific papers and journals.

CSIR has been striving to achieve generation of new knowledge and new products, processes and technologies in diverse areas ranging from

chemicals and drugs to materials and electronics; from safe drinking water and food technology to aerospace; and from environment protection and toxicology to petroleum processing. It has grown to span a very wide S & T base and has emerged as a national organization with its 40 laboratories spread all over. CSIR has always strived for the development of indigenous technologies and optimum utilisation of indigenous resources.

13.4 SCIENCE AND TECHNOLOGY IN POST-INDEPENDENCE INDIA

During the course of freedom struggle, Gandhi campaigned for an economic development based on cottage and village industries. He was against heavy industries. While luminaries like P C Ray held the view that general progress was through elementary education and traditional industries, people like M.N. Shah and others criticised Gandhi. Pandit Nehru had a great faith in the power of science and technology as tools for solving the problems being faced by the country. Addressing the Indian Science Congress held in Kolkata in 1937, he observed:

“It is science alone that can solve the problems of hunger and poverty, of insanitation and illiteracy, of superstition and deadening of custom and tradition, of vast resources running to waste, of a rich country inhabited by starving poor...Who indeed could afford to ignore science today? At every turn we have to seek its aid, and the whole fabric of the world today is of its making....the future belongs to science and those friends with science.”

When India achieved Independence in 1947, the national consensus was in favour of rapid industrialisation based on foundations of modern science and technology, and a planned socialist model of development of the country. Pandit Nehru's initiated a strong and diversified industrial base. He set out the goal of rapid agricultural and industrial development of the country, expansion of opportunities for gainful employment, progressive reduction of social and economic disparities, removal of poverty and attainment of self-reliance. This led to the passage of Industrial Policy Resolution of 1948 followed by Industrial Policy Resolutions / Statements of 1956, 1973, 1977, 1980 and 1991.

The Industrial Policy Resolution of 1948 emphasised the importance of securing a continuous increase in production and its equitable distribution, and pointed out that the State must play a progressively active role in the

development of Industries. Besides arms and ammunition, atomic energy and railway transport, which would be the monopoly of the Central Government, the State would be exclusively responsible for the establishment of new undertakings in six basic industries-except where, in the national interest, the State itself found it necessary to secure the cooperation of private enterprise. It emphasised the expansion of production, both agricultural and industrial; and in particular on the production of capital equipment and goods satisfying the basic needs of the people, and of commodities the export of which would increase earnings of foreign exchange. The rest of the industrial field was left open to private enterprise though it was made clear that the State would also progressively participate in this field. Specific priorities for industrial development were also laid down in the successive Five Year Plans.

The first five-year plan of 1951 addressed the issues of agrarian sector, including investments in dams and irrigation. The total planned budget was allocated to irrigation and energy, agriculture and community development, transport and communications, industry social services, land rehabilitation, and other sectors and services. The state's role was justified at that time because post-independence, India was facing basic problems like- deficiency of capital and low capacity to save.

The Indian Agricultural Research Institute (IARI) established in 1905 as the Imperial Agricultural Research Institute was recognised as a 'deemed university' in 1958 by an act of Parliament. It is financed and administered by the Indian Council of Agricultural Research (ICAR), which is an apex body for coordinating, guiding and managing research and education in agriculture including horticulture, fisheries and animal sciences in the entire country. The first state agriculture university was established in 1960 at Pantnagar. With 45 agricultural universities and over 90 ICAR institutes across the country, it is one of the largest national agricultural systems in the world. The ICAR has played a pioneering role in ushering Green Revolution in 1970s and subsequent developments in agriculture in India through its research and technology development that has enabled the country to increase the production of food grains by 4 times, horticultural crops by 6 times, fish by 9 times (marine 5 times and inland 17 times), milk 6 times and eggs 27 times since 1950-51, thus making a visible impact on the national food and nutritional security. It has played a major role in promoting excellence in higher education in agriculture.

The 1956 Industrial Policy Resolution gave primacy to the role of the State which was directly responsible for industrial development and classified industries into three categories. The first category comprised 17 industries (included in Schedule A of the Resolution) exclusively under the domain of the Government. These included railways, air transport, arms and ammunition, iron and steel and atomic energy. The second category comprised 12 industries (included in Schedule B of the Resolution), which were envisaged to be progressively State-owned but private sector was expected to supplement the efforts of the State. The third category contained all the remaining industries and it was expected that private sector would initiate development of these industries but they would remain open for the State as well. Consequently the planning process was initiated taking into account the needs of the country. The second five-year plan focused on heavy industry. The Directive Principles of State Policy enshrined in the Constitution of India state that

“The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social economic and political, shall inform all the institutions of the national life.”

The adoption of the socialist pattern of society as the national objective required that all industries of basic, large-scale and strategic importance and public utility services should be in the public sector. The State had to assume direct responsibility for the future development of industries over a wide area. Therefore, the Public Sector got a great push. The plan followed the Mahalanobis model, an economic development model developed by the Indian statistician Prasanta Chandra Mahalanobis in 1953. The plan attempted to determine the optimal allocation of investment between productive sectors in order to maximise long-run economic growth.

The success of industry depends upon its access to technology and skilled manpower. At the time of independence opportunities of education in science and technology education were very limited. The higher education system inherited by us in 1947 had only 18 universities, 5 post-graduate engineering colleges, 22 medical colleges and 496 colleges catering to about 1,50,000 students with enrolment of 5,996, 905, 1076 and 959 in B.Sc., M.Sc., B.E. and M.B.B.S. degrees., respectively. A 22 member committee headed by Sri N.R.Sarkar, in its report in 1946, recommended the establishment of four Higher Technical Institutions in the Eastern, Western, Northern and Southern regions, possibly on the lines of the Massachusetts

Institute of Technology, USA, with a number of secondary institutions affiliated to it. These institutes were intended to produce undergraduates and those engaged in research, producing research workers and technical teachers as well. As a result of the recommendations of the Sarkar committee, the first Indian Institute of Technology (IIT) was established in 1950 in Kharagpur. Subsequently IIT, Mumbai was started in 1958, followed by IIT Kanpur and Chennai in 1959 and Delhi in 1961. The number of IITs has now increased to 14. The importance of science and technology in national development was emphasized in the “Scientific Policy Resolution” by Prime Minister Jawaharlal Nehru and adopted by Indian Parliament in 1958:

“The key to national prosperity, apart from the spirit of the people, lies in the modern age in the effective combination of three factors: technology, raw materials and capital, of which the first is perhaps, the most important, since the creation and adoption of new scientific techniques can, in fact, make up for a deficiency in natural resources, and reduce the demands on capital. But technology can only grow out of the study of science and its applications.”

The Government of India decided that the aims of the scientific policy resolution would be to

- foster, promote, and sustain, by all appropriate means, the cultivation of science, and scientific research in all its aspects – pure, applied, and educational;
- ensure an adequate supply, within the country, of research scientists of the highest quality, and to recognise their work as an important component of the strength of the nation;
- encourage, and initiate, with all possible speed, programmes for the training of scientific and technical personnel, on a scale adequate to fulfill country's needs in science and education, agriculture and industry, and defence;
- ensure that the creative talent of men and women is encouraged and finds full scope in scientific activity;
- encourage individual initiative for the acquisition and dissemination of knowledge, in an atmosphere of academic freedom; and
- Secure for the people of the country all the benefits that can accrue from the acquisition and application of scientific knowledge.

A chain of research laboratories were established under the Council of Scientific and Industrial Research (CSIR) to promote development of indigenous technology to help industry. The Indian Council for Agricultural Research (ICAR) and also the Defence Research and Development Organisation (DRDO) have been established. The Atomic Energy Act was enacted in 1948 and Atomic Energy Commission was established. Similarly to organize research and development in the field of space, Indian Space Research Organisation (ISRO) was established and the Space Research Act was enacted in 1956.

The University Grants Commission was set up in 1956 by an act of Parliament to take care of funding and take measures to strengthen the higher education in the country. The Third Five Year Plan (1961-66) laid emphasis on the development of education.

Twenty-five years after adoption of Science Policy Resolution of 1958, the Government of India Issued a Technology Policy Statement with the objectives to

- a) attain technological competence and self-reliance, to reduce vulnerability, particularly in strategic and critical areas, making the maximum use of indigenous resources;
- b) provide the maximum gainful and satisfying employment to all strata of society, with emphasis on the employment of women and weaker sections of society;
- c) use traditional skills and capabilities, making them commercially competitive;
- d) ensure the correct mix between mass production technologies and production by the masses;
- e) ensure maximum development with minimum capital outlay;
- f) identify obsolescence of technology in use and arrange for modernisation of both equipment and technology;
- g) develop technologies which are internationally competitive, particularly those with export potential;

- h) improve production speedily through greater efficiency and fuller utilization of existing capabilities, and enhance the quality and reliability of performance and output;
- i) reduce demands on energy, particularly energy from non-renewable sources;
- j) ensure harmony with the environment, preserve the ecological balance and improve the quality of the habitat; and
- k) recycle waste material and make full utilisation of by-products.

13.5 STATUS OF SCIENCE AND TECHNOLOGY IN INDIA IN 21ST CENTURY

The Government of India encourages higher education system that has grown into one of the largest in the world. In comparison to just 18 universities and less than 500 colleges catering to only 1,50,000 with enrolment of 5,996, 905, 1076 and 959 in B.Sc., M.Sc., B.E. and M.B.B.S. degrees., respectively. in 1947, India now has a network of more than 500 universities – 42 central universities, 259 state universities, 130 deemed universities and 70 private universities, 21000 colleges, 14 Indian Institutes of Technology, 13 Indian Institutes of Management, 20 National Institutes of Technology, 6 Indian Institutes of Information Technology, 6 Indian Institutes of Science Education and Research and 3000 private engineering and management institutes and 314 medical colleges located in different parts of the country. The Indian Institutes of Technology, the Indian Institute of Science, The Tata Institute of Fundamental Research and some of the central universities are among the finest institutions in the world and made a name for themselves. Facilities for higher education in all fields of knowledge are available in the country and the Indian higher education system is the third largest in the world. India also has the second largest pool of scientists in the world. India excels in software development. Excellent Healthcare facilities for treatment of all kinds of ailments and diseases are available in the country at highly competitive rates and a large number of foreign nationals travel to India every year. All this is in spite of the fact that only 11% of 18-24 year age group has access to higher education, which is to be enhanced to 15% by the year 2012 and to 30% by the year 2020 so as to meet the requirements of a growing knowledge economy. According to Mr Amod Kanth, Chairman, ‘Delhi Commission for Protection of Child

Rights' six crore children in the 6-14 age group are out school in the country. To provide them free and compulsory elementary education, Government of India had enacted Right to Education Act in 2009.

India has made tremendous progress in science and technology coupled with economic policies pursued by the Government, more so after economic liberalisation in 1991. It is also an emerging nuclear power but harnesses its nuclear energy for peaceful purpose and to use it as a deterrent. India produces 4% of its total electricity requirement from nuclear power plants, which is to be increased to 10% in near future so as to reduce its dependence on scarce fossil fuels. It has developed a one hundred tonne annual capacity spent fuel reprocessing plant essential for the country's closed-fuel-cycle three stage nuclear programme. It is amongst a select group of nations, which can place satellites in space, and is the fourth country after USA, USSR and China, to place its flag on Moon through its unmanned lunar probe named Chandrayan-1.

With a Gross Domestic Product (GDP) of \$3.75 trillion (by purchasing power parity), India is the fourth largest economy after the United States, China and Japan. By 2020, assuming current annual growth rate, it is expected that the Indian GDP at \$8.00 trillion will be the third largest. In 2009, India's 100 richest persons had a combined net worth of \$276 billion, almost 25% of the country's GDP. In 2010, the top 40 Indian's collective worth stood at \$243 billion, up from \$229 billion in 2009. At the same time a staggering 800 million Indians live on Rs 40.00 a day. According to Human Development Report for 2010, India ranks at 119th of 169 countries measured on Human Development Index (HDI), which is a composite index measuring progress towards a healthy life, access to knowledge and a decent standard of living. According to a forecast released on January 07, 2011 by the consultancy group, Price-Waterhouse Coopers, the Indian economy will register the second fastest growth between now and 2050 and emerge as the second biggest economy in the world by the middle of the century.

Research and developments in the field of agriculture have made a visible impact on the national food and nutritional security. India is producing more food grains than it can store properly. In 2010, India had a record foodgrains production 218 million tonnes, some of which had to be stored in open yards, leading to its rotting. However, the per head food availability (152 kg in 1950 per head per year) has not improved much despite all this development (155kg per head per year 2010). It is not surprising that

according to Global Hunger Index for 2010, India ranks at 67th among 84 developing countries, and out of 925 million hungry in the world, about 50% live in India alone. Also according to this report, India is home to about 42% of the world's underweight and undernourished children. At the same time, according to a report of Stockholm International Peace Research Institute (SIPRI), expenditure on arms purchase between 2001 and 2009 by India doubled from \$1.04 billion to \$2.10 billion. As both China and Pakistan are both stockpiling arms, according to corporate analyst KPMG, India would spend \$112 billion on capital defence expenditure between 2010-2016, one of the largest (possibly second largest) in the world.

13.6 GANDHIAN VISION OF SCIENCE AND TECHNOLOGY

Gandhi was not against science and technology per se as is commonly perceived; he had strong views against their misuse- be it weapons, vivisection or machines. He observed:

“Modern civilisation, far from having done the greatest good to humanity, has forgotten that its greatest achievements are weapons of mass destruction, the awful growth of anarchism, the frightful disputes between capital and labour and the wanton and diabolical cruelty inflicted on innocent, dumb, living animals in the name of science, falsely so called (CWMG, vol.1, pp.189-91). The boast about the wonderful discoveries and the marvellous inventions of science, good as they undoubtedly are in themselves, is, after all, an empty boast (CWMG, Vol.3, p.414).”

When asked by a scientist who wished to know what men of science were to do if they were asked by the Indian government to engage in researches in furtherance of war and the atom bomb, Gandhi replied categorically: “Scientists to be worth the name should resist such a state unto death.”

Gandhi strongly opposed practices like vivisection practiced by modern scientists. He wrote; “vivisection in my opinion is the blackest of all crimes that man is at present committing against god and his fair creation. We should be able to refuse to live if the price of living be the torture of sentient beings.” According to Gandhi, vivisection had not added an inch to our moral height, he said:

“I abhor vivisection with my whole soul. I detest the unpardonable slaughter of innocent life in the name of science and humanity so-called, and all the scientists' discoveries stained with innocent blood I count as of no

consequence. If the circulation of blood theory could not have been discovered without vivisection the human kind could well have done without it. And I see the day clearly dawning when the honest scientist of the west will put limitations upon the present methods of pursuing knowledge. Future measurements will take note not only of the human family, but of all that lives and even as we are slowly but surely discovering that it is an error to suppose that Hindus can thrive upon the degradation of a fifth of themselves or that peoples of the west can rise or live upon the exploitation and degradation of the eastern and African nations, so shall we realise in the fullness of time, that our dominion over the lower order of creation is not for their slaughter, but for their benefit equally with ours. For I am as certain that they are endowed with a soul as that I am (CWMG, Vol.29, pp.25-26)".

Gandhi felt that Ayurveda and Unani had maintained a relation between science and religion, body and soul, but had not inculcated the spirit of research that fired modern science. In 1921, inaugurating the Tibbia College at Delhi, Gandhi expounded his views on modern and traditional medicine:

"I would like to pay my humble tribute to the spirit of research that fires the modern scientists. My quarrel is not against that spirit. My complaint is against the direction that the spirit had taken. It has chiefly concerned itself with the exploration of laws and methods conducing to the merely material advancement of its clientele. But I have nothing but praise for the zeal, industry and sacrifice that have animated the modern scientists in the pursuit after truth. I regret to have to record my opinion based on considerable experience that our hakims and vaidas do not exhibit that spirit in any mentionable degree. They follow without question formulas. They carry on little investigation. The condition of indigenous medicine is truly deplorable. Not having kept abreast of modern research, their profession has fallen largely into disrepute. I am hoping that this college will try to remedy this grave defect and restore Ayurvedic and Unani medical science to its pristine glory. I am glad, therefore, that this institution has its western wing (CWMG, vol.19, pp.357-58)."

Gandhi was against indiscriminate use of machinery to save labour and maximize profit. He said in *Hind Swaraj*, first published in 1908:

"It is machinery which has impoverished India. It is difficult to measure the harm that Manchester has done to us. It is due to Manchester that Indian

handicraft has all but disappeared.....Machinery is chief symbol of modern civilization; it represents a great sin....If the machinery craze grows in our country, it will become an unhappy land. It may be considered a heresy, but I am bound to say that it were better for us to send money to Manchester and to use flimsy Manchester cloth than to multiply mills in India. By using Manchester cloth we only waste our money; but by using by reproducing Manchester in India, we shall keep our money at the price of our blood, because our very moral being will be sapped, and I call in support of my statement the very mill-hands as witnesses. And those who have amassed wealth out of factories are not likely to be better than other rich men. It would be folly to assume that an Indian Rockfeller would be better than an American Rockfeller. Impoverished India can become free, but it will be hard for any India made rich through immorality to regain its freedom.”

He further wrote:

“Machinery is like a snake-hole which may contain from one to a hundred snakes. Where there is machinery there are large cities, there are tram cars and railways; and there only one see electric light. English villages do not boast of any of these things. Honest physicians will tell you that where means of artificial locomotion have increased, the health of people has suffered...He further opined that “the mind is a restless bird; the more it gets the more it wants, and still remains unsatisfied. The more we indulge our passions the more unbridled they become. Our ancestors, therefore, set a limit to our indulgence. They saw that happiness was largely a mental condition. A man is not necessarily happy because he is rich and unhappy because he is poor. The rich are often seen to be unhappy, the poor to be happy.... It was not that we did not know how to invent machinery, but our forefathers knew that, if we set our hearts after such things, we would become slaves and lose our moral fibre. They, therefore, after due deliberation decided that we should only do what we could with our hands and feet. They saw that our real happiness and health consisted in a proper use of our hands and feet. They further reasoned that large cities were a snare and a useless encumbrance and that people would not be happy in them, that there would be gangs of thieves and robbers, prostitution and vice flourishing in them and that poor men would be robbed by rich men. They were therefore, satisfied with small villages.”

Replying to a question whether he was against all machinery, he said:

“How can I be when I know that even this body is most delicate machinery? The spinning wheel is a machine: a little toothpick is a machine. What I object to is the craze for machinery, not machinery as such. The craze is for what they call labour saving machinery. Men go on ‘saving labour’ till thousands are without work and thrown on the open streets to die of starvation. I want to save time and labour not for a fraction of mankind but for all. I want the concentration of wealth, not in the hands of a few, but in the hands of all. Today machinery merely helps a few to ride on the backs of millions. The impetus behind it all is not the philanthropy to save labour, but greed. It is against this constitution of things that I am fighting with all my might....The supreme consideration is man. The machine should not tend to atrophy the limbs of man. For instance, I would make intelligent exceptions. Take the case of the Singer’s Sewing Machine. It is one of the useful things ever invented, and there is a romance about the device itself.”

According to Gandhi machinery existed for man, and not *vice-versa*, and must be made subservient to the well being of the people and should not be allowed to become their master. Gandhi opined that the use of machinery should not result in unemployment or exploitation of the poor. He said: “I have no objection if all things required by my country could be produced with the labour of 30,000 instead of three crores. But those three crores must not be rendered idle or unemployed.”

Gandhi was against the rapid industrialisation, but he was for village industries: “it is industry that has caused the development of large cities with their smoke, dirt, noise, bad air, lack of sunshine, and outdoor life, slums, disease, prostitution, and unnatural living.” Based on such view Gandhi argued- “if future of industrialism is dark for the west, would it not be darker still for India.” He further said, “Industrialism is, I am afraid, going to be a curse for mankind.”

Industrialisation is a means to achieve mass production which means production by fewest possible numbers through the aid of highly complicated machinery. By mass production, Gandhi meant production by masses. He asked “if you multiply individual production to million times, would it not give you mass production on a tremendous scale?” Gandhi asserted that he was against large-scale production only of those things that villagers could produce without difficulty. He held that machine is harmful when the same thing can be done easily by millions of hands not otherwise occupied. He wrote, “Mechanisation is good when the hands are too few for

the work intended to be accomplished. It is an evil when there are more hands than required for the work, as in the case of India.”

13.7 SUMMARY

In this unit a brief survey of status of science and technology in India since the earliest times to the present day was given. India had made great contributions in the past in the field of astronomy, geometry, mathematics, metallurgy, Ayurveda and surgery. Till the mid sixteenth century, science and technology in India was at the same level as any where else in the world. There was economic prosperity and social stability in which religion and caste system had a hold in the society, science and technology declined in India and the country was colonised. After independence, India adopted a socialist and planned model of development based on modern science and technology and has made great progress emerging into a great economic and industrial superpower. In the end we have presented in brief Gandhian vision of science and technology, his views on machines and industrialisation that hold relevance in this 21st century.

13.8 TERMINAL QUESTIONS

1. What is the contribution of ancient Indians in the field of metallurgy?
2. Describe the developments in the field of education in colonial India.
3. India has made a great progress in the field of science, technology and industry after Independence. Comment.
4. Gandhi was justified in his opposition to the use of machinery in mass production. Comment.

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Structure**14.1 Introduction****Aims and Objectives****14.2 Importance of Media****14.3 Gandhi and the Media****14.4 Media in the Contemporary World****14.5 Significance of Media Ethics****14.6 Summary****14.7 Terminal Questions****Suggested Readings**

14.1 INTRODUCTION

As an effective tool of communication media today is an integral part of our day-to-day life. Beginning with the print format, moving on to the audio and later the visual form, it has made significant inroads into the homes and minds of millions of people. The powerful impact of the media is felt in every walk of life, including the moulding of the entire thought process of the nation. For the simple common man media is one of the most entertaining aspects of his existence; for an intellectual, it invokes thought-provoking ideas. The media, in its various forms, does a commendable work and service by exposing the maladies in the system and by highlighting issues on the national platform. On the other hand, sensationalism today has become the hallmark of the media, where in the name of news, sordid details and crime hold the nation enthralled into the wee hours of night. But, media helps in promoting the right values, besides exposing the negative aspects lurking into the societal system. A courageous media helps people to realise their own potential and fight against injustice in all forms. For being one of the most powerful tools of imparting information to public, the media has been assigned the status of the fourth estate. In democratic systems, media assumes all the more a powerful role for its ability to mould public opinion and influence the public policy.

Aims and Objectives

After reading this Unit, you would be able to understand

- the importance of media
- how Gandhi used journalism for a greater cause of political and social importance

- the current state of media in India and the need to adopt ethical approach.

14.2 IMPORTANCE OF MEDIA

Media has a highly constructive role assigned to it. By focussing upon the social issues, it makes people responsible citizens and provides valuable service to the cause of nation-building. These social issues include poverty, violence, corruption, violation of human rights, gender discrimination, inequality, lack of education, laxity in moral values and so on. The media becomes a strong weapon to combat these by exposing them and giving people the moral strength to fight them.

Media is an effective catalyst in the process of development, an agent of change that mobilises people for an all round development of the nation. As the renowned communication journalist Bourgault puts it, **“The goals of development journalism are to promote grass-roots, non-violent, socially responsible, ecologically sensitive, personally empowering democratic, dialogical and humanistic forms of communication”**. Media, by imparting information on the economic, educative, social, and cultural issues, enables an interactive process, thereby leading to awareness, responsibility, growth and development. Thus media plays a highly significant role by creating awareness and a sense of responsibility. It wields an enormous hold over people, and if channelised in a positive and constructive manner, it helps in creating a better society and nation.

In sum, media performs two important functions:

1. It influences the policymakers by giving a feedback on important issues by the public, civil society, educationists, journalists, workers and others from all section of society; and
2. It pressurises/ compels the policy makers to take into view people’s response before formulating policies and programmes and act in the interest of public.

The media is invariably intertwined with the public opinion and in this age of globalisation and advancements in technology, it acts as the medium to assess the strengths and weaknesses of the system. With the beginning of changes in the

information and communication technology, its reach has become wider. It is no longer confined to the print media but is accessible through radio, television, and internet and so on. Even the governments are now depending on the internet sources to impart information to the public and expanding the area of its accountability.

The Communication theorists like George Garbner, who worked on Cultivation Theory, describes the media as ‘moulders of the society’. He explained that media has subtle effect on people’s perception and believed that media acts as the cultivator of dominant image patterns due to persistent exposure.

14.3 MEDIA IN THE CONTEMPORARY WORLD

Media today is a very significant aspect of our existence and therefore has to do a very delicate balancing act in presenting news and views. It has become a medium of bringing out truth, educate people about their rights and duties, expose the wrong and highlight the rights. While its role is to uphold the tenets of faith, it has also become hasty and judgemental time and again. The reason may be attributed to the innumerable number of newspapers, television channels and multiplication of radio stations that are continuously engaged in imparting information to the public. In this context, competition and the urgency to be the first to present the news, media has been going overboard to sensationalise even trivial issues. In the present day world there have been multiple instances of misrepresentations by media and it would do well to keep in mind what Gandhi said in this connection “To be true to my faith, therefore, I may not write in anger or malice. I may not write idly, I may not write merely to excite passion... Often my vanity dictates a smart expression or my anger a harsh adjective. It is a terrible ordeal but a fine exercise to remove these weeds”. He adds, “The duty of the journalists is the same as that of the historian – to seek out the truth, above all things and present to his readers... the truth as near as he can attain it”.

Today besides news, the larger portion of the media is covered by a barrage of advertisements, both good and bad. Gandhi rightly said that **“It is the duty of every newspaper to exercise restraint in the matter of advertisements”**. The growing

influence of the market forces on media is a matter of grave concern as many a time it has taken precedence over truthful presentation of facts and or even at times, hamper it. Profit has taken over good sense, morality and ethics and thereby has come to lower the standards to a considerable extent.

Media is a great social catalyst as it reflects upon the good and evil prevalent in society. It is through information that awareness comes to people and public opinion is formed. This is where the social responsibility of media assumes importance. When Gandhi took to writing in newspapers, he covered various socio-economic-political cultural aspects of life and wrote extensively on the merits and demerits in our system. He covered health, sanitation, poverty, rural-reconstruction, Swaraj, education, diet-reforms, religion thereby providing holistic journalism.

This is the requirement today. Media should play a very significant role in social-reforms, cover issues of national importance and present an unbiased picture of matters to people. A great believer in the freedom of the press, Gandhi was right in saying that **“Freedom of the press is a precious privilege that no country can forego”**. Today the media is mostly the over-imposing upon the minds of unsuspecting public which becomes insensitive when surrounded by all kinds of insignificant news. As Gandhi says **“The newspaper should be read for the study of facts, they should not be allowed to kill the habit of independent thinking”**.

Gandhi belonged to an age when the media began to emerge, though not in a significant manner, as an effective tool of communication and information. But it was confined mainly to the print media though audio and visual media occasionally were made use of. In spite of this, Gandhi's method of reaching out to public was outstanding. He, through his journalistic writings, created an indelible impact on the minds of the Indian masses. The following section elaborates on this aspect and depicts as to how Gandhi used the print media to communicate to the public.

14.4 GANDHI AND THE MEDIA

The most unique among men, Gandhi was a prominent leader in the freedom struggle of India who realised the significance of media and used it in the most constructive manner. He was a journalist par excellence. His foray into the world of journalism began in England as a young law student and came across the world of varied ideas through writings and newspapers. Having become a member of the Vegetarian Society, he contributed regularly to the Society weekly '*The Vegetarian*'. Although a shy orator, he turned out to be a prolific writer expressing his ideas in a simple, heart warming language. These early articles were based on the concept of vegetarianism, and Indian way of life particularly its customs, traditions, religions, festivals and food habits.

It was the 'dark continent' of South Africa that provided Gandhi the energy to take up Journalism as a medium to fight racial injustice. This was his first step to challenge the British might and expose the pitiable plight of the Indians working there to eke out a living. The world's most effective journalistic journey had been embarked upon. The young lawyer, a direct victim of the racist regime, realised the plight of the thousands of Indian immigrants working there as bonded labourers. He devoted all his energy towards their cause, and journalism became a very strong weapon for him to expose the racial brutalities. The initial friendly newspapers through letters and interviews soon turned into newspaper to meet the magnitude of the daunting task. The *Indian Opinion* launched on June 4, 1903 was answer to this need, since he believed in the mission and service as the twin goals of journalism.

The *Indian Opinion* heralded the advent of Gandhi on the journalistic scene. It became the voice of countless millions subject to abject poverty and racial abuse. Through it, Gandhi guided and unified the Indian population in South Africa. It reflected the basic qualities of the founder editor with an unshakable adherence to truth, pursuit of public causes and objectivity in presentation. His writings are lessons to all journalists to fight injustice without offending rulers.

The Indian Opinion made its first appearance 4th June 1903, and the first editorial written by him is elegant, simple and eloquent “we need offer no apology for making an appearance. The Indian Community in South Africa is a recognized factor in the body politic, and a newspaper voicing its feelings, and specially devoted to its cause, would hardly be considered out of place; indeed, we think it would supply a long felt want...”

In his own words “Indian Opinion was certainly a most useful and potent weapon in our struggle... It was a mirror of part of my life”. It was in its columns that he expounded the theory and practices of Satyagraha. It continued to be the foundation stone for Gandhi’s contribution to journalism after his return to India in 1915.

Gandhi realised that an Indian newspaper is necessary to educate the immigrant Indians and by controlling the press, he helped create public opinion. In an age when radio was new and television nowhere in sight, he used the medium of newspaper for his powerful ‘Soul communication’ which unfailingly entered the hearts of his people and moved the world as well. Gandhi’s journalistic career reached its peak with the Young India, Navajivan and Harijan, which he utilised for the ‘Outpourings of heart and soul’ reaching every nook and corner of the country. His ‘Hind Swaraj’ is a reflection of his journalistic bent of mind, written as a dialogue between the editor (himself) and the reader (representing the youth preferring violence to attain India’s freedom).

Through his writings, he became one of the most powerful communicators of the century. In simple uncomplicated language he wrote for change creating awareness and unity and harmony among people and proved beyond doubt the power of a true pen over the minds of people. *The Indian Opinion* brought forth the human rights crusader; *The Young India* saw the emergence of the rebel and the *Harijan* gave us the social reformer in him. The motto of the Gandhian ethics of journalism was to serve and educate people. According to Gandhi, journalism is a noble profession and should therefore follow the basic guidelines of truth and transparency. He gave valuable lessons in this field, to constantly strive for a better society and nation.

Gandhi also started *Young India* and *Harijan* to sensitise the public on issues of general importance. He awakened their conscience through his prolific writings. The *Harijan* carried his social message forward and brought in some of the sweeping changes like the entry of untouchables in to the temples, forging a unified stance in the fight against colonial rule, changes in the health, hygiene and sanitation conditions of the villages, and so on. Gandhi successfully initiated social regeneration apart from extending political inspiration to the vast millions of this nation. Gandhi's writings highlighted the importance of Swadeshi, Charkha, communal harmony, non-violence, role of vernaculars and many other aspects necessary for the all round development of the nation.

In the face of severe repression and suffocating laws he came up with the publication of hand-written news-sheets in the face of governmental obstacles in their printing and publishing. To him 'Swaraj' meant "the restoration of free speech, free association and free press." His writings were often branded as 'seditious' by the British rulers and he faced imprisonment and charges of disobedience to the government quite often.

Harijan was managed by Gandhi during the time of his imprisonment in the Yervada Jail and he was released on May 5, 1933. Writing in the paper on May 13, he tells us "All should know that even though I am supposed to be a free man, *Harijan* will continue to be edited as if I was in prison. It will still be solely devoted to the 'Harijan' cause and will scrupulously exclude all politics".

Bidding goodbye to his readers, he wrote in the November 10, 1938 issue of 'Harijan' : "I shall miss my weekly talks with you, as I expect you, too will miss them... The suspension must, therefore continue while the gagging lasts... It constitutes a Satyagrahi's respectful protests against the gag". It was during a break in 'Harijan' publication that he wrote a 25 page booklet 'Constructive Programme', a handbook for Indian's all round development. The *Harijan* resumed publication on January 18, 1942, but the governmental repression continued on the Indian newspapers.

He also made a special request to fellow journalists “.... A word to the journalists. I congratulate you on the support you have hitherto given to the national demand. I know the restrictions and the handicaps under which you have to labour. But I would now ask you to snap the chains that bind you. It should be the proud privilege of the newspapers to lead and set an example in laying down one’s life for freedom. You have the pen which the government can’t suppress.... You may declare that you will give up writing under the present restrictions and take up the pen only when India has won her freedom... If you do this, you will have changed the atmosphere before the fight actually begins”.

Gandhi very well knew the reach of the media and he successfully used it during his Salt March that was widely covered by both the national and international media. During the non-cooperation, Quit India Movement and the proceedings of the Second Round Table Conference too received wide coverage in the media. Perhaps no other leader found the media as useful as Gandhi did. He never used it for commercial advertising; for him, it was a medium of service- service to the nation- in the task of attaining independence in its entirety. Gandhi’s approach to using the media, as is the case in his approach to other issues, was highly ethical. His emphasis on morality extended even to his use of media in furthering the cause of the non-violent freedom struggle.

As summarised by Murthy, Gandhi’s journalism concentrated much on values, language, objectivity and truth telling, and brought forth issues like public service vs profits, facts vs comments and so on. Boyer (1981, cit in Murthy, 2010, p.27) also identified certain elements as necessary for objective reporting like balance and even-handedness in presenting different issues, accuracy and realism of reporting, presentation of relevant points, separation of facts from opinion while at the same time, treating opinion as relevant, minimising the influence of writer’s own attitude and avoiding slant, rancor and devious purpose. Unfortunately, the present day journalism has taken to biased reporting, scandals, sensational reporting, feeble and irrelevant issues.

14.5 SIGNIFICANCE OF MEDIA ETHICS

As has been already mentioned media has, of late, taken to sensationalism in a big way. There have been instances of exposures of corruption and scams where its role has been highly lauded; at the same time, it has also raised the issue of unwarranted intrusion into many a matter. Thus the role of the media, time and again, has been facing contradictory situations. Some of the concerns expressed by all sections of society are the growing influence of sensationalism, manipulation, commercialisation, invasion of privacy and the entry of big-business houses in to the field that makes the competition tougher. In today's world, it is highly unimaginable to think of imposing restrictions on media. What can be worked out is the setting of certain standards and regulations in imparting information. In this context, some ethical perspectives need to be taken into consideration.

Before we talk about media ethics, let us first analyse as to why ethics is important. Ethics requires us to determine as to what conduct is good or bad or as to what could be approved and disapproved. It is defined as something that determines as to what is morally right. Now-a-days, the importance of ethics is being realised and called for everywhere- in personal conduct, in social behaviour, in communication process, in our attitude to our natural environment popularly known as environmental ethics, and ethical standards in trade and commercial relations. Unfortunately, ethics or its synonym-morality- is viewed as having subjective connotations. What is ethically right in one person's perception need not necessarily be so with the other. This leads to a clash in the interest, perception and ultimately behaviour/conduct towards others in our social life. The subject of media ethics comes under the rubric of applied or practical ethics. Since the immediate objective of the profession is the responsibility to the client, it calls for following certain ethical standards. As K.M.Shrivastav says, 'the major problem of professional ethics arises when this objective fails of attainment or when it is incompatible with public interest' (in Media Ethics, p.12). Unprofessional approach is highly perilous and may lead to social disturbances and distortions. It is also apt to examine the observation of Vilanilam that 'the old journalism of the Gandhian era, of journalists with noble goals, motivated by the need for social change in India, has disappeared, yielding to the journalism of the pocket book, of the purse in short-of pure

greed. Journalism as service to society has been replaced by journalism aimed at profit and affluence for media promoters and media workers' (Vilani, 2005, p.89).

Since the duty of the press is to collect and disseminate information, the code of ethics emphasised all over the world is given as follows: (a) honesty and fairness (b) reply to critical opinions (c) objectivity in reporting (d) prohibition to receive gifts (e) respect for privacy (f) distinction between fact and opinion (g) not to inflame hatred (h) not to use dishonest means to obtain information and (i) general standards of decency and taste (cit in Murthy, 2010, pp.24-25). But, at times, the media seeks absolute freedom to discharge duties by violating certain norms like public accountability and privacy of individuals. As Gandhi said, 'Freedom of the press is a precious privilege that no country can forgo. But if there is, as there should be, no check save that of the mild character, an internal check should not be impossible and ought not to be resisted' (Young India, 12-5-1920). Keeping the violations in view, some countries have regulated their press through press freedom, right to reply, privacy/libel/defamation/slander, access to public information, censorship, pre-condemnation-court proceedings, responsibility of the publication, source protection and minors (Murthy, 2010, p.25).

In the 1980s, the UNESCO reiterated the importance of ethics related to public policy. In the year 2009, it has also published 'A Handbook for Television and Radio Practitioners in Countries-in-Transition' under the title 'Media Management Manual' (by John Prescott Thomas). These, in a way, help in formulating guidelines in maintaining a balance especially for the media.

In the realm of media ethics, Shrivastav opines that 'the transformation of the press did not change the very essence of ethics but increased the problems connected with it. Faithful conveying of truth remained an ideal but this aim began to move away both metaphorically and literally...the selection of the fact and its description are most important for truthfulness and objectivity. They determine the basic shape of information qualified by the abilities and the honesty of the journalist' (p.20). He explains that in

many contexts, the governments themselves have been responsible for the deformations (of the facts).

14.6 SUMMARY

Gandhian journalism emphasises on four different criteria of news namely culture, probity in public life, peace and development, though he did not explicitly speak of these values. A renowned journalist besides being an extraordinary leader, Gandhi spoke with great authority defining good journalism “The newspaperman has become a walking plague... A newspaper predicts that riots are coming and all the sticks in Delhi have been sold out. A journalist’s duty is to teach people to be brave, not to instill fear into them”.

Media today has its positive side too. It has great and enthusiastic writers, fearless reporters, sincere editors and it is our own discretion which helps us see things in their right perspective. The growth of Indian journalism is remarkable and it is necessary to remind ourselves to keep to the right path, exercise control and restrain and devotedly serve and educate people. There are visible signs of progress and vigour in the world of media, and despite the systemic pressures, is conscientiously performing its duties. In today’s world, where people, cultures and religions are being greatly misunderstood and misinterpreted, media assumes greater responsibility. The onus of creating goodwill, faith, tolerance and respect and also facilitation of such measures is invariably on the media. For it is the carrier of information from one part of the globe to the other. Therefore, the Gandhian Journalism plays an important role here and it is time that we realise the need of responsible and ethical journalism and make it into a reality.

It would be most appropriate to conclude with Gandhi’s immortal words, “The newspaper is a great power, but just as an unchained torrent of water submerges whole countryside and devastates crops, even so an uncontrolled pen serves but to destroy. If the control is from without, it proves more poisonous than want of control. It can be profitable only when exercised from within... The useful and the useless must, like good and evil, go on together, and man must make his choice”.

14.7 TERMINAL QUESTIONS

1. Highlight the importance of media and its role in the contemporary world.
2. How did Gandhi educate the masses through his journalism?
3. How did the Indian Opinion, Young India and Harijan mould the public opinion in India?

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Structure

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15.1 INTRODUCTION

In the 21st century, among the most menacing problems in the world, terrorism finds a definite place. It is recognised as an essentially political phenomenon that needs political strategies to resolve this problem. It is carried on to gain the political ends and in a manner that is extremely violent in nature. Since the basic aim is to terrorise the public as well as administration for political ends. The international organisations like United Nations reiterated the need to fight this problem by addressing the deeply felt grievances through promotion of good governance and sustainable economic development. Terrorism has been felt all over the world and continues to affect the peaceful environment. There are now debates whether nonviolence, as propounded by Gandhi, could effectively counter terrorism. Whatever may be the answer, there is a consensus that it should be countered to achieve sustainable peace.

Aims and Objectives

This Unit would enable you to understand

- What is meant by terrorism and why it is resorted to;
- Case studies of the regions affected by terrorism;
- Problems encountered through naxalism; and
- Gandhian approach to solving the problem of terrorism

15.2 DEFINING TERRORISM

There has been no consensus on the definition of terrorism among the official agencies or the academia. The recent report on terrorism produced by the Second Administrative Reforms Commission of India (SARC, 2008) reproduces the definitions given by various official agencies including the UN and produces its own. It also provides the definitions used in anti-terrorist legislations in India. However, definitions are different from utilisation and impact.

Terrorism is often seen as low intensity warfare by one state against another. The SARC report, mentioned above, approvingly cites the UN's longish '*academic consensus definition*' that terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons whereby, in contrast to assassination, the direct targets of

violence are not the main targets. The immediate human victims are chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat and violence-based communication processes between terrorist (organisation), (imperilled) victims and main targets are used to manipulate the main target audience, turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought' (Schmid,1988). The short legal definition proposed to the UN Crime Branch (1992) was that the Act of Terrorism=Peacetime Equivalent of War Crime. Schmid himself wondered, after listing out 109 different definitions of terrorism in his monumental survey 'Political Terrorism: A Research Guide', whether the list contained all the elements necessary for a good definition.

The SARC report provides a brief history of terrorism and its types such as ethno-nationalist terrorism, religious terrorism, ideology-oriented terrorism, state-sponsored terrorism and narco-terrorism. After examining the definitions prevalent in the US, the UK, France, Canada and Australia, the report examines the position in India.

Terrorism as an offence does not figure in the Indian Penal Code, 1860 as amended periodically. The first special law which attempted a definition was the Terrorist and Disruptive Activities (prevention) Act 1987, followed by the Prevention of Terrorism Act 2002 (POTA), which was replaced by the Unlawful Activities Prevention Act (UAPA), 2004.

The means of terrorism are attacks on persons and property using weapons, bombs, Improvised Explosive Devices (IED), grenades, landmines etc. hostage taking, hijacking and forcible takeover of buildings, especially government and public buildings. These are conventional means of terrorism. Other means include resort to suicide attacks and kidnapping, use of weapons of mass destruction (nuclear, chemical, biological), cyber terrorism and environmental terrorism. Increasing cases of suicide terrorism include the assassination of Prime Minister Rajiv Gandhi carried out by the LTTE on May 21 1991, the attack on the J&K legislative Assembly Complex in October 2001, attack on the Indian Parliament on December 13, 2001, and the storming of the Akshardham Temple in Gujarat in 2002.

An Indian counterterrorism specialist states that while there may be differences over what constitutes 'terrorism', there can be no doubt about what constitutes a 'terrorist act' (Raman, 2008, p.327). Acts like the hijacking of an aircraft and other means of public transport for achieving an objective through intimidation, blowing up a civilian aircraft midair, the use of IEDs against civilians, throwing hand grenades and firing mortars into a civilian crowd or establishment etc. constitute 'acts of terrorism' and organisations indulging in such activities, irrespective of motives, should be dealt with as terrorist.

'Terrorism' simply means deliberately and violently targeting civilians for political purposes (Richardson, 2006). It has seven crucial characteristics: (1) a terrorist act is politically inspired; (2) if the act does not involve violence or threat of violence, it is not terrorism; (3) the point of terrorism is not to defeat the enemy but to send a message; (4) the act and the victim usually have symbolic significance; (5) terrorism is the act of sub-state groups, not states; (6) the victims of the violence and the audience the terrorists are trying to reach are not the same; and (7) the most important characteristic of terrorism is the deliberate targeting of civilians.

Richardson distinguishes between terrorists, guerrillas and freedom fighters. A terrorist 'is neither a freedom fighter, nor a guerrilla. A terrorist is a terrorist, no matter whether or not you like the goal h/she trying to achieve and no matter whether or not you like the government h/she is trying to change'. Richardson identifies two key variables for understanding all terrorist groups: the nature of the goals they seek and their relationship to the community they claim to represent.

Richardson says that the causes of terrorism lie at the individual, national and international levels. The emergence of terrorism 'requires a lethal cocktail of three ingredients: a disaffected individual, an enabling group and a legitimizing ideology' (p.40).

Terrorism is a tactic employed by different groups in different parts of the world in pursuit of different objectives. The causes of terrorism must be sought at a number of levels: at the individual level, the terrorist organisational level and the sponsoring state level. At the level of society, socio-economic factors reveal causes; at the trans-national level, the causes can be found in religion and globalisation. Many of these causes are interconnected. In terrorist organisations, leaders tend to be different from followers, often more educated and from better socio-economic backgrounds.

Richardson has found that terrorism by definition is the behaviour of sub-state groups but notes that in the US the idea of state sponsorship of terrorism is prominent. Perceived as an instrument of foreign policy, terrorism provides many advantages for governments: relatively low risk, deniability, low cost, easy to deny and difficult to prove with the potential for a high pay off. Relatively weak states often support terrorists to strike against their more powerful enemies.

15.3 RELIGIOUS CONNOTATIONS

There has been a significant growth in the number of terrorist groups with religious orientation over the last few decades. Most religious traditions have produced terrorist groups and many terrorists have been atheists. In 2004, of the 77 terrorist groups listed by the US State department, forty appeared to have mixed religious and political motives. Two characteristics of these mixed groups are that they have been more trans-national than groups with purely secular motives, and they have exercised less restraint. Religion plays different roles in different terrorist groups. Often, religious and political motives are inseparably linked. For many, religion plays a role similar to a political ideology.

Three political events influenced fundamentalist views to become widely popular: the Iranian revolution in 1978-79, which overthrew the Shah and established a radical Muslim state under the Shiite cleric Ayatollah Khomeini; the war in Lebanon against US and Israeli interests by the Iranian-inspired and assisted Hezbollah famous for the terrorist tactics of hijacking, kidnapping and suicide bombings; and war against the Soviet union in Afghanistan during the 1980s.

The last was the most important political event in the shaping and the escalation of Islamic fundamentalist terrorism. The war demonstrated that a superpower could be made to withdraw its forces and defeated by motivated armed groups. The Soviet Union invaded Afghanistan in 1979 to prevent the spread of radical Islam emanating from Iran in its own neighbouring Muslim territories, Uzbekistan, Tajikistan and Turkmenistan.

Ten years later after the death of over one million Afghans and 15,000 Soviet troops and the creation of 5 million Afghan refugees, the Soviets withdrew. Afghanistan proved to be a training ground for militants from across West Asia providing them ideological unity, international connections and experience in warfare and the use of sophisticated weaponry provided by the US against the Soviet Union. At the end of the war in Afghanistan, these radical groups returned to their home countries and joined pre-existing terrorist groups.

India has witnessed various types of terrorism including religious terrorism in different parts of the country. Relying mainly on official sources, our examination here is limited to the situation in three major areas: Jammu & Kashmir; the Northeast and the Central Tribal Belt comprising several states.

15.4 CASE STUDIES

15.4.1 Jammu and Kashmir

The troubled relationship between India and Pakistan over Kashmir started with independence in 1947. Major insurgency in the Kashmir valley started in 1989, following the controversial elections held in 1987. There was an increase in cross-border infiltration into Kashmir. Resultantly, the Indian security forces were deployed in the state. Ever since, terrorist violence has been continuing. However, recent official figures (GOI, 2007-8) indicate a decline from 3401 incidents in 2003 to 887 in 2007. The number of civilians killed has also declined from 795 in 2003 to 131 in 2007. The number of security personnel killed has declined from 814 in 2003 to 82 in 2007. The number of terrorists killed declined from 1497 in 2003 to 358 in 2007. However, there is often the difficulty of separating the terrorists from the civilians. A large number of women and children have been affected by the death/disappearance of their husbands/fathers.

The nature of the terrorist attacks in J&K has changed over the years. Suicide terrorism has made its presence felt and the Jammu region has also become a target of attack. After April 2006, soft targets like minority groups, tourist and migrant labourers, innocent civilians are becoming targets. Grenade attacks have increased by 49 percent from 2006-7 to 2007-8. An aggravating factor has been the formation of the United Jihad Council (UJC), an umbrella organisation of 14 militant groups, equipped with the most modern weaponry and enjoying support from international terrorist groups.

While trying to tackle the problem with a multi-pronged strategy, the Government of India has given priority to political dialogue with disaffected groups. Confidence-building measures like people to people contact, reunion of separated families, relaxation of control over movement across the line of control at the border, are some of the steps. Several internal security steps and administrative steps such as relief for victims of militancy, encouraging the return of migrants, special concessions for government employees have also been taken.

15.4.2 North-East

In the North East, the ethno-nationalism of a serious kind has been a prominent feature of the several states of the region including Assam, the biggest state in the region. The 'mother of all insurgencies' in the region, is said to have started in Nagaland in 1955. An incipient insurgency, it should have been handled wisely but was aggravated by the ill-advised induction of the Indian army into the state. A sense of cultural aggression by a more advanced culture over the more primitive Naga community, led to strong resistance.

The insurgency in the other states was shaped by their perception of injustice towards the local people by the government of India.

Nari Rustomji, an authority on the Northeast, in his classic 'Imperilled Frontiers' (Oxford, 1983) provides a deep insight into the region and its multiple insurgencies. People, however primitive, resent the imposition of an alien culture and nothing gives rise to so much anger and hostility as the threat of cultural aggression. Heavy economic investment is in itself of little avail in securing the goodwill and loyalty of the people of the frontiers; excessive military presence has created more problems than it solved. While change is imperative for a community's healthy development, the pace of change must be adjusted to the community's capacity to absorb it without detriment to its essential values. Sometimes an intense dislike towards officials also plays a major role.

According to recent official reports, violent incidents in the region increased from 1332 in 2003 to 1489 in 2007. It is reported that the number of arrested/killed/surrendered 'extremists' has increased from 2192 in 2003 to 2875 in 2007. Security personnel killed declined from 90 in 2003 to 79 in 2007. Civilians killed increased from 494 in 2003 to 498 in 2008. There has been a considerable increase in violence against women in the region (Subramanian, 2007). The impact of conflict, terrorism and incidents of violence in the region has been severe on women and children especially. At the same time there has been an increase in the number of paramilitary forces deployed in the region.

After independence, government of India has taken a number of steps to democratise and decentralise the governance and administration of the region. More funds for development have also been allocated but reports of leakage of such funds are numerous. Human development and economic development have failed to occur.

Conflicts in the region range from insurgency for secession to insurgency for autonomy; from sponsored terrorism to ethnic clashes, to conflicts generated as a result of continuous inflow of migrants from across the border in Bangladesh as well as intra-state migration within the region. Besides, criminal enterprise aimed at expanding and consolidating control over critical economic resources have of late acquired the characteristics of a distinct species of conflict in the region. Violence in the region is also caused by the failure of the government to provide security. This has led to the creation of alternative forces of ethnic militia for providing security to the people. In an ethnically polarised situation the government fails to provide security and the actions of the army are seen as partisan. Since conflicts in the region are generally more state-specific, it is necessary to look at the picture state-wise.

In **Arunachal Pradesh**, the situation is largely peaceful after the ceasefire with the Naga extremist group NSCN, active in the Tirap district of the state. Disquiet over the settlement of the enterprising Chakma refugees from Bangladesh has largely subsided. Income disparities and constricted employment opportunities could be a potential source of future conflict.

In **Assam**, the largest and most populous state in the region, a wide variety of ethnic conflicts prevail including agitations against influx of foreigners, the perceived inability of the government of India to deport them, tensions between religious and linguistic groups and escalating conflict among tribal communities seeking autonomy. A number of extremist outfits in the state operate under the leadership of the United Liberation Front

of Assam (ULFA) which adopts terrorist tactics. Unemployment, corruption in the government machinery, influx of illegal migrants, dominance of 'outsiders' in the business sector, exploitation of natural resources of the state by the government, human rights violations by security forces etc., led the youth of the state to support the ULFA. The 'anti-foreigners' agitation from 1979 to 1985 conducted by the ULFA/All Assam Students Union achieved little success. Large-scale criminalisation of the ULFA cadres during the 1990s led to its alienation from the public. Besides, ULFA's perceived links with foreign elements and its repeated volte-face during negotiations with the government of India also contributed to its alienation. In the aftermath of the crackdown by the Burmese army against ULFA activities, the organisation has resorted to kidnappings, bomb blasts and selective murder of migrant workers. All tribal communities in the state have created their own militant outfits to execute violent and terrorist acts arising from the perception that the government of India is responsive only to violence. The foreigners issue resulting from the continuous migration from Bangladesh into Assam continues to simmer with allegations of 'failure' on the part of the government of India to deal with the complex situation.

In **Manipur**, the 'most insurgency-prone' state in the region, over fifteen violent outfits operate representing different tribes and communities inhabiting the state. They indulge in terrorist activities and financial extortion mainly in the densely populated valley areas populated by the culturally distinctive Meitei community. Sections of the community did not favour the integration of the state with India in the late 1940s, which has contributed to the Meitei insurgency from the 1960s. Tribal Christian communities, comprising Naga, Kuki-Chin and Mizo groups, constitute about 30% of the over two-million Meitei population of the state and have their own grievances and hostilities with the Hindu Meitei groups. Several instances of siphoning off of development funds for terrorist and disruptive activities have been found (Subramanian, 2007).

The ceasefire between the government of India and the disaffected National Socialist Council of Nagaland (NSCN) has reduced violence but also given rise to fresh tensions since 2001 because of the NSCN insistence on the formation of greater 'Nagalim' (Naga homeland) including four districts of Manipur. The Government of India's assurance to protect the integrity of Manipur has helped soothe tensions between the Naga and the Manipuri communities. In the southern parts of the state, the Hmar, Paite and other communities have been demanding local hegemony and autonomy. Manipur thus witnesses a situation in which militant outfits virtually run a parallel administration to the government in many districts and influence the government award of contracts, supply orders and appointments to official positions. Widespread extortion, parallel courts of justice and other such phenomena has led to loss of legitimacy of government.

In **Meghalaya**, which constitutes a transit route for extremist groups in the region and formerly free of tensions, violence against outsiders has become a regular feature. Increasing clashes between the state government and the District Council formed under the Sixth Schedule of the Constitution of India, covering the whole state; increasing inter-tribal rivalries; and increasing tensions over infiltration from Bangladesh, especially in the Garo Hills, are the emerging features.

In **Mizoram**, the state with a history of violent insurgency and its subsequent successful resolution in 1986, the only potential area of conflict are i) the emerging income and asset disparities in a largely egalitarian society and ii) the dissatisfaction of the small non-Mizo

District Councils with the state government on account of issues pertaining to identity and reservation in government jobs for local Scheduled Tribes (STs).

In **Nagaland**, the original 'hot-spot' of insurgency, after the ceasefire with the dominant Muivah-Swu group of the NSCN, relative calm prevailed. The minority Khaplang group, which does not approve of the ceasefire, has remained peaceful. However, the problematic factors include the lingering issue of a final political settlement on the demand for 'greater Nagaland' or 'Nagalim', which has caused tensions in neighbouring states especially Manipur; the growing competition over utilisation of the limited resources of the state; and unrest over increasing youth unemployment.

In **Sikkim**, perhaps the most peaceful state in the region, the success in dealing with the constitutional mandate of striking a balance between the ethnic groups of Lepchas, Bhutiyas and Nepalis, has prevented the emergence of conflicts.

In **Tripura**, population influx after the emergence of Bangladesh in 1971 reduced the tribal majority state into a Bengali dominated state leading to insurgency on the part of the tribal people who were driven into the forests and hills. The resultant tensions led to violence and terrorism on a large-scale especially by the Tripura National Volunteers (TNV), one of the most violent extremist outfits in the region. However, effective decentralisation and empowerment of the autonomous Sixth schedule District Council in the state, coupled with better development policy implementation, has led to establishment of peace. Tribal-non-tribal conflicts have declined though there are tensions over the tribal people's freedom to use forest resources and on their fuller participation in the District Council activities.

15.5 NAXALISM

Naxalite terrorism has become a matter of serious concern in the recent period. It is often forgotten that the Naxalite/Maoist stream in the Indian left politics is a product of the nationalist movement. The arena of nationalist politics in India was a 'site of strategic manoeuvres, resistance and appropriation' by different groups and classes, which led to a 'split in the domain of politics'. Many of these contests are still unresolved. According to the 'subaltern school' of historians (see Guha, 2000), what occurred in 1947 was a 'passive revolution'. Peasant struggles were co-opted to the establishment of a regime of 'dominance without hegemony' by the Indian upper classes and castes. The debate in the Indian communist movement over the nature of the ruling formation in India, led to a 'double split' which saw the emergence of the CPI, CPI (M) on the one hand and the Naxalites on the other, named after Naxalbari in West Bengal where a radical, but ultimately unsuccessful, peasant revolutionary movement on the Chinese model, was started (Banerjee, 1980). Subsequently, the Naxalites themselves fragmented into numerous groups on ideological grounds. Unresolved agrarian tensions in rural India after independence led to agonising debate in the communist movement that saw the emergence of the Naxalites.

The Union Home Ministry, in its first major report on the Naxalite movement in 1969 titled 'Causes and Nature of Current Agrarian Tensions', warned that far-reaching agrarian reforms were needed to forestall the green revolution from turning into red revolution. A variety of factors, including the tendency of the bureaucracy to function on the basis of precedents in order to inflict violence, plus lack of institutional mechanisms for policy formulation, have prevented the Ministry from taking this professional advice.

The Naxalite movement was mishandled politically and was brutally suppressed by the use of police power. Since the causes which led to the agrarian tensions were not addressed, the tensions generated by the movement re-emerged in the 1980s. Government strategy has continued unchanged. The political options were not exercised and the police were left free to handle the situation as they deemed fit. Militarisation of the movement has gone hand-in-hand with the militarisation of the State response. Killing and getting killed has become the norm on both sides. In the absence of a calm consideration and resolution of the underlying causes of violence, the consequences of the violence are also not dealt with which can again lead to the recrudescence of violence after its initial suppression by brute force (Wallace, 2007).

In 1967, the Naxalite movement was active in one police station in one district in one state, West Bengal. Today, it has spread to over 460 police stations in 160 districts in 14 states. The Union and state police budgets are said to have increased a thousand-fold from 1967 to 2007. This shows that the use of police power alone is not sufficient enough to contain the Naxalites. Other methods are needed. The Maoist maxim is that the disaffected, angry, disgruntled peasantry constitutes the water in which the militants are the fish which move freely. Government policy must try and reduce the anger of the peasantry and not attack them by using the police. During the last few years 180, 000 farmers are reported to have committed suicide owing to agrarian distress. These methods that are needed to address agrarian distress are well brought out in a recent Expert Group Report (Planning Commission, 2008).

The report, titled “Development Challenges in Extremist Affected Areas”, makes a profound analysis of the socio-economic situation in the states comprising the Central Tribal Belt (CTB) in Andhra Pradesh, Bihar, Chhattisgarh, Orissa, and Jharkhand and comes out with the suggestion that the problem of violence and terrorism resorted to by some discontented Maoist elements should be understood in the proper development perspective and handled politically and administratively rather than by using brute police force. Further, if the cessation of political violence does not deal adequately with the consequences of the violence and the wounds remaining in the human survivors and/national psyche and a reasonable degree of ‘closure’ is not secured then political violence and terrorism can re-appear (Wallace, 2007).

The emergence of the CPI (Maoist) after the merger and consolidation of two major Naxalite streams in September 2004, the Expert Group points out, is defining the official understanding of the extremist phenomenon at the state and central government levels. This amounts to a simplistic law and order face-off between the official coercive machinery and the radical political organisation. The social consequence results, then, in the undermining of instruments of social and economic amelioration as well as processes of democratic exchange to resolve persisting issues, which is the crux of the problem. Apart from the merger of the CPI ML People’s War with the Maoist Communist Centre (MCC) in September 2004 to form the CPI (Maoist), which is the focus of official attention, there are a very large number of Naxalite groups/parties with their methods of functioning which differ on the extent of mobilisation of the people, role of the armed underground cadre etc. though they are all at one on the idea that the Indian state must be overthrown by force as a precondition for revolutionary change in society. Some of them are represented in elected bodies such as Panchayats and legislative assemblies. Mass unrest dealt with in the report is not reducible to dramatic incidents of terrorism such as blowing up of police stations since mass participation in militant protests has always been

a feature of Naxalite mobilisation. The ban on the Maoist party and its mass organisations and the informal prohibition of such activities by the police in the case of other Naxalite groups has often rendered such mass activity virtually impossible.

The Expert Group examined the life and livelihood of the people and the failure, inadequacy or injustice of state mechanisms and institutions which create a space for Naxalite activities and help generate public support for them. It points out that though the long-term perspective of the Naxalites is to capture state power by force, their fight is for social justice, equality, protection and local development. The report thus calls for political approach to a movement that is essentially political.

The Group demonstrates that the Naxalite movement is a 'political movement with a strong base among the landless and poor peasantry and adivasis. Its emergence and growth need to be contextualized in the social conditions and experience of the people who form part of it. The huge gap between state policy and performance is a feature of these conditions. Though its professed long term ideology is capturing state power by force, in its day to day manifestation it is to be looked upon basically as a fight for social justice, equality, protection and local development. The two have to be seen together without overplaying the former. Its geographical spread is an outcome of the conditions giving rise to it (ibid. p.51). Since the goals of the movement are political, the approach to address and tackle it should be democratic. The recent peace talks with the Naxalites were given up on the ground that they did not give up arms and violence. However, this was not the precondition imposed on dialogue with extremists in J&K and Assam and the Naga rebels. Why insist on a different approach to the Naxalites asks the report, which adds that 'the doors of negotiations should be kept open'.

On the role of the police in this context, the Report states that the 'methods chosen by the government to deal with the Naxalite phenomenon has increased the people's distrust of the police and consequent unrest. Protest against police harassment is itself a major instance of unrest frequently leading to further violence by the police in the areas under Naxalite influence. The response of the Naxalites, at least the Maoists, is to target the police and subject them to violence, which in effect triggers a second round of the spiral. The rights and entitlements of the people which give rise to the Naxalite and Maoist movements find expression in the Constitution, the laws enacted by various governments and the policy declarations. The administration 'should not have waited for the Naxalite movement to remind it of its obligations towards the people in these matters' (ibid. p. 47).

The Report also says that the weaker sections do not have much faith in the police. They have no faith that justice will be done to them against the powerful. 'Often it is as frustrating an experience to go to the police station as a complainant as it is fraught with danger to go as a suspect. One of the attractions of the Naxalite movement is that it does provide protection to the weak against the powerful and takes the security of, and justice for, the weak and socially marginal seriously' (p.46). The legal framework for dealing with terrorist violence has been dealt with extensively in a recent official report (SARC, 2008) and we do not elaborate on it in the present context.

15.6 IMPLICATIONS OF TERRORISM ON HUMAN RIGHTS

Hoffman (2004), while examining the implications of terrorism for human rights, refers to the so-called 'war on terror' launched by the US recently and says that the war threatens to undermine the international human rights framework painstakingly built

since the Second World War. Writing before the Abu Ghraib and Guantanamo torture revelations became public, he argues that abandoning human rights in times of crisis is short-sighted and self-defeating. A 'war on terrorism' waged without respect for the rule of law undermines the very values it presumes to protect. The balance between liberty and security must be restored by reasserting the human rights framework which provides for legitimate and collective efforts to respond to terrorist attacks.

The six rules spelt out for counteracting terrorism (Richardson, 2006, pp.203-233) are i) have a defensible and achievable goal; ii) live by your principles; iii) know your enemy; iv) separate the terrorists from their communities; v) engage others in countering terrorists with you, and vi) have patience and keep your perspective.

Wallace (2007) emphasises the need for institutionalising efforts to attempt a healing process for societies such as India that are wrecked by political violence. 'Closure' should be clearly identified as to the means and as a core element during the periods of political violence with the focus on institutionalising human rights especially for the State and also for the anti-State political movement. He notes that reconciliation is an obvious element of closure. So is transparency and justice. 'Closure' measures include judicial processes ranging from war crimes tribunals to more informal village level trials. The major achievement of 'closure' is transparency. Setting out the facts, opening whatever records are available and attempting honestly to answer the questions of movement and state victims provides a major impetus to healing. It promotes understanding as a first step to some degree of justice and the possibility of forgiveness and reconciliation. Transparency may be the most lasting result, a willingness to live with the truth. In terrorism excessive means, sometimes clandestine, are used. Similarly, for security reasons the state is often forced to become a mirror image of the terrorist movement holding it necessary to use means that are illegal according to Geneva Conventions. Recent developments in Sri Lanka are a good example. The idea of reconciliation at the grassroots level involving civil society participation has figured prominently in a recent experiment in social intervention (Oommen, 2007).

15.7 GANDHIAN METHOD TO COUNTER TERRORISM

Finally, we may make a reference to a possible Gandhian method of resolving the problems created by the challenge of terrorism. The discussion above on closure, transparency, reconciliation and justice to the victims of violence/terror would be very much in tune with Gandhian thought. However, Gandhi was not an organised theorist such as Karl Marx. His approach was essentially empirical. The strategies of Ahimsa and Satyagraha were devised by him to meet the challenge of British rule by using the very same rule of law norms which the British said they believed in and which they had haltingly introduced and practised in India. These strategies were successful in the given situation as encountered by the Mahatma. It would thus be unfair to extrapolate the Gandhian approach and method from his time to our time. Gandhi was an original political and social activist who devised his strategies as he went along. It would be difficult and wrong to try to predict what he would have done had he been alive today.

However, taking up the crucial issue of land, central to Gandhian socio-economic thought, one must note that it retains its central relevance today irrespective of the party in political power. The acquisition of land for corporate capitalist development at the cost of the poor people of India who possess the land has become critical for all political parties in India today. Naxalite violence, often taking terrorist forms, is directed towards

protecting the people's basic right to the land for their own use, not to surrender it at any cost for corporate development. The tribal/poor people are fighting pitched battles under Naxalite leadership against the land acquisition drive of the ruling parties at the state level for corporate capitalist development. This process is said to have led to displacement, disorganisation and destitution of over 40 million poor dalit and adivasi communities, central to Gandhian political activism during his time. He would have certainly supported these battles of the rural poor but only through non-violent means. On several occasions during his political career, Gandhi had shown an ability to be flexible in his commitment to non-violence as required by the evolving situation in the struggle against British rule (Namboodiripad, 1958). Ultimately for him, the fate of the *daridranarayan* was a fundamental concern.

15.8 SUMMARY

From the sections as listed above, we understand that terrorism or for that matter, any armed conflict and inflicting of violence is detrimental to the peaceful conditions of a society. The causes related to these kinds of problems are political in nature and therefore it is widely acknowledged around the world that the conflict resolution should be political in nature. Nonetheless, it should not be forgotten that violence takes us nowhere; nonviolence is definitely a viable means to countering any problem. According to the Gandhian ideology, all the parties in conflict should be open to an amicable settlement without which the problem remains unresolved. In this 21st century, when we are endowed with advancements in science and technology, it is much easy to resort to violence and destruction. But as the age-old wisdom reiterates, it is the wisdom of the human beings with a rational approach that provides us answers to many of our unresolved problems.

15.9 TERMINAL QUESTIONS

1. What do you understand by terrorism? Trace the causes and effects of terrorism.
2. What role do religion and culture have with regard to terrorism? Discuss with examples.
3. What role does the Gandhian method play in resolving the problems related to terrorism and naxalism?

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THE PEOPLE'S
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UNIT 16

HUMAN RIGHTS

Structure

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16.1 INTRODUCTION

One of the greatest developments in the annals of human history is that for the first time in International Relations a comprehensive list of “human rights norms” has been evolved. By the beginning of the 21st century the United Nations had adopted more than 100 conventions, covenants and basic principles on different aspects of human rights. Many regional human rights protection mechanisms also have been institutionalised. Nearly 200 multilateral human rights treaties exist today. Similarly, Governments at the national level have adopted scores of legislations on the subject. All these developments have brought the question of promoting human rights on the agenda of international and national governance and have removed it from the exclusive domestic jurisdiction of nation States. Today we have human rights treaties or legislations on every kind of rights, such as the rights of women, children, refugees, migrant workers, stateless persons, indigenous peoples, disabled persons, minorities and so on. These documents deal with the prohibition of torture, social or religious discrimination, slavery; right to development and peace, rights of workers, etc. In fact, the contemporary human rights law

covers the entire gamut of human relationships. Thus, 20th century can be considered as a century for institutionalising the concept of human rights.

A statement of Sir Hersch Lauterpatch, a noted protagonist of human rights and one of the most eminent international lawyers of the 20th century, rightly captures the spirit of modern laws and functions of the states. He had observed in 1947: “*The protection of human personality and of its fundamental rights is the ultimate purpose of all law, national and international*”. Similarly, Adlai Stevenson of the USA once had remarked, “human rights are at the core of everything we do and try to do”. These two statements candidly reveal that the concept of human rights has acquired a significant place in human life / civilisation, as it is true that a large part of our time is devoted, in the ultimate analysis, to the promotion and protection of human rights. Both the classical as well as contemporary political theories have affirmed and reaffirmed the significant principle that it is the “individual” for whom the State (or for that matter, any social or legal order) exists, and not *vice versa*. In sum, human rights have emerged as the most powerful concept of our age. According to Boutros Boutros Ghali, former UN Secretary General, “human rights constitute a common language of mankind and the ultimate norm of all politics. Adopting this language allows all peoples to understand others and to be the authors of their own history. Human rights, by definition, are the ultimate norm of all politics” (Cited in Vijapur, 2010, pp.16-17).

Aims and Objectives

This Unit will enable us to understand the following:

- The importance and divergent understanding of the concept of human rights;
- A brief overview of Gandhi’s ideas and actions on rights and duties
- Cultural and religious roots of human rights;
- International and regional human rights treaties and their implementation mechanism; and
- Gross violations of human rights in the world.

16.2 GANDHI ON HUMAN RIGHTS AND DUTIES

Mahatma Gandhi began his public life at the beginning of the 20th century fighting for the rights of people in South Africa. After his return to India from South Africa his entire political life was revolved around many political and social movements which had great implications for the recognition of human rights, such as leading a freedom struggle to end colonialism, fighting for abolition of untouchability, working towards Hindu-Muslim Unity and harmony, popularising the use of *khadi*, advocating prohibition, *panchayat* system and cottage / village industries, village sanitation, upliftment of women, new basic education (*nai talim*) in Indian languages and using non-violent methods to achieve these objectives. In sum, his mission and action in life was to promote human rights and duties of all persons in the society. This unit is not an appropriate place to discuss Gandhi's ideas on human rights. But it should be acknowledged that Gandhi was much ahead of times. Human rights came on national and international agenda only after the adoption of Universal Declaration of Human Rights in December 1948, whereas Gandhi has been all along fighting for human rights more than half a century prior to the adoption of this historic Declaration.

16.3 THE CONCEPT OF HUMAN RIGHTS: DIVERGENT MEANINGS

Though the concept of human rights is central to social sciences, it is poorly understood. There is no agreement on its meaning, nature, and content. It is a concept very much contested not only between East (representing former socialist States) and West (representing liberal-democratic States) but also between developed and developing countries. Each group of nations has a different perception of human rights.

The so-called first world countries of the West believed in the supremacy of the individual, while the communist countries of East focused on the community and the unconditional priorities of class interest. Hence, the individual benefited from these group rights, as his/her rights were better provided for, within the community. The former communist States gave priority to economic, social and cultural rights and insisted that they could not be separated from the class character of society in which they existed, while the liberal-democratic States asserted the primacy of civil and political rights. This debate of priority of one set of rights over another continued to occupy the agenda of national and international governance during major part of the 20th century.

The newly emerging States of the Third World, while adopting the Eastern or Western model of human rights paradigms in their constitutions, or a combination of both, focused on solidarity or group rights such as right to self-determination of peoples, including sovereignty over their natural resources, the right to development, the right to a healthy and ecologically balanced environment, the right to peace and the right to ownership of the common heritage of mankind. They also insist on interdependence and indivisibility of civil and political rights to economic and social rights.

Thus, the modern concept of human rights is comprehensive in its nature and content. It includes three types of rights: civil and political, economic, social and cultural and the emerging collective or group rights. Some Western scholars have described these three sets of rights as first, second and third generation of human rights. In fact, the catalogue of rights is expanding every day. Moreover, it must be noted that no catalogue elaborating specific human rights will ever be exhaustive or final. Its content goes hand in hand with the state of moral consciousness, or development of civilisation at any given time in history.

It is gratifying to note that in general the East is now shifting more towards the West in their perception of human rights, and civil and political rights are given greater attention than ever before. The collapse of communism and the end of the “Cold War” suggests that arguments over divergent concepts of human rights are no longer a subject of mutual accusation and a spirit of cooperation between East and West is evolving gradually.

Let us briefly define rights and their significance. Human Rights are those conditions of life that allow us to fully develop and use our human qualities of intelligence and conscience and to satisfy our spiritual needs. We cannot develop our personality in the absence of rights. They are fundamental to our nature; without them we cannot live as human beings. To deny human beings their rights is to set the stage for political and social unrest, wars, hostility between nations and between groups within a nation-and that denial leads to urgent demands for a better life in larger freedom. Human rights, far from being an abstract subject for philosophers, political scientists and lawyers, affect the daily lives of everyone – man, woman, and the child. Rights are nothing but claims against the State or government or individual persons. They constitute, as opined by Michael Freedman, “a conceptual device, expressed in linguistic form that assigns priority to certain human or social attributes regarded as essential to the adequate functioning of a human

being; that is intended to serve as a capsule for those attributes; and that appeals for deliberate action to ensure such protection” (Vijapur, 2010, p.20).

Rights are also used in a variety of ways indicating differences in ideological and philosophical perceptions. For some, rights are “normative attributes” that belong to a self-conscious person who perceives himself as an agent of purposive creative action. For others, rights are entitlements to choose from. McCloskey describes rights positively, as entitlements, to do, to have, enjoy or have done. For MacCormick rights “always and necessarily concern human goods”, that is, concern with what it is good, at least, in normal circumstances, for a person to have. Feinberg and White asserted that rights can be “possessed, enjoyed, exercised and claimed, demanded and asserted”. James Nickel states that human rights aim to secure for individuals the necessary conditions for leading a minimally good life. Public authorities, both national and international, are identified as typically best placed to secure these conditions. So, the doctrine of human rights has become, for many, a first port of moral call for determining the basic moral guarantees all of us have a right to expect of those national and international institutions capable of directly affecting our most important interests (Vijapur, 2010, p.20).

It should be acknowledged that rights and duties are two sides of the same coin. One’s rights impose duties on others. Allegiance to the State, where a citizen resides, obeying the laws of the State, payment of taxes, exercising right to vote, rendering compulsory military service, parental duty towards their children when they are young and the duty of adult persons to take care of the needs of their old parents, etc. are some of the duties which have been recognised in different countries. In 1976 the Indian Constitution added ten fundamental duties through an amendment.

Rights have not evolved overnight. Great revolutions, events and constitutional, political, social struggles have contributed toward the continuous evolution of rights. Here we cannot discuss the history of the idea of rights. However, it should be recognised that contrary to popularly held Western belief that human rights are of the Western origin, now there is an overwhelming emerging consensus that every culture / civilisation and nation in the world had some notion of human rights. Let us describe this aspect.

16.4 CULTURAL AND RELIGIOUS ROOTS OF HUMAN RIGHTS

Every major culture in the world had developed a notion / doctrine of human rights. It is wrong to subscribe to the view that human rights have been invented by the Western civilisation, especially after the period of Enlightenment. We can find the roots or seeds of human rights in all major cultures and religions of the world.

The Greek philosophy had developed the idea of natural law including equal respect for all citizens, equality before law, equality in political power and suffrage, and equality of civil rights. The Chinese philosopher, Hsun-tzu, had said in 400 B.C. that “In order to relieve anxiety and eradicate strife, nothing is as effective as the institution of corporate life based on a clear recognition of individual rights” (Shelton, 2003, p.1). Mencius (372-289 B.C.), a great Confucianist, strongly maintained that a government should work for the will of the people. He said: “People are of primary importance. The State is of less importance. The Sovereign is of least importance” (Vijapur, 2010, p.58). Chinese concept of human rights is greatly influenced by Confucianism. It proclaims that harmony and cooperation exist when duty and responsibility towards others leads to treating all human beings as having equal work and recognising that “within the four seas, all men are brothers”. The teaching of ancient text, Analects, is “Do not impose on others what you do not desire.” “If there be righteousness in the heart, there will be beauty in the character. If there is beauty in the character, there will be harmony in the home. If there is harmony in the home, there will be order in the nation. If there be order in the nation, there will be peace in the world”.

Similarly, all three Semitic religions – Judaism, Christianity and Islam – have spoken about the value of human rights. Judaism stresses the sacredness of the individual endowed with worth and equal value. It proclaims: “undo the tongs of the yoke, let the oppressed go free... share your bread with the hungry, and bring the homeless poor into your house”. Christianity also echoes the message of equality: “there is neither Greek nor Jew, nor slave nor free, nor man nor woman, but we are all one in Christ”. Bible says: “Do unto others as you would have them do unto you.” Charity or lifting the burdens of those less fortunate is one of the pillars of Islam. The Quran speaks of justice, the sanctity of life, freedom, mercy, compassion and respect for all human beings. All races are equal and religious toleration should be guaranteed. Islam provided the first declaration of religious freedom in the world. It proclaimed that Jews and Christians

shall be protected from all insults and vexations; they shall have equal rights and shall practice their religion as freely as the Muslims.

India's heritage with regard to human rights concern and education predates the Western history, philosophy and law. Its national values of tolerance, non-violence, friendship for all, equality, respect for the human persons, human dignity and rights confirms this. These values are legacy of Buddhism. Buddha's messages of non-violence, non-hatred and friendliness to all were transformed into reality by Emperor Ashoka. As a devout follower of Buddha, Ashoka became a great champion of freedom and tolerance. He pleaded for universal tolerance. One of the most significant contributions of Buddhism was the introduction and spread of secular education – education for all. Organised Universities came to be established under the direct influence of Buddhism. According to Hinduism, this universal spirit or soul (Brahman) manifests itself in all human beings and indeed pervades all creation, as the very first verse of the Isa Upanishad declares: “God covers all that moves in the Universe” (Vijapur, 2010, pp. 60-63).

Thus the contemporary doctrine of human rights has evolved as a result of hundreds of human experiences, struggles, revolutions and religious and political treatises.

16.5 MAJOR INTERNATIONAL HUMAN RIGHTS TREATIES

With the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations on 10 December 1948, a new era of human rights began. It proclaimed civil-political and economic, social and cultural rights. These rights were further elaborated in greater detail in two Covenants adopted in 1966 – the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR). These two Covenants along with their Optional Protocols together with the UDHR are often described as the International Bill of Human Rights. The UN Covenants, unlike the UDHR, are legally binding on ratifying States. Let us discuss briefly the human rights contained in these Covenants and the methods of their implementation.

The Rights Protected under ICCPR

A detailed list of civil and political rights of the individual are set out in the Covenant which are obligatory for the States Parties to respect and ensure to all individuals within their territories. They are as follows:

Article 6 – The right to life.

Article 7 – Freedom from torture and inhuman treatment.

Article 8 – Freedom from slavery and forced labour.

Article 9 – The right to liberty and security.

Article 10 – The right of detained persons to be treated with humanity.

Article 11 – Freedom from imprisonment for debt.

Article 12 – Freedom of movement and choice of residence.

Article 13 – Freedom of aliens from expulsion.

Article 14 – The right to a fair trial.

Article 15 – Protection against retroactivity of the criminal law.

Article 16 – The right to recognition as a person before the law.

Article 17 – The right to privacy.

Article 18 – Freedom of thought, conscience and religion.

Article 19 – Freedom of opinion and of expression.

Article 20 – Prohibition of propaganda for war and of incitement to national, racial or religious hatred.

Article 21 – The right to peaceful assembly.

Article 22 – Freedom of association.

Article 23 – The right to marry and found a family.

Article 24 – The rights of the child.

Article 25 – Political rights, such as right to vote, right to contest elections, right to participate in the governance and to have access to public services.

Article 26 – Equality before the law.

Article 27 – The rights of minorities.

The Rights Guaranteed Under ICESCR

The economic, social and cultural rights protected by the ICESCR are as follows:

Article 6 – The right to work.

Article 7 – The right to just and favourable conditions of work including fair wages, equal pay for equal work and holiday with pay.

Article 8 – The right to form and join trade unions, including the right to strike.

Article 9 – The right to social security.

Article 10 – Protection of the family, including special assistance for mothers and children.

Article 11 – The right to an adequate standard of living, including adequate food, clothing and housing and the continuous improvement of living conditions.

Article 12 – The right to the highest attainable standard of physical and mental health.

Article 13 – The right to education, primary education being compulsory and free for all, and secondary and higher education generally accessible to all (Article 14 permits the progressive implementation of this right).

Article 15 – The right to participate in cultural life and enjoy the benefits of scientific progress.

Implementation Procedures under the Covenants

Both the Covenants provide for three procedures/ methods of implementation.

(i) The Reporting Procedure

Both the Covenants require the State parties to submit periodic reports to the monitoring bodies on the measures they adopt to give effect to the rights contained in them and on the progress made in the enjoyment of those rights. These reports are supposed to indicate also the factors and difficulties, if any, affecting the implementation of the rights of these Covenants. These State reports are critically examined by treaty monitoring bodies—the Human Rights Committee (HRC) and the Committee on Economic and Social Rights (CESCR). Sometimes the Committee members seek additional information or reports. This kind of regular dialogue/interaction between the States and the UN bodies creates a favourable international public opinion for enforcement of human rights. The reporting procedure, in fact, is a novel system in international relations/law as it has removed the matter of human rights from the exclusive concern of national jurisdictions. It should be noted that the only implementation procedure contained in the ICESCR is the reporting procedure.

Under the ICCPR, the first report should be within one year of the entry into force of the Covenant for the State party concerned and thereafter at an interval of every five years. Under the ICESCR, the initial report has to be submitted within two years of the Covenant's entry into force for the concerned State. Thereafter a comprehensive report is required to be submitted every five years.

A cursory evaluation of the practice of treaty monitoring bodies provides some interesting facts regarding the reporting procedure. Though most of the reporting States generally provide a rosy picture of human rights in their reports, the Committee members scrutinise the reports in the light of alternative reports submitted by NGOs. While reviewing State reports, the HRC found that many reports were too brief and incomplete. Moreover, States parties do not submit their reports on time.

(ii) The Inter - State Complaint /Communication System

This procedure is provided only in the ICCPR. It is optional and not mandatory like the reporting procedure. Under this procedure, one state can lodge a complaint of human rights violation against another state, provided both are parties to the Covenant and have accepted this optional procedure. Such complaints should be settled to the satisfaction of both the States within six months. After six months, any party may take the complaint to Human Rights Committee for mediation and conciliation. This procedure entered into force in 1977, though it has not been invoked (used) so far for fear of reprisals.

(iii) Individual Petition System

Individual petition system is now provided in both the Covenants but they are optional. It is elaborated in the First Optional Protocol of the ICCPR (1966) and the Optional Protocol to ICESCR (2008). The former is in operation since 1977 and the latter has not yet become operational. This optional procedure is applicable to those States parties who have ratified these Optional Protocols to the Covenants. Under this system, an individual who claims that any of his rights enumerated in the Covenants have been violated, and who has exhausted all available domestic remedies may submit written petitions to the HRC and CESCER for their consideration. The Committees consider such communications in the light of all written information made available to them by the individual and by the State party concerned, and forwards their 'views' to the concerned individual and the State party. The States normally accept the Committees' decisions (in fact, 'views') and also pay compensation to the aggrieved individuals and/or amend their laws accordingly. **It must be acknowledged that the individual petition systems, although optional, is a development of extraordinary significance, as it has put the**

“individuals” on par with the governments /States before these international monitoring bodies.

It must be noted that most of the constitutions that have come into existence, after the adoption of UDHR, have included chapters on human rights and duties. Many States have incorporated the provisions of the international and regional human rights treaties into their domestic laws. As a result, the international human rights provisions can be invoked in domestic courts. Thus, now there is a thin line between domestic and international human rights norms and standards. Many national and international NGOs advocate the implementation of internationally recognised human rights.

Besides these two Covenants, the United Nations has adopted during the last 65 years the following core human rights treaties which have monitoring bodies and implementation procedures. They are:

- (i) International Convention on the Elimination of All Forms of Racial Discrimination, 1965, became operational in 1969.
- (ii) Convention on the Elimination of All Forms of Discrimination against Women, 1979 (entered into force in 1981). Its Optional Protocol, adopted in 1999, entered into force in December 2000.
- (iii) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 (entered into force in 1987). Its Optional Protocol (2002) entered into force on 26 June 2007.
- (iv) Convention on the Rights of the Child, 1989 (entered into force in 1990). On 25 May 2000, two Optional Protocols to the Convention were adopted. These were: Optional Protocol on the Involvement of Children in Armed Conflict (entered into force on 12 February 2002) and Optional Protocol on the Sale of Children, Child Prostitution and Child pornography (entered into force on 18 January 2002).
- (v) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990). It entered into force in 2003.
- (vi) International Convention of the Rights of Persons with Disabilities and its Optional Protocol (2006). It became operational in 2007. Its Optional Protocol (2006) became operational on 3 May 2008.

- (vii) International Convention for the Protection of All Persons from Enforced Disappearance, 2006. It entered into force on 23 December 2010.

There are many other international instruments preventing genocide, suppressing apartheid or on the rights of refugees, etc. which do not have implementation mechanism. One can get information on this by visiting the UN website.

16.6 REGIONAL HUMAN RIGHTS MECHANISMS: A BRIEF SURVEY

There are four regional human rights systems: the European, inter-American, African and Asian. The first is very effective and the other systems are emerging as significant mechanisms to address human rights issues at the regional level. These regional mechanisms were inspired by the UDHR. Let us elaborate these briefly.

The European Convention on Human Rights and Fundamental freedoms (ECHR), adopted under the auspices of the Council of Europe in 1950, is the oldest and most effective human rights treaty in the world. It entered into force in 1953. This treaty enshrines mostly civil and political rights. Through many Protocols new rights have been added. It has been ratified by both West and East European states (the latter after the collapse of communist systems there). The list of rights guaranteed in the ECHR has been expanding over the years. Originally, the convention recognised right to life, prohibition of torture, prohibition of slavery and forced labour, right to liberty and security, right to a fair trial, no punishment without law, right to respect for private and family life, freedom of thought, conscience and religion, freedom of expression, freedom of assembly and association, right to marry, right to effective remedy, prohibition of discrimination and right to petition by person, NGOs, or groups of individuals. Subsequently through the adoption of protocols 1, 2, 6 and 7 new rights have been added, such as right to property, education, free elections, prohibition of imprisonment for debt, prohibition of expulsion of nationals and prohibition of collective expulsion of aliens, abolition of the death penalty and compensation for wrongful conviction. It is gratifying to note that the ECHR has been incorporated by all 45 States parties, although the Convention does not provide as to how exactly the States Parties are to implement internally the relevant obligations.

Previously it had two enforcing bodies – the European Commission and Court of Human Rights. Since 1998, the European Commission has been abolished and the Court has become a full-time

body, and the right of individual petition became automatic (previously it was optional) rather than dependent upon the acceptance of the State complained against. The individuals can petition the European Court of Human Rights at Strasbourg, France, if they feel that their governments have violated their Convention rights. A huge corpus of human rights jurisprudence has emerged as a result of judgments by the European Court. In many an instance, it has found States in breach of their international obligations to protect human rights. Thus, the ECHR has developed over the last fifty five years into a constitutional bill of rights for the entire continent of Europe.

Besides ECHR, the Council of Europe has adopted the European Social Charter, 1961 (covering social and economic rights), Convention for the Prevention of Torture (1987), the European Charter for Regional and Minority Languages 1992, the Framework Convention for the Protection of National Minorities (1995), European Convention on the Exercise of Children's Rights 1997 and Convention on Human Rights and Biomedicine 1997. All these are operational now.

The American Convention of Human Rights (ACHR) of 1969 recognises personal, legal, civil and political rights, and the right to property. The Convention establishes the Inter-American Court of Human Rights (1979, San Jose, Costa Rica), which has both an advisory and a dispute settlement function, but since its jurisdiction is optional, it has had limited effectiveness. In addition, the Inter- American Commission of Human Rights was established in 1959 to protect rights under both the OAS Charter and the ACHR. When dealing with States Parties to both the Charter and the ACHR, it has powers of enforcement through a system individual petition system on optional basis. But its powers are more limited, to making recommendations for effective compliance, when it comes to States that are parties only to the Charter. Overall, the Inter-American system has been less successful than its European counterpart, especially in its impact on the domestic legal systems of contracting States.

The African Charter on Human and Peoples' Rights or Banjul Charter (1981), is unique in comparison to the other two regional systems. It seeks to protect not only civil and political rights (first generation rights), but also the economic, social, cultural (second generation rights) and collective / group rights like right to development, peace, environment etc. (third generation rights). It also includes duties of the individuals. Thus from a normative perspective, the African Charter offers considerable innovations over its counterparts in Europe and the Americas. It

provides a reporting system similar to UN Covenants, as well as a largely ineffective and under-used Commission to hear complaints. In 1998, a Protocol for the establishment of an African Court of Human and Peoples' Rights was signed. The new African Court has advisory, conciliatory and contentious jurisdiction. The latter extend to any relevant human rights treaties. However, only States Parties to the Protocol, the African Commission and African Intergovernmental organizations have direct access to the Court; not individuals, nor NGOs. In short, in comparison to ECHR and ACHR, the African system has been the least successful in shaping state compliance with human rights.

There is no regional treaty of human rights in Asia. However, on 22 May 2004 the League of Arab States adopted the Arab Charter of Human Rights. It has been in force since March 2008. A number of traditional human rights are provided for, including the right to liberty and security of persons, equality of persons before the law, protection of persons from torture, the right to own private property, freedom to practice religious observance and freedom of peaceful assembly and association. The Charter also provides for the election of a seven-person Committee of Experts on Human Rights to consider States' reports.

16.7 VIOLATIONS OF RIGHTS: A GLOBAL PHENOMENON

Notwithstanding the adoption of Bills of rights in the national constitutions and ratification of international and regional treaties on human rights by a large number of States, human rights of the individuals are violated in almost all countries. Absolute power allows governments to destroy different communities; it also enables them to infringe on the rights of citizens. Just as governments can help to institutionalise the concept of human rights and protect them for everyone irrespective of one's caste, colour, sex, or religion, they can also use their powers to violate human rights in the most systematic manner. The 20th century has witnessed enormous progress in the extension of civil, political, economic, social and cultural rights in all societies in the world. However, at the same time core human rights, such as right to life, freedom from torture, slavery etc. have probably never before been violated on such a gross scale. Millions of people have lost their lives in political persecution by dictatorial regimes. Millions were also killed in Nazi extermination camps and during Stalin's rule in the former Soviet Union. Gross violation of human rights were seen in China, Cambodia, Chile, Iraq, Argentina, Guatemala and Haiti, Bosnia - Herzegovina and the apartheid regime of South Africa, although on a smaller

scale. These extreme abuses of governmental power illustrates a dilemma that troubled the founding fathers of the American Revolution: “the problem of creating a government strong enough to govern effectively but not so strong enough that it could destroy the rights of those whom it was so designed to serve.”

16.8 SUMMARY

Promotion, recognition and protection of human rights have become the most important principle of national and international governance since the establishment of the United Nations. The UDHR has inspired the inclusion of human rights provisions in many constitutional documents. It also laid the foundation for the evolution of international human rights regimes and regional mechanisms. The latter half of the 20th century can be considered as a century for institutionalising the concept of human rights. The idea of rights has not been invented by the Western civilisation. Each major civilisation, culture, religion and socio-legal system in the world had a notion of human rights and they contributed towards the emergence of contemporary concept of human rights as reflected in national, regional, and international documents. Though there were differences over the meaning and content / catalogue of rights in different cultures, the world community’s consensus on human rights is reflected in the UDHR and two Covenants. Most of the international and regional human rights treaties have implementation mechanisms and monitoring bodies to oversee the compliance of international human rights obligations by ratifying States. These treaties have individual and State-to-State (inter-State) complaint system for redressal of human rights violations. In conclusion two points must be stated. First, in the 20th century (and this will remain so in the present century too) human rights have become, to recall the words of Boutros Ghali, a common language of mankind and the ultimate norm of all politics. Adopting this language allows all peoples to understand each other and to be the authors of their own history. Second, Mahatma Gandhi was much ahead of his times, as he had been fighting for human rights more than half a century prior to the adoption of the historic 1948 Universal Declaration of Human Rights.

16.9 TERMINAL QUESTIONS

1. Examine the divergent meanings of the concept of human rights.
2. Is the notion of human rights a discovery of Western civilisation?

3. Discuss the main provisions and implementation procedures and mechanisms of international Covenants on human rights.
4. Name the core international human rights treaties.
5. Describe briefly the regional human rights mechanisms.

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