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# INTELLECTUAL RESONANCE

DCAC JOURNAL OF  
INTERDISCIPLINARY STUDIES

*(Double-Blind Peer-Reviewed)*

*Dec 2021, Volume 4*

**DELHI COLLEGE OF ARTS & COMMERCE**

(UNIVERSITY OF DELHI)

NETAJI NAGAR, NEW DELHI-110023



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## ***About Intellectual Resonance*** ***DCAC JOURNAL OF INTERDISCIPLINARY STUDIES***

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Intellectual Resonance: DCAC Journal of Interdisciplinary Studies is an annual interdisciplinary, double-blind peer-reviewed journal that provides Faculty and Research Scholars an academic space to submit their unpublished research papers, book reviews, and research essays for publication. The Journal caters to the disciplines of Humanities and Social Sciences and is published in English. The Journal was started in 2013, with ISSN: 2321-2594. The Journal has an Editorial Advisory Board comprising scholars from Indian and Foreign Universities and Institutions. The Editorial Board comprises Prof. Rajiv Chopra, Principal DCAC, as the Editor-in-Chief and Dr. Smita Banerjee, Associate Professor, English Department as Editor, along with a few other faculty members of the College as Members. The interdisciplinary foci of the Journal enable dialogues and convergences across disciplinary domains ranging from Literature, Cinema, Finance, Public Policy, Media and Cultural Studies, Communication Studies, History, Marketing, and allied subjects to name just a few. This diversity and range provides the readers and researchers a vibrant and rigorous academic opportunity for fostering critical thinking and participate in creating new areas of interdisciplinary research and knowledge dissemination.

## ***About DCAC***

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Delhi College of Arts & Commerce is located in the quiet and peaceful enclave of Netaji Nagar in South Delhi. The College began its journey as a Liberal Arts & Commerce College in the year 1987. It is a co-educational constituent College of the University of Delhi. This College was a pioneer in offering an undergraduate course in Journalism Honours in the University of Delhi in the year 1989. At present, it offers Bachelor Honours courses in Journalism, English, Commerce, Political Science, History, Economics and B.A. (Prog.) and B.Com.

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## ***EDITORIAL***

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It is a matter of great pride that Intellectual Resonance: DCAC Journal of Interdisciplinary Studies, an annual interdisciplinary double-blind peer-reviewed Research Journal, ISSN: 2321-2594, which was launched in 2013 is getting a fresh lease of life. The December 2021 issue strives to engage in meaningful exchange and dissemination of knowledge and academic research.

This issue is being launched in the midst of an unprecedented global crisis. The personal and social struggles have made all of us aware of the value of patience and resilience. The collective and individual struggle for survival and coping with the pandemic has forced us to slow down and reconfigure our relationships, our lives and our working environment.

The present issue carries eleven Original Articles, one Research Essay and two Book Reviews. The articles reflect the varied interests of the contributors from various disciplines of Humanities and Social Sciences.

Two articles engage in opening a space of dialogue pertaining to the contemporary media scape. Aakriti Kohli engages with the Digital domain in her analysis of OTT platforms and its ubiquity in the Indian context, in her article Mapping Audience-Users' Mobility: OTT Platforms on the Smartphone Screen. The article by Shristi Surana and Tarjeet Sabharwal, Mapping Consumers' Engagement with Fake News: A Study of Social Media Platforms, studies the creation of Fake News which has emerged as a serious concern in the present time.

The present political and social contexts are explored in the next set of contributions that analyse the issues of citizenship through the lens of the colonial Race policy or through the prism of Dr B R Ambedkar's views on citizenship. TCA Achintya, in Colonial Race Policy and Modern Indian Government and Shyam Narayan Pandey, in Citizenship Amendment Act (CAA): Ambedkarites after Ambedkar engage with these crucial concerns. In yet another interesting article titled Punitive turn of the State under Neoliberalism: A political economic perspective on criminality and incarceration and its implication on India, Ashish Sharma explores the varied transformation of the criminal Justice systems in the USA and India to analyse the ramifications of prisoner's rights and imprisonment under the Neoliberal dispensation.

The contemporary economic climate and its significance are explored in three articles: An Exploratory Study of Identifying Factors Creating Purchase Intention to Buy Life Insurance Policy- An Empirical Study by Sunita Gupta, Pankaj Gupta and Parul Saini, Unveiling the Financial Crises by Priti Mendiratta Arora and Oshin Sharma, and Emerging Trends in Mobilization of Financial

Resources through Equity: Issues by Companies in India by Madhu Bala.

The next set of articles engage with the significant concerns of examining gender relations, patriarchy and travelogues that can provide methodological tools for the enterprise of Historical excavation and analysis. Anindita Chattopadhyay's Symbol of Power or Victim of Patriarchy? Revisiting the female characters from Indian mythology and epics with special reference to "Panch Kanya", Yamuna U V's Reading 'Margins'—'Environment' and Women— in the Cosmopolitan "Representational Space" Mapped in Varanasi and The Poison of Love and Anchit Jain's Animal discourse as a Methodological tool for History Writing: Case study of Hyecho's travelogue discuss the multiple ways in which literary and historical texts represent cultural and social concerns.

The Research essay titled The Trauma of Covid-19 and its Impact on Society by Tariq Mehmood is extremely pertinent as an exploratory essay which will give us food for thought for further engagement.

The two Book reviews by Purusharth Chawla and TCA Achintya are very engaging and will provide the readers with an insight into recent works that have added to an enriching experience of new forms of public policy initiatives in the Covid-19 context and ideologies of Justice.

We look forward to your continuing participation and support for future issues. We would like to thank the Advisory Board and the Editorial Board for their exemplary efforts and dedication that has made it possible to bring out this issue.

**Prof. Rajiv Chopra**

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# MAPPING AUDIENCE-USERS' MOBILITY: OTT PLATFORMS ON THE SMARTPHONE SCREEN

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## **Abstract**

The increasing popularity of the smartphone screen as a ubiquitous device of everyday life also points towards how it invites the audience-user to play and fiddle with it, as a gadget, as a tool and as a toy. There has been work in the fields of gaming and virtual life platforms that suggests a 'playful' turn in media studies (Silverstone, 1999; Neitzel and Nohr, 2006; Thimm, 2010). The smartphone screen lends itself very well to the practice of playful activity. Apart from being a communication device, it is also a playful device, one which we toy with when we are bored, for leisure and pleasure. The screen itself and the apps within it offer unprecedented ways of playability to pleasure ourselves and it is telling that for Android phones, apps can be downloaded from the platform 'Play Store'. The concept of play then can be used as a frame to engage with contemporary media culture being produced on the screen. This transformation of screen cultures and spectatorship and the changing viewing practices with the coming of OTT point towards very particular affordances and limitations initiated by these new modalities of screen consumption. This aspect of play, and the conditions of mediation and its impact on everyday intimate and social life of the audience has been significant. This paper argues that the smartphone screen offers the pleasures of play operating within the regime of mobility and generates new modalities of watching films and television content for audiences.

**Keywords:** screen, youth, play, mobility, OT

## **Introduction**

In an article published in The Quartz in 2018 titled, 'Indians love watching videos on their phones – as long as it is for free', an image of two men sharing a smartphone screen lying down on their beds, and another man lying down on a platform next to them using his smartphone as well, is deeply evocative (Bhattacharya, 2018). The article also cites a report published by the Boston Consulting Group in the year 2018, that one of the primary reasons for growth of OTT (Over-the-top) video platforms

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in India is the adoption of inexpensive smartphones, followed by cheap mobile data and broadband. The central premise of the article is that Indians are gravitating towards using smartphones, primarily for watching videos, as long as they don't have to pay for them. The visual culture of the screen then is embedded in the images we produce and consume, in information we seek and provide, in data we generate and access and in networks we build and get connected to. Contemporary OTT services or online video streaming greatly structures screen consumption, production, practices and rituals, sometimes converging and departing from cinema and television viewing.

With the smartphone screen offering various possibilities of playing with the device, it has not received a sustained examination within the field of studies, apart from work on video games (which has been recent), to use it as a frame of analysis for other media forms and texts. Play can then be used creatively to look at it as a mode of media consumption and as a cultural practice, specifically where there is consumption of new media forms not exclusively for instrumental use of digital technologies, which might be still considered ambiguous owing to their fleeting nature.

One of the most significant books on the development of the concept of play by Huizinga (1955) defines play as:

*[...] a free activity standing quite consciously outside "ordinary life" as being "not meant", but at the same time absorbing the player intensely and utterly. It is an activity connected with no material interest, and no profit can be gained by it. It proceeds within its own proper boundaries of time and space according to fixed rules and in an orderly manner. It promotes the formation of social groupings. (p.13)*

According to him then, play is reality at one moment but also stands outside of it, it offers freedom and choice but involves adherence to rules, the rules need to be followed but can also be bent. In that sense, the act of play might not have utility but is still useful, it looks like it is meaningless but yet the acts are meaningful. This aspect of play, and the conditions of mediation and its impact on everyday intimate and social life of the audience has been significant, and understudied. From the time Nanna Verhoeff (2012) wrote about various mobile screens and the systems of navigation they produce, the smartphone screen and technologies have vastly changed. The contemporary moment then can be seen as a temporary albeit transitional space, and point of departure to discuss the smartphone screen. The screen is not just an object, the dual-ness of on-screen images/applications as well as viewing and handling of the screen make it a practice. The possibilities

of the smartphone screen have led to new kinds of leisure principles. Hence the smartphone screen is placed very uniquely in comparison to the other media objects in the landscape.

Additionally, our experience of the screen is increasingly mobile and active, no longer bound by the cinema hall or the television set in the domestic setting. The mobile self is getting produced via mobilities of production and consumption, thereby transforming the user into occupying the liminal space of a 'prosumer'. Smartphones make it a possibility to interface with these screens during transit, when mobile, situated in public and private contexts. Our mobility across time and space, is not just a physical act of the body but effective in how we respond, interact and communicate – a visceral and embodied experience. It is important to add there that the various modes of mobility offered by different screens and their experiences has been a recurring theme in the works of screen archaeologist Huhtamo (1997), on film and spatiality by Bruno (1997) and virtual windows of the computer screen by Friedberg (2006).

Taking this concept of play further, I argue that the smartphone screen and the pleasures of play operate within the regime of mobility. This article is looking at the transformation of screen cultures and spectatorship, the changing viewing practices with the coming of OTT, especially on the smartphone screen, to understand the affordances and limitations initiated by these new modalities of screen consumption. Consequently, does the regime of mobility impact transmedia video content for the new audience-users, their viewing practices, and how they view 'content' on screen?

### **Smartphone Screen Cultures**

In another study conducted by MoMAGIC (a Big Data and AI based mobile advertising company) on consumer preferences between OTT and DTH (Direct-to-home) platforms in August 2019, 55% of the respondents said they now preferred to watch and consume video content on OTT, whereas 41% of the respondents continued to prefer watching content on DTH. In another study published by KPMG (2019) titled 'Unravelling the online digital video consumer' in 2019, about 87% of the respondents consumed online content on their smartphones. Spending 70 minutes a day on OTT platforms, every session was for an average of 40 minutes, and the viewing frequency was about 12.5 times per week. The study also mentioned that the age groups of 15-24 and 25-36 spend the most time per week at 9.2 hours and 8.3 hours respectively, though followed closely by the age groups of 37-50 and 50+ as well. Smartphones then are the most preferred medium to access OTT platforms versus a TV or a tablet due to its convenience and cheap mobile data prices. It has also

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been reported that OTT platforms in India added about 3-4 million new users in the period between March 2020 and April 2020, owing to the national lockdown imposed due to Covid-19 pandemic (Tandon, Jha and Tewari, 2020). These statistics point to an emerging screen spectatorship culture, with online video, film and television content converging on the smartphone screen.

The smartphone screen has generated new modalities of watching films and television content for audiences. OTT consumption on the smartphone screen displaces television viewing or watching films as a “family activity” in urban India thereby reconfiguring social formations (Mankekar, 1999). With the access to this content mediated via the smartphone screen, across multiple platforms, there are newer ways of imagining the audiences as well. They are more diverse in the content they consume, as content consumption has become an individual activity not tied to the domestic context of viewing.

Some of the leading players in the OTT space include big tech giants such as Amazon, Apple, Reliance Jio, and traditional broadcast networks such as Sony, Zee, Walt Disney, among others (see Table 1 in the appendix). In many ways now, the consolidation in the OTT industry seems to mirror the concentration of ownership in cable television in India. It has also been argued that the illusion of choice of having multiple platforms and the apparent ‘decentralisation’ due to displacement of programmatic television masks the increasing centralisation in proliferation of digital platforms and technologies (Naidu and Laghate, 2021). Zuboff (2019) has argued similarly that big technology companies, in collision with the state, have now enabled an era of information civilization, where our ways of seeing, knowing and being are governed by technology and data, a true hallmark of ‘surveillance capitalism’ (p.23). In India for instance, the period between 2016 and 2017 saw Reliance Jio shaking the mobile data space by introducing their 4G services free of cost, thereby cornering the market and on-boarding a huge section of the Indian population as mobile-data users (Parbat, 2016).

### **Locating the Screen Audience-User**

It was projected that by 2020 India would have the second largest online video audience, with about 350 million people touted to watch content via OTT platforms and there are now about 30 broadcaster-owned OTT platforms (Lidhoo, 2021). The strict boundaries of platforms, medium and content have now blurred, or even dissolved in this case, with OTT platforms offering all kinds of content, including but not limited to television series, original web series, films, theatrical plays, stand-up

comic acts, news, sports, documentaries etc.

In present times, the technological, social and cultural contexts in which contemporary audiences exist have changed significantly. Emerging technological developments, proliferation of newer distribution platforms, the changing viewing contexts, and new screen laws are transforming the spectator. The smartphone screen audience-user is significantly different from the legacy film and television audience. I use the term audience-user here, for even though spectator studies evolved to include an active audience perspective, freeing the audiences from being bound by the text, by seeing them as active producers of meaning, however the traditional medium context of film and television screens still limits the possibilities of being an audience-user. Some have also called the new audience a prosumer, collapsing the differences between consumers and producers (Ritzer et al, 2012). The smartphone screen is dependent on user's inputs and navigation of the screen, it produces a more active viewing context, also allowing viewers to create their own content, memes, social media posts, and images in relation to the content they consume. The audience now, as smartphone screen users are offered numerous participatory opportunities. Since the co-occupying of the user position by audiences, we see the Internet offering multiple possibilities of interaction for them. The explosion of blogging sites, sharing of peer to peer music, films and television content, and the emergence and growth of platforms such as YouTube have made audiences occupy the user, producer and consumer positions, and move along them with ease. The use of the internet then facilitates a greater level of participation by the audience-user. The audience then is both the subject and object now - which is how the platforms are engaging with audiences, but also how they are being engaged by the audience at the same time. Hence the context of the type of exhibition space and its technologies becomes an important query here in our discussion of the audience-user.

Semi-structured interviews were conducted with young men and women between the ages of 18 and 30, residing in Delhi between November 2020 to May 2021 over video-conferencing (Table 2 in the appendix). Interviewees were found through snowball sampling method in the researcher's extended network. Smartphone adoption and mobile data usage figures remain high for this age bracket, which also comprises the majority of OTT viewers. It is for this reason that OTT platforms such as Amazon Prime run special subscription offers for audience-users in the age group of 18-24, dubbed as their Youth Offer. My choice of interviewees was not limited to a particular OTT platform, but those who watched online content primarily on their smartphones along with other devices, including tablets and laptops. However a majority of my respondents spoke about their experiences of



Netflix, Amazon Prime, Sony Liv and Disney+ Hotstar exclusively. Their viewing practices ranged from an hour to four hours a day, sometimes going above that limit over the weekends. The methodological toolbox involved interpretation of information gathered from research participants via interviews, as well as the representation of these experiences outside the context of this research including, films, memes, advertisements and videos. These interviews were recorded, transcribed and coded on the basis of their practices and experiences. These were then viewed from the lens of playful screen experience and mobility to make further theoretical linkages. Pseudonyms for interviewees are used wherever names are mentioned.

### **Mapping the OTT phenomenon**

OTT platforms in India and elsewhere exist in an enmeshed network of emerging digital technologies and infrastructure (smartphones, broadband networks, fibre-optic cables and Internet), global and Indian players, small and large corporations and production houses, state regulation and policy, and the related political, economic and social concerns of this new cultural practice. Hence these new culture industries are influenced by large technology corporations such as Amazon, Facebook, Apple and Google significantly as they seek to diversify their products and integrate their existing users with their new cultural offerings by promoting newer ways of imagining the smartphone screen and influencing contemporary screen cultures by not just distributing content but also inserting themselves into the production of new content.

Mobile data rates in India are relatively cheaper in comparison to other countries, with prices starting from Rs \$0.24/GB in 2019 (Datta, 2018). In the initial years of its launch in 2016 Netflix was affected by low and patchy data speeds, leading to increased buffering time and quality issues. This led to many news reports questioning the viability of Netflix in the country as well as online memes which poked fun at India's data infrastructure and global aspirations of watching Netflix (Dixit, 2016). Now however there has been a growth in smartphone users in India as the figures from 2018 show 340 million users, and there has been a growth in average data usage per subscriber per month to 8.7 GB in 2018 from 0.88 BG per month in 2016. The average mobile data download speed has also increased to 9.93 Mbps in 2018 from 8.88 Mbps in 2017 (Roy, 2019).

Classifying India as a mobile-first country, Amazon Prime launched in 2016, now released its mobile-only video plan in India in January 2021. This has been in collaboration with Airtel, a leading telecom network provider in India. This subscription will work only on a smartphone,

offering SD (Standard Definition) streaming quality content making use of mobile data. This is also coupled with mobile data plans exclusively to watch Amazon Prime content for Airtel subscribers, the plans can be recharged, beginning as low as \$1.19. Disney+ Hotstar has also recently collaborated with Airtel to offer free subscription to its subscribers for one year. Vodafone Idea, another telecom network operator has also tied up with leading OTT platforms offering reduced subscription rates. OTT players often seem to be partnering with telecom companies, as a distribution platform, to boost subscriptions and expand markets for mobile data users.

The emergence of OTT can also be traced to the limits of programmatic television in terms of timing, scheduling, and variety. Television viewing has always been a ritualised and time-bound activity, with families and individuals tuning in at certain times of the day for specific content. The ability to be mobile with smartphones, tablets and laptops also tapped into the need to be free from fixed timings and schedules. The freedom to watch anything anytime has been a great driver for OTT. Additionally, the phenomenon of 'binge-watching' which allowed for consumption of multiple episodes across seasons became the hallmark of OTT consumption, which also prompted television networks to run binge-shows over the weekend on television to capture and retain their audiences. Again with cinema, the ease of watching a film, with a flick of a button, proved to be very seductive for the audiences, who were looking for flexible viewing practices without advertising, which was a constant on television. All of this has also contributed to a shift in the storage of television and cinematic content for audience-users, with the practice of downloading and storing films and television shows on hard disks a thing of the past. Many of my respondents shared how it seems to be a futile exercise now, since almost everything is available online, waiting to be streamed.

The scenario post Covid-19 has seen even more consolidation of audiences online, due to lockdowns which halted television and film production entirely (PTI, 2021). Since people were confined to their homes, they found solace in OTT content, surfing through their libraries, watching reruns of previous shows and older films. This period has also seen many platforms recording a growth of 30-40% in new subscriptions and audiences (Biswas and Mitter, 2021). It has been reported that 2020 onwards and post the Covid-19 pandemic, there has been a surge in cord-cutting or the practice of cancelling cable television subscription in favour of Internet-based and wireless content consumption (Peres, 2020).

### **Playful Screen Consumption: Notes from Audience Survey**

Roger Silverstone (1999) argues that mass media and play are in fact

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inseparable. For him we are all players in a game, switching contexts in ever-increasing blurring of boundaries when we tune in the radio, switch on the television or log on the Internet. Further he believes that we access media for a multitude of processes, including but not limited to, for work, for information, for entertainment, for education, and sometimes simply for pleasure. Fiske (1987) has similarly argued that the very process of the pleasures of engaging with media texts and images, such as changing television channels is a kind of playful exploration.

Gamification is very evident in sports content streaming, for instance, there are emerging opportunities for engagement and monetisation, with personalised sporting statistics, options for fantasy play, betting tips and odds, quizzes and interactive games to keep audience-users hooked to the platform. Ajay shared how during the IPL in 2020, Disney+ Hotstar introduced its 'Watch'N Play' feature, calling it an 'immersive experience' by allowing audience-users to upload their selfie videos, duets, and the opportunity to discuss the match in real time by commenting in the interactive section.

Game mechanics are also employed in the genre of fictional content, ZEE5 launched its ZEE5 Super Family (ZSF) gaming experience for their Hindi-language content in February 2020. As part of their playful offering, audience-users were allowed to watch ads and earn points in return. The cumulated points then can be redeemed later at the platform by buying subscription packs. Richa shared how she can choose her favourite character across the shows, and predict and place bets on how the character's arc will progress. Successful predictions stand the chance to win rewards such as cars, smartphones, gift vouchers and ZEE5 subscription. All this feeds into the assumption that audience-users will then connect with their innate or acquired competitive nature and spend more time on the app. Additionally, this platform introduced PLAY5, a feature by which brands can engage with audience-users via hyper-personalised advertisements in an interactive format. While earlier ZEE5 used gamification elements for their non-fiction reality-based shows, by inviting audience-users to vote, comment and change the course of the program, now however they reward them by "elevating content viewing experience... get rewards... for following their favourite shows" (Desai, 2019, para 4).

Netflix also introduced 'Netflix Party' in 2020, which provided for a co-viewing feature in the app. Shweta revealed how she can now share the link of what she is watching with her friends and others. The link continues to stream in real-time and hence whenever a friend opens the link, all of them would watch the same content on their screens. Users can also pause,

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rewind and play at the same time. This is very similar to and reminiscent of multiplayer video games which are played by two or more players simultaneously across different screens.

In order to keep up with emerging trends of short-format videos and drive more traffic on their apps, platforms such as Eros Now introduced a short-form video content offering called 'Quickies'. ZEE5 similarly leveraged the banning of TikTok, and introduced HiPi, as a platform for audience users to upload their own short videos. MX Player, another OTT platform introduced actual games in their app to encourage users to play them and earn MX Coins, something that Rahul does extensively. These coins can then be used to unlock premium content on the platform or even use them as discounts or coupons for shopping on e-commerce platforms such as PayTM, Myntra and OYO Rooms.

The year 2020 has ushered in a series of transformations that has also affected the media industry immensely. With nationwide lockdowns, disruption in production schedules, the confinement of audiences at home, the closing of cinema halls, all have contributed to further changing screen cultures and practices. The quality of immersion has been given a lot of emphasis with respect to television and cinematic content viewing. The fact that the smartphone screen allows audience-users to do multiple things at once, rather than getting lost in what they consume. The preoccupation of television and film studies in definitively describing what are the immersive qualities of television and the cinema screen, have taken away our attention from the changing expectations and needs of the audience-users themselves from the audio-visual content they consume on smartphone screens.

In one of the interviews, Rama spoke of how OTT offers her uninterrupted flow of watching content. The flow she mentions here refers to the flow of watching all episodes at once. But this 'flow' also has a very significant history in television studies, and is a useful entry point into understanding how the regime of mobility operates on OTT platforms. The idea of a television flow was proposed by Williams (1974) who conceived of television as both a technology and cultural form and described how the audience gets locked in by a specific channel. Williams argues that television flow is continuous, in the sense that it does not end with a specific show, and encourages the audience to keep coming back for different televisual content (p.72). The idea of television flow has also been theorised by Jensen (1994) in the context of the agentic capacities of audiences to make the choice of entering or exiting the television flow. Jensen mentions three flows, the first at the level of the channel, the second at the level of the

viewer, and the third is a broader macro level of television programming itself. The flow of the channel refers to the streaming of a bouquet of content offered by it, the flow of the viewer refers to how audiences moved from different television programmes, and the broader macro-level flow refers to a combination of the kind of programming television channels distribute and the viewing choices of the audiences (p.295). A significant point here is when Jensen spoke of how proliferation of channels does not automatically suggest more empowered choices for the viewer, but the structuration of the viewer in the superstructure, in terms of having the choice of selecting from an existing pool of wide choices. This is where perhaps OTT streaming of content converges and also departs from television flow offering new forms of mobility. What has changed, among other things, is the transformation of the context and cultural place of television, due to the change in technology, the nature of programming, new user interfaces and also the expectations of the audience-user itself. While even globally the experience of televisual content has transformed, for the Indian audiences specifically it has signalled a shift in scheduling of content and in their access to a wide variety of shows, which were gatekept due to censorship norms of cable television broadcasting.

While the flow of audio-visual content offered by OTT platforms continues to mirror some of the traditional televisual practices, the limits of region, scheduling, language and time slots have become immaterial now, breaking from the earlier 'flow of television'. The limits of generic programming which circumscribed televisual flow does not exist anymore, with every OTT platform offering the mobility to access all genres of content via its library. The limits of time and scheduling constraints, television broadcasting rules of showing adult content (sexuality, violence and abusive language) late in the night for instance, and the interruption by advertisements, are irrelevant now. Sama for instance shared how she was keenly following the release of a Polish film, *365 Days* (Białowas and Mandes, 2021), an erotic romantic drama, and was hoping to catch it in India, when the Netflix offered it for streaming. Playing it on her smartphone screen at home gave her the privacy to watch the film away from the policing and prying eyes of her parents. Tanvi and Ananya similarly shared how they now had the opportunity to consume erotic content on their smartphone screens in an increasingly mobile and private fashion.

The traditional televisual flow for audiences has also been disrupted. The limits on the flow on what can be watched at what time, dependent on the programming schedule is also immaterial, with audience-users consuming and inserting themselves in different kinds of audio-visual content. For example, the earlier practice of stumbling upon a show or film on TV and

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not having the ability to start from the beginning, has given way to going back or forward, depending on the audience-user's choice and need. Ravi for instance shared how he would play some parts of the episodes on his ride back home in the cab on his smartphone, only to go back and play from the beginning with his wife.

The broad macro-level of programming and audience-user choice, continues to operate in interesting ways however. The library of offerings on OTT platforms far exceeds what television channels could offer. There is now both horizontal and vertical choice, something that was not available in the televisual macro flow. Viewers can go in and out of a media text with a flick. Television, and to a good extent cinema, is organized by the logic of geographical territories. Cable systems, local channels and affiliates, distribution agreements all tied them to geographical territories and have now given way to national-level programming, available across regions in all languages to everyone. Most OTT platforms also became a platform for reruns, a kind of downstream market for television to license its content, offering a mobility in distribution as well. Aman shared how he managed to stream a show called *The Shield*. He had earlier struggled to find a DVD or torrents of the show back home in India.

Much like how televisual viewing has transformed, watching cinema and its related practices and rituals have changed too. Rishi spoke of how earlier he would come to know of a film's release by catching its trailer or a song on television, sometimes reading an interview or a review in the newspaper. This was followed by the actual physical journey to the theatre to watch a film, which was accompanied by its practices and rituals. Subsequently this changed when posters of films would be released on social media, or when the actors in the film would put up constant updates of the film's production and release date on their personal social media accounts, thereby creating an interest in the film. Now increasingly, even before the Covid-19 pandemic, films were directly being released online on OTT platforms (also called direct-to-digital), via exclusive film deals, completely changing the film viewing experience (Bruney and Kirkland, 2020).

Additionally, films and television shows are shifting from being a social experience to a means to fill time in public spaces, to alleviate the boredom of waiting for time to pass, easing the potential discomfort of being alone in public, as well as creating a private space for oneself. At the same time it has also led to new forms of online sociality, with consuming, creating and sharing of memes about the content being watched, sending and receiving recommendation from friends, as well as writing reviews of content they

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are consuming. Nehill for instance now finds himself reviewing films and shows watched on OTT on his social network regularly, inserting himself in this mobility of consuming and producing, while simultaneously playing the content on his smartphone.

All of these new forms of online sociality produced by the mobility of OTT apps, makes the media content itself mobile, giving it a new lease of life on different platforms. Cinema and television viewing is now increasingly site-agnostic, that is, it is not specific anymore to a medium, or traditional practices expected out of television and cinematic viewing. It is important to sign-post that the phenomenon of cord-cutting and platform mobility has also produced the idea of being platform-agnostic. This refers to the notion that audience-users are willing to consume all kinds of content, irrespective of the genre, not placing any apparent value on the screen and size of the image. Hence as early as 2007, Apple iPhone had released an advertisement called 'Calamari', where the voice-over convinces the viewer that they can easily switch from watching a film such as *Pirates of the Caribbean* on their iPhone to looking for seafood restaurant options in their vicinity, with a flick of a finger (playing on the fact that watching the film might evoke the desire to eat seafood) (Shaw, 2007). Subsequently, a kind of travel is now evident between various screens, with television and cinema now existing in a shifting mediascape of multiple screens, viewing practices and platforms. Additionally, television program scheduling earlier was more or less analogous to everyday life, especially in terms of temporality and spatiality, gendered and age division in television consumption (Modleski, 1983) and the scheduling mirroring audiences' routines and the kind of audience expected at a certain time (Fiske, 1987).

The aura and ontological fixity of television and cinema seems to have been displaced, as all televisual and cinematic texts are being conflated under the category of 'content'. Streaming has hence disrupted the television and cinema flow, in terms of their temporal and spatial structures. Now the mobility offered by OTT apps has made this temporality of television scheduling redundant. This time-space compression has been described by social scientists as an acute need by contemporary capitalism to accelerate the speed of the circulation of capital and information in society. Harvey (1990) for instance has referred to this compression as a process which alters the objective features of time and space and makes us modify our lives and our worlds accordingly. Our daily lives are unpredictable, and being bound to the programming schedule or cinema timings seems like a disadvantage for audience-users who would rather choose to consume at leisure of convenience. The theatrical release of Indian films on a Thursday or a Friday to capture the audience over the weekend to get in more

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numbers, seems futile now, with increasing number of films in India being released online, and television series released online with all episodes at once, available to be watched any day and time of the week.

Even the 'liveness' of television is not such a concern, with many preferring to pause what they are consuming, to take phone calls, sending texts, reading trivia about what they are watching, sending an email, scrolling through social media feeds, among other activities. Morley (2002) had argued that national broadcasting gave a sense of national unity, creating this imaginary audience bound by the idea of a nation, similar to Benedict Anderson's (1991) conceptualization of an "imagined community". That has somehow given way to meme creation on social media, commenting on shows popularly watched, much like how fans do as meme-creators. Even national addresses by the Prime Minister and other governing heads are streamed live over Twitter and other social media handles for instance, allowing audience-users to respond in real-time, comment with jokes, give their feedback, pause and resume, making their private viewing at once public. Hence consumption of content on apps can both fracture and unify audience-users, with users coming together to form temporary online socialities (developing social links online), and also disassociating to withdraw to their private consumption bubbles.

For instance, Vinayak shared how when he watched the Wimbledon series recently, they would pause and scroll Twitter to read posts about the match, update his own status, and resume watching. Aamna also shared how her film viewing practices have also been disrupted, when she pauses to see the name of actors, go online to read trivia about them, and sometimes even resume watching a film after a week. As an example, Amazon Prime, that also owns IMDB.com (Internet Movie Database), has linked all content on its platform with IMDB, allowing users to pause, hover around the left of the screen to see the names of actors and actresses in that particular scene, and read more information about them.

The screen also offers the mobility to watch different kinds of content within the OTT app as well as across apps. Many respondents referred to the freedom and ability to watch global television shows and cinematic content they never had access to earlier. OTT apps have then facilitated the flow of transnational television shows. The textual transformation in OTT content which also offers subtitles makes content accessible to Indians who are English-educated but nevertheless keep the subtitles switched on to follow content more coherently. This was echoed by more than a few respondents who have been brought up in Delhi and have learnt English as a second language, finding that the subtitles aid their mobility of watching



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all kinds of content with unhindered access.

## **Conclusion**

The incursion of the smartphone screen into the audience-user's everyday life including homes, offices, commuting, and all public and private spaces has in many ways contributed towards pulling the centre of gravity away from the television and cinema screen. It is a new power and cultural centre with traditional production houses and network production is now being eclipsed by OTT technology platforms, such as Netflix and Amazon Prime producing their own original programming and introducing mobilities of playing the screen. With access to films and televisual content on the smartphone screen, modes of viewing have transformed, as have viewing practices, both temporally and spatially. A shift in perceptions of visuality has ensured that the exhibition context does not inflect the textuality of the content, and is not considered subordinate to it. Subsequently, the aesthetic and cultural assumptions of the intrinsic qualities of what television and cinema are, and are supposed to be, seem limiting, and even arrogant now, considering such ontological arguments do not seem tenable and viable any more, in context of the smartphone screen.

The smartphone has forged new ways of playing and connecting people to their society and culture and is intimately involved in people's lives, leading to the formation of audience-users and new kinds of screen cultures in overlapping and complex ways. India is on a smartphone-intensive technological development course, and if we follow Marshall McLuhan (1964), then the perceptions of our encounter with the smartphone screen and the content on it is framed by the aesthetic dimension of the screen. Secondly, he also spoke of how initially older technologies and media appear as the content of newer technologies, slowly giving way to new frameworks and features. There is hence a technological shaping of very particular instances of everyday routines (culture), producing new relations between audience-users and the media, and newer ways in which media companies insert themselves in the lives of audience-users. Consequently, OTT apps exist in a liminal space - as a distribution platform, a media company, a library or an archive, a film and television producer, a service - in this mediation and remediation between the screen and the audience-user. Conflating all forms of mediums under the category of 'content' has also produced an ontological cataclysm for the industry and the blurring of boundaries, with OTT platforms and audience-users not entirely keen to differentiate or position any differently television and cinematic content, thereby producing new ways of negotiating within the cultural embeddedness of content and its consumption as a playful act.

As has been the case with television, OTT platforms are shaped and are shaped by audience-user's experiences. As the interviews reveal, the playful and mobile experience is not necessarily uniform or stable, but certainly shows increasing engagement, outside the audio-visual text, by consuming memes, sharing reviews, giving the text an extension or a new lease of life, and context by consuming it in other spaces.

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## Appendix

Table 1:  
Leading OTT Video Platforms in India 2021

S.No.	Platform	Parent Company	Monetization Model	Subscribers
1	YouTube	Google	AVOD	260 million <sup>1</sup>
2	Netflix	Netflix	SVOD	4.6 million <sup>2</sup>
3	Amazon Prime	Amazon	SVOD	17 million <sup>2</sup>
4	Disney+ Hotstar	Walt Disney	Hybrid: SVOD + AVOD	34 million <sup>2</sup>
5	Sony Liv	Sony	Hybrid: SVOD + AVOD	5.5 <sup>3</sup>
6	Jio TV	Reliance	Hybrid: SVOD + AVOD	100 million <sup>4</sup>
7	Voot	Viacom	AVOD	1 million <sup>5</sup>
8	ZEE5	Zee	Hybrid: SVOD + AVOD	72.6 <sup>6</sup>
9	Eros Now	Eros	SVOD	39.9 million <sup>7</sup>
10	Alt Balaji	Balaji	Hybrid: SVOD + AVOD	35 million <sup>8</sup>

Advertising Video on Demand – AVOD  
Subscription Video on Demand – SVOD

Note:

*The data for Netflix, Amazon Prime and Disney+ Hotstar is from “Disney+ Hotstar notches up 34 mn subscriber in India, Indonesia” by Mint, 2021 (https://www.livemint.com/companies/company-results/disney-hotstar-notches-up-34-mn-subscribers-in-india-indonesia-11620977152919.html). Data for YouTube is from “YouTube and WhatsApp inch closer to half a billion users in India” by TechCrunch, 2021. https://techcrunch.com/2021/01/11/youtube-and-whatsapp-inch-closer-*

to-half-a-billion-users-in-india/). The data for Sony Liv, Zee 5 and Alt Balaji is from “Amazon, SonyLiv, MX Player, Alt Balaji and Zee5 on what’s next for OTT in India” by The Drum, 2021

(<https://www.thedrum.com/news/2021/05/07/amazon-sonyliv-mx-player-altbalaji-and-zee5-what-s-next-ott-india>). The data for Voot is from “Voot Select ropes in one million subscribers in a year” by The Hindu Business Line, 2021 (<https://www.thehindubusinessline.com/info-tech/voot-select-ropes-in-one-million-subscribers-in-a-year/article34046601.ece>).

The data for Jio TV is from “SonyLiv third Indian video-streaming app after Hotstar and JioTV to cross 100 million play store downloads”, 2019

(<https://yourstory.com/2019/07/google-play-store-video-streaming-hotstar-jiotv-sonyliv/amp>). All data in the public domain.

S. No.	Pseudonym	OTT Duration on Smartphone Screen (per day)	Gender	Age	Screens (in order of OTT use)	OTT Platforms used
1	Richa	2-3 hours	Female	25	Smartphone, Laptop, TV	YouTube, Amazon Prime, Disney+ Hotstar, Sony Liv
2	Ajay	4 hours	Male	19	Smartphone, Tablet, TV	YouTube, Netflix, Amazon Prime, Zee5, Sony Liv, Voot
3	Shweta	1 hour	Female	18	Tablet, Smartphone	Amazon Prime, Sony Liv, Zee5, Disney+ Hotstar, JioTV
4	Rama	2-3 hours	Female	18	Smartphone, Tablet, TV	YouTube, Amazon Prime, MX Player, Eros Now, Voot
5	Tanvi	4 hours	Female	19	Smartphone, Laptop	Netflix, Sony Liv, Zee5, Disney+ Hotstar, Voot, Alt Balaji
6	Rahul	2-3 hours	Male	23	Smartphone, Tablet, Laptop, TV	YouTube, Amazon Prime, Disney+ Hotstar, Eros Now, Voot
7	Sama	3-4 hours	Female	18	Smartphone, Laptop	Netflix, Sony Liv, Disney+ Hotstar, Alt Balaji
8	Arjun	2-3 hours	Male	20	Smartphone	YouTube, JioTV
9	Ananya	2 hours	Female	26	Tablet, Smartphone, TV	YouTube, Netflix, Sony Liv, Zee5, Disney+ Hotstar, Voot
10	Aamna	1 hours	Female	28	Smartphone, Laptop, TV	YouTube, Amazon Prime, Sony Liv, Zee5, Disney+ Hotstar, Eros Now, Alt Balaji
11	Ravi	1-2 hours	Male	22	Smartphone, Tablet, Laptop	Netflix, JioTV, Sony Liv, Disney+ Hotstar
12	Parikshi	1-2 hours	Female	24	Smartphone, TV	Amazon Prime, Disney+ Hotstar, Zee5, Eros Now
13	Aman	2 hours	Male	18	Smartphone, TV	Netflix, Voot, Zee5, Sony Liv
14	Rishi	2-3 hours	Male	19	Smartphone, Tablet, Laptop	YouTube, Amazon Prime, Sony Liv, Zee5, Disney+ Hotstar

15	Nikhil	2 hours	Male	22	Laptop, Smartphone	Amazon Prime, Zee5, JioTV, Voot, Alt Balaji
16	Nehill	1 hour	Male	29	Smartphone, TV	YouTube, Amazon Prime, Sony Liv, Zee5, Disney+ Hotstar
17	Aditi	3 to 4 hours	Female	21	Tablet, Smartphone	Netflix, Disney+ Hotstar, Eros Now, Sony Liv, Voot, Alt Balaji
18	Vinayak	2 hours	Male	27	Smartphone, Laptop, TV	YouTube, Amazon Prime, Zee5, Sony Liv, Voot

# MAPPING CONSUMERS' ENGAGEMENT WITH FAKE NEWS: A STUDY OF SOCIAL MEDIA PLATFORMS

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## **Abstract**

Despite the fact that fake news is not a recent phenomenon, in recent years, the topic of fake news and its influence has gained significance and prominence. The spread of fake news has caused confusion and mayhem in the public domain. The advent of digitalization and technological revolution has created an ecosystem in which fake news can proliferate and spread quickly. Because of their unregulated freedom, social media sites are vulnerable to bullying, propaganda, and, as a result, fake news. In recent years, social media has emerged as a major player in influencing civic debate in a democratic setting. Social networking sites such as Facebook, Twitter, Instagram, WhatsApp and others provide a forum for the production and immediate sharing of fake news. This paper aims to explore the social media platform that bears a major chunk of fake news and draws further and more important conclusions about the ways users detect and interact with fake news on social media platforms. This paper also investigates the interplay of active consumption of news and virtual behaviour on social media. The study employed the survey method in analysing the users and consumers role to determine the dissemination and consumption of fake news on social media.

**Keywords:** Fake News, Social Media Platforms, Media Literacy, Active consumption, Technological Determinism, Public Sphere

## **Introduction**

News is everywhere in everyday life, whether it is automatically absorbed through traditional news sources like television or radio, or consciously sought out through more participatory channels like the internet. Previously, news was mainly transmitted on television and reported in print form in

newspapers; however, with the invention of the internet, multimedia and social media have become the norm. Social networking has become a pervasive medium for news in the modern era and the most recent to make information more public.

But this portrays only one side of the global debate. The depressing fact is that the unlimited freedom on social media has led to the proliferation of unpleasant events that have challenged consumers' confidence, fake news has become a global issue. The dissemination of fake news on social media has caused global outrage. In comparison to traditional and conventional media sources, social media sites provide unrestricted access. Since social media sites offer a free forum for people to share their thoughts and views, no regulations that limit users' rights can be enforced in effect.

As a result, eliminating fake news from social media is almost unrealistic, as the flow of material, or content, cannot be completely regulated. The sheer volume of false news has the potential to have highly damaging consequences on both people and culture. In the summer of 2018, rumours about a kidnapping gang working in India's western state of Maharashtra started to spread on WhatsApp groups. After hearing the rumours, a lynch mob killed five migrant workers accused of being kidnappers when they landed in a village in the state's Dhule district. This wasn't an unusual occurrence. In 2018, at least 17 murders in India were related to child abduction rumours circulated through viral WhatsApp messages. Rumours of livestock dealers and organ harvesters led to brutal assaults on unarmed civilians.

These hoaxes or false news purposely or inadvertently misinform or mislead consumers. These articles are mostly made to manufacture opinions, advance a certain political ideology, confuse people, and they can be a lucrative business for web publishers, hence making money out of click-baiting people. Fake news has a higher rate of 'like' and 'clicks' and 'share' on and across various social media platforms, therefore fabricating a nexus of digital folklores of hoaxes. The lack of a strong distinction between true and false news for internet users further undermines source legitimacy. This has now become one of the serious challenges to the current democratic regime, as well as a hot subject among debaters.

One example of how fake news is generated and changes opinions is the 26th January 2021 tweet of Rajdeep Sardesai, a senior news anchor and consulting editor of India Today, claiming, "One person, 45-year-old Navneet, was killed allegedly in police firing at ITO. Farmers tell me: the 'sacrifice' will not go in vain,". Many social media users also shared the video with the same claim.



Rajdeep Sardesai, after the police released the video, retracted his statement on his earlier tweet. In a later tweet, he responded to the video and claimed that the tractor flipped whilst attempting to bust through police barricades, and that the 'farm protestors' charges do not stand. Several political leaders had requested that Rajdeep be charged with spreading false facts.

Yet another demonstration of circulation of fake news was witnessed in Sourav Ganguly's case: Photos of BCCI President Sourav Ganguly were digitally morphed to say that he is entering politics. A reverse image search by The Logical Indian fact checking team turned up an image of Saurav Ganguly in a similar pose, but with the backdrop of a poster of Cycle Agarbatti. The original image was posted on Pinterest to promote Cycle Rhythm Agarbatti, endorsed by Sourav Ganguly. This is the finest epitome of a fact checking website debunking the false claim. Between January and June 2020, five Indian fact-checking websites refuted reports. Categorically speaking, they were on Coronavirus outbreak, February's Delhi riots, Citizenship Amendment Act and Claims about the Muslim minority. The statements about coronavirus dominated the 1,447 fact-checks on five Indian portals, accounting for 58 percent of them. This was mostly on bogus cures and remedies, lockout rumours, and conspiracy theories over the virus's origins.

While there is no single term for false news, what makes it an issue is that it allows for nuanced understanding of the word, making analysis and policy initiatives challenging. The head of Parliamentary Standing Committee on Communications and Information Technology, Shashi Tharoor, noted that the contributors of content were not just the owners of websites but also individual subscribers on whom exercising control was posing a huge challenge. The committee noted that news fact check must be done through non-government news agencies such as 'AltNews', 'Check4spam', 'SMHoaxslayer' etc. The committee further suggested that the Ministry of Information and Broadcasting (MIB) develop some legal provisions and appreciated the establishment of fact check units in 17 regional offices of the Press Information Bureau (PIB). Further, the provisions in the Information Technology Rules 2011, penalise persons spreading fake news (Indian Express, 2021). However, both social media and consumers have a role to play in sharing this kind of news fare. Individual and community users are taking steps to combat the dissemination of fake news on social media. This study focuses on these individuals and their behaviour in order to create a more robust system for consumers to recognise and combat fake news.

With the advent of monitoring and flagging platforms, social media companies such as Google and Facebook have announced new laws to curb fake

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news (CBS News, 2016). In India, WhatsApp, owned by Facebook introduced a feature that restricted news forwarding to a maximum of five chats in 2018. However, WhatsApp claimed that it has no power over the information being posted because it is encrypted from beginning to end but made major product improvements and partnered with civil society allies, relevant government agencies, and other technology channels to help counter the negative effects of disinformation (Reuters, 2018).

While these are encouraging developments, digital media literacy and the ability to accurately evaluate information are critical skills for anyone who uses the internet. The overwhelming volume of information available online, as well as the emergence of fake political news, reinforces the value of critical thought. As a consequence, it is important to investigate users' acts of authentication in identifying and countering false news on social media. The tools and approaches they use to acknowledge a fake post, and how they engage with it, can be used to gather valuable knowledge about how consumers might behave online to curtail fake news on social media. According to a survey, there were about 15,000 new WhatsApp users in December 2020 who wanted to check claims (Saxena, 2021). Once they became pleased with the evidence, they returned with further instances of disinformation from their communities and networks. In this way, fact-seekers should continue to grow.

This research aims to explore the platform's user's desire to interact with news in the era of internet, the social media platform responsible for dissemination of fake news and then the objective steps that they seek to identify news as fake or true, backed by a survey. This will also facilitate exploration if they curb its circulation. In addition to the aforementioned questions, the research would also help to know how much media literate is our audience and whether they consume news actively or passively. It would explore the authentication acts and the users' interactions with false news.

## **Review of Literature**

This section reviews recent literature references relevant to understanding the interplay of variables and provides a variety of current facts showing the pervasive dissemination of false news. The distinction between the term fake news, false news and misinformation are highlighted here for clarity. Fake news, or fabricated information that is obviously false, has become a major concern in the context of Internet-based media. Several scholars have defined fake news in different ways. The distinction between the term fake news, false news and misinformation are highlighted here for clarity. Fake news, or fabricated information that is obviously false, has become a major concern in the context of Internet-based media. Several scholars have defined fake news

in different ways.

Southwell, Thorson and Sheble (2017) underline conceptual differences between misinformation and disinformation, and examine in detail the grounding of truth necessary for defining misinformation. Lazer et al. (2018) remind us of the significance of process and intent when conceptualizing fake news, while Jack (2017) further sorts out the conceptual differences and similarities among a cluster of concepts related with problematic information, ranging from disinformation to propaganda.

Tandoc, Lim and Ling (2018) also analyze how the term fake news has been used by scholars, and developed a categorization based on facticity and intention to deceive. They placed different kinds of online content on these two dimensions. To further understand with an example of propaganda, which scores high on both, whereas fabrication is low on facticity but high on deceptive intention. Such classification of different types of fake news is a useful starting point in enhancing our understanding of the phenomenon. However, there can be more such distinguishing characteristics and dimensions, especially those that can be incorporated in automated detection algorithms.

Facticity is useful for fact-checking news stories, but cannot be relied on in the case of breaking news about emergent events where no previous information is available. The intent to deceive may probably be inferred by knowing the pedigree of the news source, but can be difficult to establish in a dispositive manner. Thus, for machine learning purposes, we need a more comprehensive definition that can not only distinguish between a variety of fake news but also lend itself to operationalization at a very granular level for machine detection.

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“Fake or Not Fake? Perceptions of Undergraduates on (Dis)Information and Critical Thinking” (Melro and Pereira, 2019) shows how young people interact with news, their experiences of misinformation, and their views on the importance of critical thought in their public and political lives. This research leads to a greater interpretation of young people’s news and misinformation practices and attitudes. The findings indicate that, while most students report minimal objective examination of facts, they do share concerns about misinformation in their lives, meaning a range of acts to counteract the dissemination of false news. Furthermore, the results stress the value of news and media literacy in a post-fact society. Additionally, they characterise misinformation as a concern for culture, and as a result, they believe it must be solved without jeopardising free speech.

“Who falls for fake news? The roles of receptivity, over claiming, familiarity, and analytic thinking” (Pennycook and Rand, 2019) investigates the psychological profile of individuals who fall prey to fake news by surveying 1606 participants from Amazon’s Mechanical Turk. The study indicates that confidence in false news is affected by a general propensity to overestimate the legitimacy of poor statements. This phenomenon, which we call reflexive open-mindedness, may be partially responsible for the pervasive proliferation of epistemically questionable views. As a result, individuals who believe in false news are often more susceptible to pseudo-profound nonsense, more likely to exaggerate their intelligence, and rank lower on the CRT (a test of analytic thinking). The findings indicate that there is hope for education or training aimed at moving people from reflexive open-mindedness to reflective open-mindedness to boost individuals’ proclivity to fall for fake news and other nonsense.

'Fake News and Cyber Propaganda: A study of manipulation and abuses on Social Media' (Goswami, 2018) examines a case analysis of the extensive and far-reaching impact of fake news as a medium of cyber propaganda. The paper's objective is to understand the effect of fake news while manipulating and abusing the benefits of social media sites, determine the intentions behind propagating fake news and assess the counter measures taken to prevent flow of fake news. The study chose three cases namely, Twitter account hacking of Associated Press, Fake news of Syrian President Assad's death and Kiran Bedi's tweet with a fake video to qualitatively gauge the nature of fake news and their impact from three different perspectives. The study culminates with inferences stating that fake news is designed with the ability to go viral, consisting of unverified facts, sensationalism and pulling emotional attention. It also observed that the majority of fake news are politically motivated and vigilance is crucial to curb the spread of false information.

"Deception Detection for News: Three Types of Fakes" (Rubin, et al, 2015) discusses three types of fake news, each in addition to real serious reporting, and weighs their advantages and drawbacks as a corpus for text analytics and predictive modelling. It is based on the likelihood that a given news story is purposefully dishonest is predicted using an interpretation of previously seen factual and deceptive reporting.

### **What is fake news?**

Lazer et al. defined fake news to be fabricated information that mimics news media content in form but not in organizational process or intent. Fake news outlets, in turn, lack the news media's editorial norms and processes for ensuring the accuracy and credibility of information. Fake news overlaps with other information disorders, such as misinformation (false or misleading information) and disinformation (false information that is deliberately spread to deceive people).

While there is no single meaning of fake news, what makes it a challenge is that it provides for subjective understanding of the term, making research and policy initiatives challenging. Fake news consists of articles, news, and hoaxes designed to intentionally misinform or mislead viewers, or to further a political agenda. In today's world, numerous media outlets spread false news. Fake news is not governed by any journalistic standards or procedures which ensures some knowledge quality and credibility, but overlaps with different forms of misinformation.

Claire Wardle, the Director of Research for the Tow Centre for Digital Journalism in New York (2017, p. 20), emphasises the significance of discriminat-

ing between real and false messages. In an effort to define misinformation and false news, Wardle (2017) identifies seven types of “information disorders”. They are (a) satire or parody, no intention to cause harm and is only to fool; (b) misleading content, used to frame an issue or an individual; (c) imposter content, when genuine sources are impersonated; (d) fabricated contents, when false contents are designed to deceive and do harm; (e) false connection, when headlines, visuals and captions do not support the content; (f) false context, when genuine content is presented with false contextual information; (g) manipulated content, when information is manipulated to deceive.

Fake news has also been used extensively in the manipulation of images or videos to create a deceptive narrative. With the advent of digital photos and powerful image manipulation software, the manipulation of images has become a common occurrence. Simple adjustments can change the colour combination and saturation, and even delete or add minor elements. More-invasive and drastic changes can include removing or inserting a person into an image.

There exist immense and in-depth studies on fake news, each within different and differed ideological, political and cultural change. But what is more important is to curb the proliferation of fake news. With the emergence of unpleasant events that have questioned users’ interest in the press, especially across social media, ‘fake news’ has become a global concern. The lack of regulatory enforcement or rules that could either curb false news or make perpetrators responsible for their actions has only exacerbated the situation. Conscious consumers have repeatedly addressed the question of reviewing and amending current legislation to resolve the problems of fake news spread, but attempts from both politicians and civic society have not been sufficient to address this gap within the overwhelming digital space.

The study divides the challenge of detecting false news into three categories based on the category of fake: a) extreme fabrications (discovered in mass or participant newspapers, yellow press, or tabloids); b) large-scale hoaxes; and c) satirical fakes (news satire, parody, game shows).

## **Theoretical Framework**

The first move in understanding how media consumers engage with news, messages, and sources is through the Uses and Gratification theory of media studies. Katz, Blumler, and Gurevitch (1973) synthesized that UGT’s approach was focused on “the social and psychological origins of needs, which generate expectations of the mass media or other sources, which lead to differential patterns of media exposure (or engagement in other activities), re-

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sulting in need gratifications and some other consequences, perhaps mostly unintended ones". In other words, whether a medium is used by an audience is dictated by its utility in presenting information and is affected by the audiences' motivations. Without being readily swayed, media activity represents past preferences and hobbies. It is supposed that audience members are not passive media users. Rather, the audience retains control over their cultural use and actively participates in understanding and incorporating media with their own lives. Given the study's purpose, it is especially important to state that the UGT is regarded as an umbrella mechanism to quantify the active role that people play when detecting fake news on social media. The approach gains added relevance as the current study seeks to address this position that most of the consumers employ their actions of authentication and are not distinctively categorized as passive audience.

Jurgen Habermas' (1962) study on the public sphere has also influenced this analysis. Jurgen Habermas claims, "We call events and occasions 'public' when they are open to all, in contrast to closed or exclusive affairs" (online,n.p). This 'public sphere' is a "realm of our social life in which some issues percolate and public opinion can be formed. Access is guaranteed to all citizens" (ibid). Habermas contends that, under such circumstances, the media function to promote public dialogue. With the rise of the Internet, there has been a revival of researchers extending public sphere theory to Internet technology. The paradigm under which social media operates has a significant impact on how content on social media influences its audience. It is mainly concerned with the number of clicks, which act as a vector in the dissemination of targeted advertising capable of manipulating and shaping public discourse. This model allows for the development of a forum, cleaning one's propaganda in a quiet way that the viewer doesn't notice. Because of the audiences' power, false news spreads even faster than truthful information. Instead of fostering a balanced public domain, social media is regularly accused of manipulating public discourse, unfairly engineering people's actions, and disrupting the political process (Marda & Milan, 2018). The public sphere connects public life and civil society. It is the space of culture that all people have equal rights to join in and debate issues of general concern in order to shape public opinion (Habermas, Lennox and Lennox, 1964). The evolution of social media and its growing position as a medium for its users to voice their views has ensured unlimited freedom. Social media gathers knowledge and viewpoints from all of its audiences, regardless of class – bourgeois or proletarian – and thus offers a neutral forum to debate any issue of mutual concern. Since it satisfies the simple prerequisites of having a venue, although digitally, for participants' free expression, it virtually becomes a public domain. Technological determinism is yet another media studies theo-

ry that has formed the foundation for the study. Technological determinism is the idea that technology has the ability to drive human interaction and create social change. Term coined by Thorstein Veblen in the 1920s, believed that technology is the agent of social change and moulds the society and changes our behaviours and interactions. Marshall McLuhan states that we are living in a new age of technology that has never been experienced before. McLuhan (1964) was convinced that the lifestyles people live rely heavily on the way they process information. Each communication invention throughout history changed the way people thought about themselves and the world around them. Neil Postman (1984) warns that each media technology carries an inherent ideology that it thrusts upon its users. The mediated world has replaced traditional print values with cyber virtues such as speed, emotional involvement and immediate gratification and that we must assess the effect of technologies on our lives before we adopt them. Social media has led to immediate spread of news across societies and communities. The increase in interaction among users has in turn shaped the generation and dissemination of fake news as well around which users form their opinion on varied issues. While traditional forms of media were hardly doubted, the advent of social media platforms has reduced the argument of passivity in the audience. Consumers now actively interact with the content that they encounter on social media and investigate the claims made through the means.

In view of the above literature the study hypothesised that in the accelerated era of digitalization, in addition to conventional outlets of media, a major bulk of news is absorbed via social media platforms. As an extension to the earlier consideration, the evolving social media often serves as a hub for false and fake news.

## **Objectives**

The research paper has dual objectives pertaining to fake news and its consumption on social media: First, it is imperative to examine the source primarily responsible for the circulation of fake news. Second, to analyse consumers' behaviour towards fake news to know how actively they engage and interact with fake news encounter on social media platforms.

## **Justification for the study**

In the modern age, the unrestricted independence granted by social media channels to its consumers has acted as a catalyst in the spread of fake news. This research paper is driven by the aim to know how consumers restrict the genesis and dissemination of fake news, proliferated via social media. Studying the aforementioned phenomenon makes it a relevant examination in recent times.



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## **Limitations of the study**

Since the sample size of respondents is limited, the results do not represent the behaviour of the larger population with respect to false news spread on social media. Because of the extraordinary lockdown condition triggered by the COVID-19 pandemic, the survey could only be completed digitally, and hence the researcher's coverage was restricted by the scope of his contacts. Since the respondents are disproportionately from cities, the results must be generalised in light of this reality. This has impacted the opportunity to receive feedback from media houses. The survey was circulated out to and filled by educated, media-literate, and engaged news users which could have possible bearing on the results. The results may have also been motivated by the scarcity of secondary data and the use of only primary data. The quantitative analysis of the paper should have been balanced and assisted more effectively by qualitative analysis.

## **Methodology**

Here is a brief description about the process of this study, including details about the technique used to gather responses from the participants to make the results of this report, summarised below, easier to understand.

For this study, a quantitative approach was employed to gauge how social media users cum news consumers come across and interact with fake news. An online survey of 141 participants was conducted in the form of google forms. The respondents, chosen using probability sampling procedure, belonged to a deliberated target population, reflective of urban, north Indian demographic, involved in public discourses, highly engaged in news consumption and using social media for that reason. A liberal range of age group was preferred specifically in the age group of 18 to 65 years, majorly to catch a wider perspective for finer evaluations. A questionnaire was designed and administered to the respondents. In the era of social media that circulates the majority of fake news, how much informed does one think it is? The survey aimed to gather news consumption patterns, their ability to identify accuracy/genuineness of the news story and the techniques and methods employed by them to curb its spread. Based on the theoretical framework and review of literature, the survey was designed with close ended questions which were straightforward in nature and effortlessly comprehended by the participants.

The responses were recorded to the objective questions (close ended questions) provided by the researcher which were mandatory to be answered. Just 34 of the respondents responded to the two open-ended questions that were needed to analyse statistical results in a qualitative manner and also supported the respondents' choices in objective questions. The questionnaire was

supplemented with a modest description about the survey and its purpose to enlighten the users about the aim of the study and help in filling out the form organically. The categories of questions differed and included multiple choice questions with just one choice allowed and multiple-choice questions with more than one choice allowed. On average, the questionnaire took a few minutes for submission and was made easily available to the respondents, shared through social media platforms like WhatsApp, Facebook and Instagram.

The availability of various responses allowed for a comparative analysis. This research paper contained both descriptive and comparative analysis. The data obtained for this analysis was analysed. The data from the questionnaire responses of the respondents was critically and statistically observed, and several maps were generated based on the responses. A review assessment and explanation of findings were conducted using Google responses, and the findings are projected here below.

### Data Interpretation and Analysis

Having examined the methods used to gather responses from the respondents, it is pertinent to move to the analytical analysis and interpret the data collected in order to answer the study's key questions: how many users refer to social media for news consumption and how do they identify and interact with fake news encountered on social media platforms. This following section describes the data collected from the target group's responses. In reality, this segment contains user choices that were used to address the objective of this study and produce conclusions and data. The data derived from the objective questions is presented below, and their understanding is explored as part of the interpretation.

The sample respondents belonged to a varied age group and the figure 1 below depicts the age groups of the respondents.

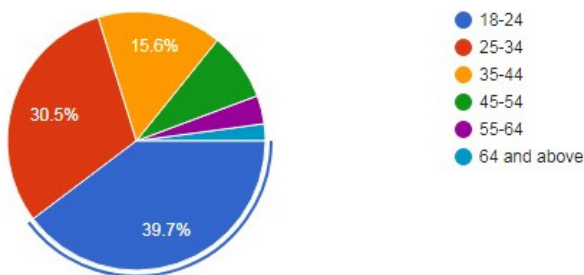


Figure 1: Age group of respondents

The majority of respondents, 39.7 percent, were between the ages of 18 and 24, closely followed with 30.5 percent being between the ages of 25 and 34. Participants aged 45 and up who responded to the questionnaire were insignificant.

The respondents were asked to indicate the sources of news. Among the sources of news all mainstream media and social media platforms were listed to opt for news consumption.

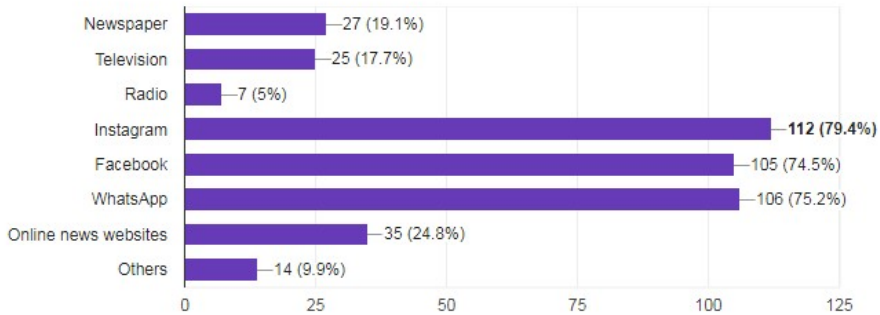


Figure 2: Sources of news and news consumption

The graph above depicts the medium most favoured by respondents for news consumption. According to the data, 112 of the 141 respondents opted to ingest news from Instagram (79.4 percent). Users also tend to consume news from Facebook (74.5 percent) and WhatsApp (75.2 percent). The bar graph also shows that 19.1 percent of people get their news from newspapers, 17.7 percent from television, and just 5 percent switch to radio to get their news. According to the figures, in the era of the internet, people are using social

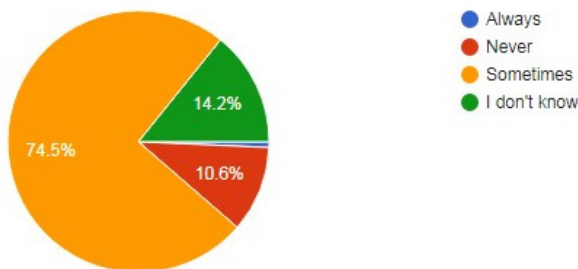


Figure 3: Frequency of becoming a victim of a fake story

The above-mentioned query was asked from the participants to understand how often they fall victim to fake news reports they find on social media platforms. The majority of respondents, 74.5 percent, admit to falling for false news on occasion, while 10.6 percent say they are never a victim of fake news stories and 14.2 percent are unsure if they believe in it or not. Just a small number of those surveyed trust in the fake news stories they encounter on social media platforms.

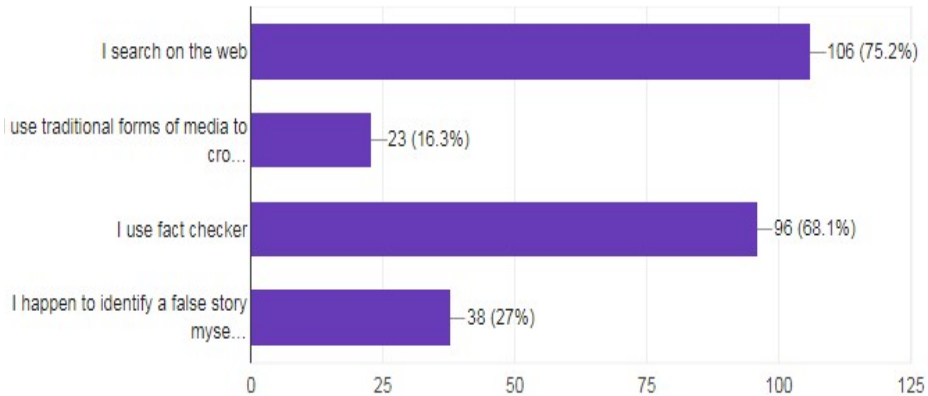


Figure 4: Methods adopted to identify a fake news story on social media

This objective is pertinent for the research paper as it asks the respondents about the ways through which they identify and detect a story as fake which is required to further analyse how they curb its dissemination. 106 out of 141 participants reported that when they read news on social media, they browse the internet for all related information in order to determine if the story provided is accurate or not. More specifically, 75.2 percent of participants said that they do their own web analysis to affirm the authenticity of the news they read on social media. 68.1 percent of the users tend to seek fact checkers, mostly along with their search on the web to figure out a story as fake or not. 27 percent happen to identify a fake story themselves and only 16.3 percent use traditional forms like television or newspapers to identify false stories.

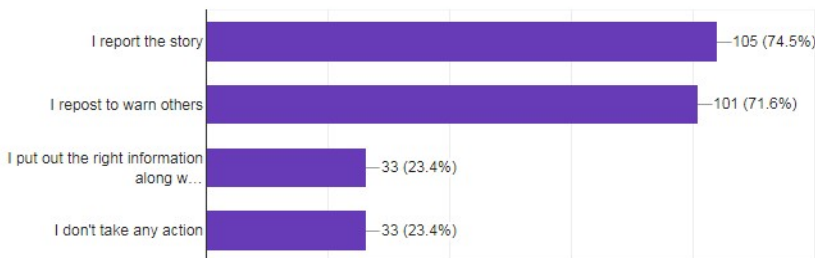


Figure 5: Responses after identifying a fake story

Participants were asked to choose from the given options stating the possible interactions one could have with false information circulated on social media channels after they suggested which resources they used to classify fake news on social media. 74.5 percent of the respondents chose reporting the fake news story, closely followed by 71.6 percent choosing to repost false stories to inform and alert others about the same. 23.4 percent put out the fake story with the right information and the percent of respondents do not take action against fake news existing on social media platforms and thus have a very negligible role in curbing the dissemination of false stories floating on social media.

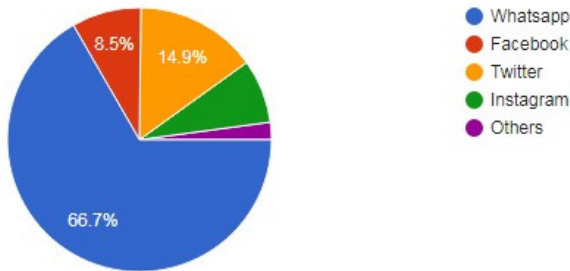


Figure 6: Identification of the social media platform which posts majority of fake news stories

On being asked about the social media platform that provides the most convenient environment for proliferation and easy sharing of fake news among the users, most of the votes were banked by WhatsApp. Majority of the respondents (66.7 percent) identified WhatsApp as the bearer of the majority of fake news circulated across platforms. About 14.9 percent opted for Twitter and 8.5 percent saw Facebook as fertile habitat for fake news stories. Instagram and others are nowhere near compared to WhatsApp, Facebook and Twitter as indicated in the figure 6

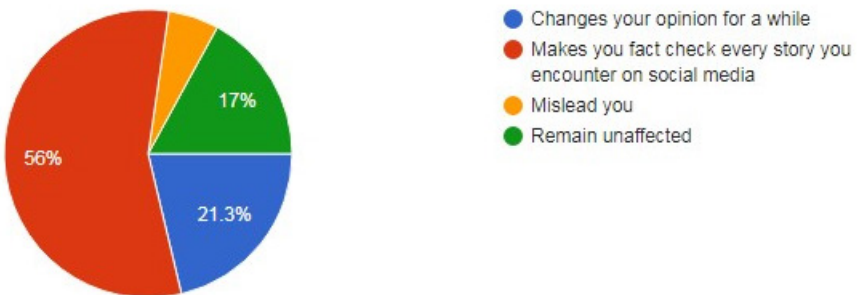


Figure 7: Kinds of impact of a fake story on the respondents

After interrogating about the ways of detecting and curbing fake news, it became imperative to know the impact of fake news on people to gauge the possible effects of fake news on the respondents. ‘Makes you fact check every news story you encounter on social media’ scored 56 percent, the highest of all mentioned in the survey. While 21.3 percent felt that fake news does change their opinion for a while, and only 17 percent were found to be unaffected by the false news flowing through various social media channels. The pie chart also helped indicate that an insignificant percent of respondents had the tendency to be misled by fake news stories.

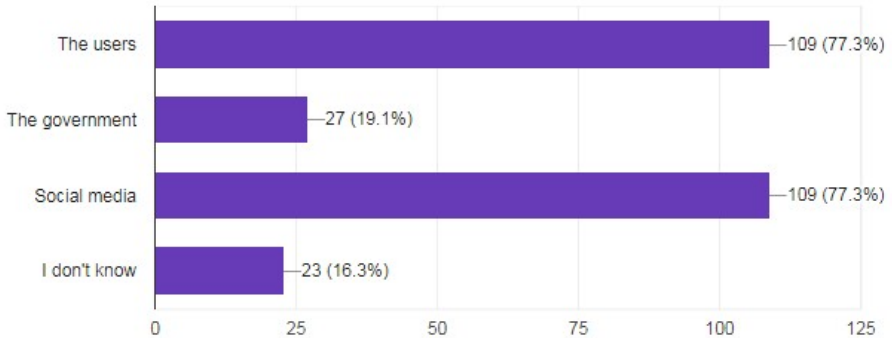


Figure 8:

Fixing responsibility for curbing the spread of fake news on social media

Now, when it is critical to combat the dissemination of fake news on social media, by the same token there is a scope for raising the issue of who should be held accountable. Majority of the respondents (77.3 percent) voted in favour of the users themselves and the social media platforms for curbing the spread of fake news. Only 19.1 percent of respondents held the government responsible for fighting the widespread circulation of fake news and 16.3 percent had no clue who should be responsible for the same.

## Conclusion

Fake news is a growing part of the media world and a regular feature in our news cycle, pointing to the key culprit, social networking platforms that provide resources for quickly creating and disseminating fake news. The rapid dissemination of misleading content via social media platforms has made the issue of spread of fake news even more crucial. Given the difficulty of discriminating between accurate news and falsified information presented with the intent to confuse the reader, it is becoming particularly necessary to consider how social media users identify and check the news they believe to be inaccurate. And even before examining this, it is important to be informed about the platforms that news consumers prefer in contemporary times.

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The findings suggest that participants prefer social media platforms, where they spend a major chunk of their routine over conventional types of media to receive news on a regular basis, resulting in coming across a vast volume of fake news going about on social media platforms. The respondents commented on the definition of fake news as information that is inaccurate or misleading and is portrayed as facts or news. It is often used to damage a person's or entity's credibility or to make money. Some also answered by giving examples like morphed images, satire or intentional generation of misleading information portrayed as facts. This implies that the respondents are well aware of what fake news is and acquire a certain amount of media literacy. This would help them further identify a news story as fake or not.

When respondents were asked about the source that helps in the spread of fake news, the highly indicated social media platform was WhatsApp. This answers the first objective explaining the primary sources of spreading fake news as a social media platform, that is WhatsApp.

The study's results suggest that as consumers take a more active position in searching out relevant and accurate data to substantiate and satisfy the news they read on social media, they end up with better news and are better informed, this could be addressed as active news consumers. According to the findings of this report, consumers should be rational while consuming news as it should be an involved operation and an active process. Users' contributions to the battle of dissemination of fake news are essential. Well-informed and educated respondents have shown that it is important to report or inform others about the fake news and prevent them from falling prey to such false news.

While the participants agreed that they sometimes surrender to fake news, yet follow strategies to identify a news story and its accuracy by searching on the web, using fact checkers. Furthermore, people feel their responsibility of alerting others about the same. These are the traits of well-informed and media literate respondents of the survey. The abundance of fake news on social media channels has made the consumers question the credibility of it so much that most of them realize the need to fact check every story they encounter on social media as they get wary. But also, the impact of fact news on consumers seems to change opinions of readers even if it is for a short while. The study suggests that the media consumers are active and not passive thereby substantiating the Uses and Gratifications theory postulated by Katz, Blumler and Gurevitch (1973).

The results of the survey have also stressed that it is the users' primary duty

to recognise and combat the dissemination of fake news on social media, along with emphasis on the role of social media outlets for countering the spread of fake news. The results also indicated that Jurgen Habermas' theory of the public sphere has been substantiated with extending public sphere theory to Internet technology. The paradigm under which social media operates has a significant impact on how content on social media influences its audience. The follow up question that asked the respondents about their decision of making users and social media platforms responsible was backed by the reason that government intervention and rules could disturb the entire concept of social media platforms of providing unlimited freedom of speech and expression. So, if users and social media channels curb the spread of fake news, there would be no requirement for government's control over the same. This theory suggests that people are mindful of their responsibility as news consumers and trust in the audience's ability to discourage the dissemination of false news. In certain ways, people feel that they are more accountable than the government for combating the dissemination of false news. Thus, a media literate, well-educated and cynical public can be the antidote to the dissemination of fake news by creating a modern online media community where misinformation, false reality, and fake news have no place.

### **Suggestions for further research**

This study examines how audiences engage with fake news but does not look at how fake news is created. The paper only addresses the consumption of fake news on social media, not its creation. Thus, a further analysis into fake news can be conducted along the lines of its creation, production and development. It also focuses on fake news distributed through social media rather than conventional media too as a weakness, which may be a strong and critical subject for further study. Only a partial overview of the impact of fake news was considered, which could be extended into a whole new analysis on the impact of fake news on a larger audience. To supplement the quantitative, a researcher may also use various case studies for qualitative analysis.

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# COLONIAL RACE POLICY AND MODERN INDIAN GOVERNMENT

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## **Abstract**

Citizenship in India is a complex construct. The rights and privileges enjoyed by citizens aren't uniformly distributed and what exactly constitutes citizenship is a deeply layered construct. This article looks at the influence of colonial racialism in shaping these constructs. It considers the somewhat fictitious nature of the claim of total equality of citizens in India's Constitution. It contrasts this claim against the more nuanced forms of citizenship that exist in practice against the constitutional ideal as imagined by people, and highlights the colonial roots of this nuanced existence. The legacy of the Colonial State doesn't simply live on in infrastructure or the structural body of the Indian Republic. It has seeped much deeper into its consciousness and shapes the way we imagine some of the most basic and foundational elements of nationhood. The article draws parallels between modern Indian policy and colonial attitudes to highlight the ways in which the legal conceptualization of citizenship in India continues to draw heavily on colonial precedents and ideations, and the deeply hierarchical layers of citizenship that it ends up creating.

**Keywords:** *Citizenship, British Empire, Colonial Policy, Indian Constitution*

The prompt for this paper comes from two policy initiatives of the Indian Government that had received significant attention at the time. The first was the abrogation of Article 370 of the Indian Constitution carried out between August and November 2019. Article 370 afforded to the Indian state of Jammu & Kashmir a special constitutional status, granting it significant autonomy from the laws that governed the rest of India, and the freedom to enact special provisions relating to residency, settlement, employment and property ownership for Kashmiris viz the rest of India.<sup>1</sup>

A consequence of the complicated history of the state during Partition, the article essentially created a duality of citizenship for citizens of the state of

J&K.<sup>2</sup> The abrogation of the article and the formal ‘unification’ of the state with India by the Government sought to address this long standing duality, but in the process has itself also created fresh constitutional questions on the status and divergence in treatment of citizens.<sup>3</sup>

The second prompt is the process of the National Register of Citizens’ reformulation in the state of Assam. The NRC, maintained by the Indian Government, exists for the sole purpose of identifying Indian citizenship among the residents in the state of Assam. What is notable about it is that in contrast to entities such as the Census and the National Population Register, the NRC does not evaluate citizenship claims of residents across the country, but limits itself to a single state. The past few years have witnessed a Supreme Court ordered process to update the register by evaluating the citizenship status of Assamese residents.<sup>4</sup>

The point of flagging these two is to highlight an element of popular Indian thinking that exists both within administrative frameworks and seemingly at a broader populational level as well. This is the tendency to conceptualize Indians in a deeply hierarchical framework of citizenship with both rights and privileges accorded to different groups in graduated doses. This hierarchical attitude is often subsumed under a thin, somewhat fictitious, layer of adherence to the principle of equality of citizens. To put it simply; a basic, seemingly foundational, premise of Indian policy is an adherence to the idea that all Indian citizens are to be treated equally. Yet just above this foundation lies a host of caveats to the universalist principle of equality. Indian law and policy have frequently taken the position that the law can treat some citizens differently, that not all citizens may avail all the protections notionally available to them. More critically, these differences are often on the basis of inherent identities of citizens, rather than acquired or temporary statuses such as criminality.

This principle, of an overt statement of equality quickly caveated in numerous ways to produce a more complex and hierarchical citizenship structure, is seen at different levels of law in India. At the ideological apex of the Indian legal system is the Constitution, where this equality is presented as a fundamental right; Article 14 barring the State from denying equality before the law or equal protection before the law.<sup>5</sup> Article 15 reaffirms this by barring the state from discriminating on the grounds of religion, race, caste, sex or place of birth. Yet it quickly caveats this by asserting in section 3 that Article 15 does not prevent the state from making special provisions with respect towards women and children. Subsequent amendments, dating back to as early as the first set passed in 1951, added to these caveats by protecting provisions made for the “advancement of any socially and educationally backward classes of

citizens or for the Scheduled Castes and the Scheduled Tribes.” Article 16 similarly asserts equality of opportunity for citizens while again adding a host of caveats empowering the state to do so in the cause of advancing various groups considered backward.<sup>6</sup>

One step below the Constitution this becomes visible in legislation of various kinds enacted by Parliament. Thus, for instance, we have the example of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act of 1989 and its various amendments.<sup>7</sup> The Act exists to provide special redress for crimes committed against individuals belonging to the Scheduled Castes and Scheduled Tribes in India. A particularly contentious element of the law lies in its provisions of arrest and preliminary investigation. Actions covered under the purview of this law result in immediate arrests of individuals accused under its provisions as well as immediate registration of cases absent preliminary investigations by the police. They were contentious precisely because of the law treating acts committed against certain Indian citizens differently from the same acts committed against other citizens. The Supreme Court initially struck down these provisions for being unconstitutional on the principle of Equality before the Government resurrected them, while the Court reversed itself in 2019.<sup>8</sup>

The point here isn't to impute that this imagination of citizenship is inherently flawed. It simply represents an alternative way of conceptualizing citizenship, and on its own terms can have any number of outcomes, positive and negative. One can thus end up with policies such as those of affirmative action in India which explicitly recognize certain groups of citizens as inherently disempowered and seek to correct iniquity through inequality. Thus, you have India's "Reservations" policies which have created quotas in educational institutions and many (if not all) forms of employment over which the government has oversight. They set aside a subset of all open positions for individuals deemed to belong to "backward" communities, identities that are determined not by financial status but by ancestry and ancestral affiliation to the communities deemed backwards.<sup>9</sup> On the other side however, it also represents outcomes where the State often explicitly disempowers groups of citizens and the Judiciary finds itself paralyzed against a combined governmental and popular attitude determined to treat some citizens differently than others, as witnessed in the handling of detentions and habeas corpus petitions in the case of Jammu & Kashmir post the abrogation of 370, attracting criticisms of constitutional evasion on the part of the Supreme Court for its failure to uphold the principle of equality in how citizens of Jammu & Kashmir were treated.<sup>10</sup>

The question that this paper tries to explore is on the origins of this imagination

of citizenship. The initial response to such a question would be to presume an origin in the Caste system which so pervades South Asian thinking. And to an extent this would likely be correct. There are significant overlaps in the two systems of thought, the most fundamental being the broader imagination of such concepts as tied not to individual identities but community ones, with people defined by their religion, region, race, ancestry and caste. What I would like to suggest here though is that there is also perhaps an origin in India's colonial history, specifically the policies of institutionalized racism inherent to British Imperial rule from the late 19th century and onwards. It is worth noting moreover that the histories of the caste system in India, and of British Imperialism are themselves closely and perhaps inextricably intertwined. The various classificatory systems associated with the "caste" system in pre-colonial India often had varied conceptualizations of hierarchy, and much of the rigidity associated with the modern caste system is an outcome of interactions with British rule and the interpretive efforts of a British ruling elite seeking to understand the population it controlled.<sup>11</sup>

That racism had become an inherent and central part of British Imperial policy by the late 19th century probably doesn't need much by way of an explanation. The role of racialized thinking in the British Empire isn't necessarily understudied. Some scholars have commented on it directly,<sup>12</sup> while even more have highlighted the role of racial thinking in Imperial policies in surveys of Empire and Imperial systems of governance, law and politics.<sup>13</sup> What this paper seeks to note though is the interplay of hierarchical thinking and its intersection with racist imaginings of the world.

For a start we should consider the core of the British Empire; itself a complicated creature. The United Kingdom of Great Britain and Ireland came into formal existence only at the turn of the 19th century with the passage of the Acts of Union of 1801.<sup>14</sup> Great Britain itself had not formally existed till the Acts of Union of 1707,<sup>15</sup> when the Kingdoms of Scotland and England were merged into a single entity. And England herself, amoeba-like, consisted of an appendage it had swallowed almost completely but to this date hasn't fully digested; Wales. What you are left with then is a political chimaera, one that was constantly in the process of forging and re forging identities over a deeply layered societal structure. It cannot be surprising therefore that complex hierarchical attitudes shaped identity formation closely. Simple vertical hierarchies striated along social classes was one part of this structure, ranging from peasants to the urban classes to the aristocracy. As Linda Colley has shown however, there was more to Britishness than just this. A Protestant identity, envisioned in terms of standing valorously against the looming threats of Papal Catholicism.<sup>16</sup>

A Mercantile identity, of the island nation enamoured by the call of the seas yet deeply tied to an ideal of pragmatism as well.<sup>17</sup> And these intermixed with Englishness, gradually evolving into Britishness as union with Scotland created tensions and negotiations while influences from the peripheries in the settler colonies provided external shape to identities.<sup>18</sup> In parallel Colley, through the medium of captivity narratives, explores the wider role of the Empire, especially from those domains inhabited predominantly by non-settlers in shaping identities. Identity shaped by paranoia of the looming and mysterious native, by the growing confidence that came with Imperial conquests, and by the need to assert strength and justify weakness against the spectre of rival European Empires.<sup>19</sup> All of these came together to inform on how Britons saw not just themselves, but also the world and their place within it.

That a sense of superiority in English and British identity emerged is remarkable. What is worth noting however is that the sense of superiority did not overlay a simplistic view of the world. And this is where we return again to the issue of hierarchy. British imaginings of peoples in the wider world, influenced perhaps by the layers of hierarchy at an individual (from black or Asian servant to peasant commoner to lord) and communal (from Irishman to Englishman) level in British society itself, comprised a complex perception of other groups. Inferiority and Superiority were not rendered in binaries but instead in more layered and often fairly nuanced terms. Bayly for instance notes the problems of Whiggish attitudes in explaining Imperial history, but in doing so manages to communicate the deep-seated prevalence of the very same attitudes, describing an Ancien Régime that was fairly hierarchical in both practice and vision.<sup>20</sup>

The people of the world were thus mostly inferior in British eyes, but not uniformly so. Inferiority held many grades, and some groups were closer to the British ideal than others. The language of ranked inferiority seems to appear frequently in British descriptions of people. A people could be scarcely better than animals<sup>21</sup> whereas others could be noble and industrious, far along the 'path' of civilization.<sup>22</sup> These ideas about racial rankings become important to understanding ideas about Imperial policy. A less inferior community might earn British approbation, and with it a respect for their identity, their laws, their very existence. More inferior communities on the other hand ran the risk of inviting more aggressive policies in respect to their treatment.<sup>23</sup>

What were the factors involved in shaping these rankings of people? Distance certainly seems one element of it. The closer a community was to the British Isles, the more likely they were to consider them 'advanced' and in



that context evolve policies coloured by those ideas. In Malta therefore the British were actively open to the idea of a popular legislature, and would dispatch a commission to study the feasibility.<sup>24</sup> India in contrast would be a colony to be nurtured to self-rule, but never quite there yet until it was too late.<sup>25</sup> And in Australia, the natives were so uncivilized that they didn't even warrant the presumption that they even owned the land they lived on, with the whole continent declared *Terra Nullius* in short order after the arrival of the British presence in the region.<sup>26</sup> It is important to note here that "distance" could mean very different things in the 19th century, especially in the second half with the advent of the telegraph. As Berenson notes, information from the coasts of India could only be hours away, while the interior of Africa, closer geographically, was months away.<sup>27</sup> But perhaps equally important was the extent of familiarity. The British were after all much more familiar with the Western North African coastline, having been in the neighbourhood for centuries. And India had often loomed large over British imaginations for much longer than Australia had. The duration of the contact shaped imagery too, though it was hardly constant. India and its riches evoked not only Imperial greed but also fear of pollution and scandal in the late 18th century.<sup>28</sup> Concerns about this pollution, about being overwhelmed by native masses are as critical to understanding the racism of the late 19th century as patriotism and the self-assurances of superiority and liberality in Modern Britain. Moreover, as Colley has shown, identity formation was just as often a bottom-up process as a top-down, with the elite conforming to the demands of more subordinate groups.<sup>29</sup>

The point of the discussion up-till this point has been to offer a rough explanation for the complicated history underlying the rise of racism in Imperial Policy. It also aims to underscore the numerous layerings and rankings constituting it. We return then to India, to understand how racism and racialized attitudes drove the creation of policy at not just the meta-Imperial level but also within individual colonies. And more critically, how the layered and hierarchical ideation of racism played out in the imaginings of peoples in India. This is best demonstrated through two historical concepts; the Martial Race and the Criminal Tribe. The aim here is to show that they both represent a linked process and are exemplars of wider attitudes.

On Martial Races, we can turn to Seema Alavi who has outlined the underpinnings of the policy in the late 18th and early 19th century as British Rule expanded outwards from Bengal. She demonstrates how the search for the "good" soldier in British imagination was a deeply political exercise. Ideas about the martial inferiority or superiority of different communities were not always located in purely physical conceptualizations. A preference

for Indian soldiery was modelled on the imagined physical superiority of the Scottish Highlander, but also a preference for high caste troops, premised on the political presumption of the loyalty and natural leadership of these communities.<sup>30</sup> As the power-base expanded, the British would come into contact with newer groups, most notably the Gurkhas in Nepal and the Sikhs and Rajputs in the Punjab and the Northwest in general.<sup>31</sup> A change in preferences came with the growing spread of revolts and mutinies through the first half of the 19th century culminating in 1857, and contrasted with the fierceness of campaigns such as the war in Nepal. Slowly the Bihari upper-caste peasant soldier lost out to the newer “martial” groups.<sup>32</sup>

Imagined physical superiority was thus mapped onto communities along lines of loyalty. Communities which defied British rule found themselves relegated down the racial ranks, while communities declared loyal rose in British estimation which brought with it a rise in their relative racial standing. With social standing at both a communal and individual level extensively tied up in the ability to serve with the Colonial state, it cannot be surprising that Indians themselves became eager to reinforce attitudes of relative superiority. An exemplification of this can be seen in the demotion of the Mahars, a lower-caste Indian community who had been recruited in great numbers in the Madras Army. With the interlinking of martial attributes to racial groups in the aftermath of 1857, the Mahars found themselves declared a non-martial, and thus a physically inferior race. The reproduction of British notions of race and martial superiority in their petitions to have this marginalization reversed speaks to the extent to which the Anglophone conceptualization of race and identity was absorbed by Indians.<sup>33</sup>

Some communities thus found themselves valorised for their martial superiority and their privileged access to service on the basis of their physical attributes, or as in the case of subordinate civil and judicial service access for Bengali and Tamil Brahmins, their racial intellectual capability.<sup>34</sup> Other communities however found themselves at the other end of the racial ladder, not relatively superior, but relatively inferior. The Mahars are one example, but their marginalization pales when confronted by the policies enacted against the “Criminal Tribes” by the colonial state. The racialization of military service into the Martial Races policies was paralleled by the criminalization of communities which did not fit imagined ideas of enlightened and loyal subservience, and instead fell into ideas about inherent disobedience and criminality. Individuals from a Martial Race were considered naturally superior, and naturally predisposed to physical superiority and loyalty, thus deserving of enhanced treatment in comparison to their fellow natives. The individual who belonged to the Criminal Tribe however suffered the opposite.

Anyone unfortunate enough to be born into a Criminal Tribe was deemed to be inherently prone to criminality. And with this inherent character came the associated curtailments of freedoms and subjection to increased surveillance and suspicion by the colonial state.<sup>35</sup>

It is important to consider the parallel between the Colonial State and the more modern Indian policy landscape. The Colonial State too promised a veneer of equality for all subjects under the protection of the Crown, as evidenced in the 1858 Proclamation issued by Queen Victoria.<sup>36</sup> Beneath the nearly fictive proclamation of equality lay subject status that wasn't so much an entity as it was a continuum of rights and privileges premised on the conditions of race and birth.<sup>37</sup> Which brings us to the Indian state at present, and some of the policy initiatives it has enacted. Jammu & Kashmir finds itself the focus of any exploration on the question of rights and privileges. Indian citizens, particularly Muslim citizens from the state routinely find themselves subjected to a level of surveillance and suspicion which can arguably be paralleled by what the Criminal Tribes were subjected to.<sup>38</sup> At the other end of the spectrum lies perhaps a comparatively more benign legacy. The inversion of the theory of the Martial Races of inherent physical superiority has been replaced with an assumption of historical inferiority for communities, and the attendant affirmative action and positive discrimination to uplift said communities. As we discuss the parallels it is important to flag the differences too. The British conceptualizations of communities were strongly regionalist in its vision. Even as the Indian state flipped many of the narratives of its colonial predecessor, it also universalized many of its implications, though unevenly. Thus, where martial races and criminal tribes were strictly defined by the regions they belonged to, modern "backward" communities have often been able to have themselves classified as such throughout the country, even in areas where they have often been politically dominant. The Meenas of Rajasthan are an example of this. This in turn has pushed more communities to demand the application of these universal principles, citing the tribal or caste status in distant state classifications to push for national status, as the Gujjars, Jats, and Marathas have done so in Indian politics in the recent past.

<sup>39</sup>

The citizen in India is thus a complicated creature. The rights and privileges enjoyed by citizens aren't uniformly distributed and what exactly constitutes citizenship is a deeply layered construct. The aim here has been to show the influence of colonial racialism in shaping these constructs. The legacy of the Colonial State doesn't simply live on in infrastructure or the structural body of the Indian Republic. It has seeped much deeper into its consciousness and shapes the way we imagine some of the most basic and foundational elements

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of nationhood.

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## Notes

1. “Article 370 in The Constitution of India 1949.”
2. “Article 370.”
3. Srivastava, “India Revokes Special Status for Kashmir. Here’s What It Means.”
4. “WHAT IS NRC.,” Loiwal, “Assam NRC Final List.”Loiwal, “Assam.”
5. Constitution of India, retrieved from [https://www.india.gov.in/sites/upload\\_files/npi/files/coi\\_part\\_full.pdf](https://www.india.gov.in/sites/upload_files/npi/files/coi_part_full.pdf) pp 6
6. Ibid. pp 7-8
7. Retrieved from <https://ncsk.nic.in/sites/default/files/PoA%20Act%20as%20amended-Nov2017.pdf>
8. Chaturvedi, “SC/ST Act: Cabinet Approves Bill to Overturn Supreme Court Order on SC/ST Act.”Press Trust of India, “Supreme Court Recalls Verdict Diluting SC/ST Atrocities Act, Restores Earlier Legal Position on Arrests under Legislation.”
9. Even in questions of implementation we often find the role of hierarchical thinking at play, with some types of claimants privileged over others again on the basis of an inherent characteristic. Thus, for instance, the Supreme Court was forced to clarify in 2012 that caste status doesn’t simply pass patrilineally and that a child with a mother from a certain caste status can also make claims on the policy aimed at the community. Mahapatra, “SC Gives Mother’s ST Status to a Kshatriya’s Son | India News - Times of India.”
10. Bhatia, “The Absentee Constitutional Court.”
11. Dirks explores this interconnected history in significantly greater detail in (Dirks, *Castes of Mind: Colonialism and the Making of Modern India* 2011) in particular see pp 1-18. See also (Sharma 2012)
12. See for example (Huttenback 1976)
13. So commonplace were racial attitudes by the early 20th century that where overt racial hierarchies were even marginally weak, allowing natives to attain relatively senior positions or exhibit a degree of parity

to Europeans, it attracted special commentary, both at the time, and in historical scholarship since. The judicial systems in India are an example of this. See (Sharafi 2014, 103-105)

14. 40 Geo. 3 c.38
15. 1706 c. 11
16. See Colley, Britons: Forging the Nation 1707-1837 2003, 11-54
17. Ibid. 55-100
18. Ibid. pp 105-146
19. Colley, Captives: Britain, Empire, and the World, 1600-1850 2007
20. Bayly 1989, 11-17
21. Kennedy 1987, 130
22. (Banner 2009, 23-24, 48-50) How the British would describe the New Zealand Maori for instance, in contrast to the natives in Australia and Africa. Banner's work in particular highlights the extent to which commentaries about native communities was strongly pervaded with a sense of ranking and rating of the advancement/primitiveness of peoples. Though his own focus is largely on the Pacific world, the attitudes depicted on the part of the British were hardly a regional variant. There is a comparison to be found in the hierarchicalization of natives in India and Oceania. Likely Africa and other areas of British dominance too.
23. Ibid. 1-12
24. Bayly 1989, 197-198
25. Banerjee-Dube 2015, 207, 254
26. Banner 2009, 13-46
27. Berenson 2012, 39-40
28. Dirks, The Scandal of Empire 2008
29. Colley, Britons: Forging the Nation 1707-1837 2003, 155-194
30. Alavi 2006, 36-40, 45-50
31. British imaginations of Punjab loosely mapped onto the Sikh Kingdom of Ranjit Singh. As such "martial" communities often came from territories today under the Modern Indian states of Haryana, Punjab, Jammu & Kashmir and the Pakistani state of Punjab.
32. Ibid. 264-302. See also K.C Yadav's work on the mythology of a Loyal Punjab in Bhattacharya 2007
33. Constable 2001
34. Though this approval came with the attached stigma of physical effeminacy. (Banerjee-Dube 2015, 140-141)
35. Ibid. 145-147 For an examination of the racialized discourse to which the Tribes were subjected see Tucker 1923
36. Banerjee-Dube 2015, 136-140 see also "Proclamation, by the Queen in Council, to the Princes, Chiefs and People of India."
37. And certainly, there was no denying that the Indian was to be considered

uniformly and equally inferior to the British subject.

38. See for instance Kashmiri Muslims in Delhi: Compounding the Misery 2002 and “How Indian Surveillance Disrupts Ordinary Life and Lives in Kashmir.”
39. Harshey, “Jats, Marathas, and Patels Want Quotas, But Do They Need Them?”; Singh, “Why the Gujjars Are so Aggrieved.”

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# **CITIZENSHIP AMENDMENT ACT (CAA): AMBEDKARITES AFTER AMBEDKAR**

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## **Abstract**

This paper is an endeavor to understand and explain the continuance and departure of Ambedkarites from the core ideas of Dr. Bhimrao Ambedkar through the current burning issue of the Citizenship Amendment Act which created nuisance in the national capital city of India and other parts claiming many lives and thousands of crores worth of properties. It has been a highly discussed and disputed topic in the academic world too. A clear-cut divide between opponents and proponents could be seen everywhere. The purpose of this paper is to know about CAA and assess those issues which are being discussed in this context. Supporter groups argue the act stands with those people who are religiously persecuted in three neighboring countries and 80% of them are Dalits which makes the act an advancement of the vision of Dr. B R Ambedkar. On the other hand, many Muslims and other organizations are opposing it. Organizations like Bheem Army, a self-proclaimed outfit working on the vision of Dr. Ambedkar, are among the opponents and propagating that this act is against the vision of Dr. B R Ambedkar. Thus, this paper attempts to analyze claims of both proponents and opponents.

**Keywords:** Ambedkarites, CAA, Gandhi, religious minority, persecution, partition, social justice.

## **Introduction**

The name of Dr. B.R. Ambedkar is written in golden letters in the history of India as a champion of social justice. He was one of the architects of the Indian Constitution and a crusader of social justice for the betterment of the oppressed in the society. Ambedkar was inspired by Equality, Liberty, and Fraternity, which were the ideals of the French Revolution. His idea of social

justice was based on these values. When Ambedkar talks about equality, he keeps in mind that absolute equality can't provide social justice. Ambedkar was aware that the socio-economic and political condition of Dalits in India is very poor; they have been oppressed for hundreds of years. They do not belong to the mainstream. In this condition, absolute equality will not provide social justice. So, Ambedkar advocated differentiated equality. This idea talks about special provisions for the downtrodden, that's why Ambedkar supported the idea of Affirmative Actions (Nayyar, 2011).

Ambedkar had experienced discrimination from his childhood. Even after getting the higher degrees, when he came back to India and started his job, he felt that he was being discriminated against because of his caste (social identity). Therefore, he decided to fight against this social system and started the movement against it, for example- Mahad Satyagraha and Temple Entry Movement etc. The motive of all these movements was to make a social-justice based inclusive society, where everyone would be treated equally. Ambedkar firmly believed that equality can't be absolute in its term, but there should be Equality among Equals. That's why he said that the base of differentiated equality should also have a social base, if there is a social based inequality. This was the reason behind supporting reservation on the basis of social backwardness, by Ambedkar (Nayyar, 2011). Ambedkar was very sure that differentiated equality must be on that basis on which discrimination occurs. On this point, his idea differs from the Communists, who always try to find problems and solutions through an economic angle. Ambedkar says that a poor Brahmin gets more respect than a rich Dalit. So, the problems of Dalits can't be solved by economic treatment only (Ambedkar, 2014, p. 25). When the constitution was being framed, he was conscious about putting provisions of social justice in the constitution. The constitution of India provides fundamental rights and directive principles to the state policies and these provisions are associated with the social, economic, political rights of people in India.

### **Ambedkar and CAA issue**

The chief architect of the Indian Constitution Dr. B R Ambedkar had foreseen the present predicament of Hindu minorities in a theocratic state like Pakistan, and that is the reason why he strongly advocated for the transfer of population between the two nations. Dr. Ambedkar wanted to bring all Dalits to India 'by such means as may be available to them' who were trapped in Pakistan. Ambedkar argued that choosing Pakistan or Hyderabad and putting their faith in them would be deadly to them. Ambedkar argued just because Dalit didn't like Hindus, they can't suppose Muslims as their friend (Keer, 1954, p. 399). He reiterated that it was deadly for the scheduled castes to keep their faith

in Muslims or the Muslim League. He repeatedly warned Dalits in Pakistan and Hyderabad against siding with Muslims just because they disliked upper-caste Hindus. He thought it as a mistaken view (Ambedkar, 2014, p. 115).

Dr. Ambedkar criticized Nehru and Indian National Congress, and blamed them for their Muslim appeasement policy. He said this policy directly resulted in their disregarding of Dalits. During a public address at Jullundur, in October 1951, Dr. Ambedkar said that there was no place for the scheduled castes in the heart of the Congress Party and added that Nehru suffered from Muslim-mania and his heart was pitiless to the scheduled castes (Keer, 1954, p. 438).

Dr. Ambedkar believed that a non-Muslim can't live in an Islamic republic. He said that Islam is a close corporation; distinction that is made between Muslims and non-Muslims is very clear, real and positive. He continued that the brotherhood of Islam is narrow and it's not the universal brotherhood of man. Brotherhood of Islam is the brotherhood of Muslims and for the Muslims only. There is a fraternity in Islam, but its benefit is confined to Muslims only. For those who are outside the corporation, only contempt and enmity are there for them (Ambedkar, 1946, p. 330). Ambedkar further said that Muslim canon law divides world into two parts, first Dar-ul-Islam (abode of Islam) and second Dar-ul-Harb (abode of war). If a country is Dar-ul-Islam that means it is being ruled by Muslims, and if Muslims live there but don't rule, means the country is ruled by non-Muslims that is Dar-ul-Harb. Ambedkar further stated that according to the cannon law of Muslims, India can't be common mother land of the Hindus and Muslims till it becomes Dar-ul-Islam (Ambedkar, 1946, p. 294).

That was the reason behind supporting the complete population transfer by him. Substantiating his argument for a population exchange, he explained that a Hindu, and any non-Muslim, is a Kafir to the Muslims and a Kafir (non-believer in Islam) is not worthy of respect for a Muslim. A Kafir is low-born and he is without status. Ambedkar continued that a country ruled by the kafir (non-Muslim) is a 'Dar-ul-Harb' to a Muslim, which means the land of war and according to Islam, that land must be conquered, by any means for the Muslims and turned into 'Dar-ul-Islam', which means a land of Muslims alone. Ambedkar said it is enough evidence and further evidence is not needed to prove that the Muslims will not comply with a Hindu or any non-Muslim government (Ambedkar, 1946, p. 294).

Dr. Ambedkar's concern for the lives of Dalits in a hostile nation prompted demand for an exchange of population between both the countries India

and Pakistan, referring to the transfer of population between Greece and Bulgaria. As it was voluntary, he proposed to the leaders of both sides, India and Pakistan, a transfer of population between India and Pakistan along the same lines (Ambedkar, 2014, p. 115). Within the passage of the Citizenship Amendment Act, the NDA Government has claimed that he has fulfilled a long pending dream of Dr. Ambedkar. While introducing the Citizenship Amendment Bill in Lok-Sabha, Home Minister of India Amit Shah clearly stated that the Act is not against the Muslims or minorities and it does not mention them even a single time in the act. Shah continued the Act simply sanctions citizenship to the actual victims of Partition, the religiously persecuted minorities of Bangladesh, Pakistan, and Afghanistan, to stake their natural claim for citizenship in India. Shah also tried to connect it with Dalit and said that this Act grants citizenship to the people, most of them are Dalit Hindus (who are born in servitude and die in penury) and tried to offer them a safe and dignified life in their motherland India. Shah raised a question on opposition and said that the stand of opposition parties is really surprising and it is beyond understanding why these parties resisted it with all their might. Mayavati and other Dalit leaders also opposed the Act when it could save the lives of millions of Dalits who happened to be victims of the Partition? It is because, these parties continue to be a prisoner of Muslim-mania (Muslim vote bank) of which Dr. Ambedkar had accused Prime Minister Nehru at that time. (The Hindu, 2020)

### **Ambedkar on Citizenship**

When we read Ambedkar, we find that he is one of the most relevant political thinkers in India who touched all aspects of human life. In the constituent assembly when the citizenship issue was being discussed, members of the assembly put their view on Citizenship, Ambedkar also. Finally, the assembly accepted many provisions of it, in Articles 5 to 11 in the Indian constitution. They also give the right to the parliament to amend it according to the need of time. According to Article-5 of the Indian Constitution, from the enactment of it every person who has his domicile in India, and if he was born in India, and if either of his parents were India-born or who has been living in India for more than five years, shall be a citizen of India. (Bakshi, 1982, p. 2-4)

The draft of this Article was discussed in the Assembly on 10-12 August 1949. The debates regarding this draft article concerned proposals to include citizenship provision on the basis of religion. Some members solicited an inclusion of a residuary provision for citizenship based on religion. They argued that all Hindus or Sikhs, who are not the citizens of any other country, irrespective of their residence, should be entitled to the citizenship of India. One of the members urged against hyphenating religion and citizenship

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(Constitution of India, 2021). Article-11 of the Indian Constitution deals with the power of Parliament in the matter of Citizenship. According to this Article, Parliament has power to amend the provisions of citizenship. Parliament can do this by just passing an Act, and no institution is above the parliament and no institution can overrule it. (Bakshi, & Kashyap, 1982, p. 2-4)

By giving unconstitutional statements, many state Governments had declared that they would not implement the CAA in the states. If we read article 245 and 255 of the Indian constitution, we can find that every state government is bound to follow the laws which are passed by the Indian Government, which seems to be a political tool to get political benefits by the political parties. Article-14 of the constitution talks about 'Equality before Law' as well as 'Equal protection of Law'. Article-14(2) states that equal protection of Law means Law will provide protection (facilities) to everyone (Bakshi, & Kashyap, 1982, p. 4). Article-15 of the constitution states that no discrimination will be there among citizens of India on the ground of religion, race, caste, sex or place of birth (Bakshi, & Kashyap, 1982, p. 4-5). One thing that is to be noted here is that this article is only for the citizens of India. These articles clearly give the right to the parliament to make any provision of law for citizenship and every institution and state government is bound to follow that provision.

### **Nehru-Liaquat Pact**

The debate on CAB in the Parliament was very common when it was being introduced in the Parliament. It included multiple contexts to the Nehru-Liaquat Pact which was signed between Prime Ministers of both the countries in Delhi in 1950. J. L. Nehru and Liaquat Ali Khan were the Prime Ministers of both the countries, India and Pakistan. Officially, the Agreement between Indian and Pakistani Govt., regarding Security and Minority Rights (Hindus, Sikhs, Buddhists etc.) was signed on April 8, 1950. This pact was signed in the backdrop of a large migration of people belonging to minority communities between both the countries, which happened in the wake of attacks on minorities by the majority communities in their respective territories.

Main cause behind this pact was the concern with the exodus of Hindus and Muslims from both sides, East Pakistan and West Bengal, respectively. The exodus of minorities, in Pakistan and India, led to a serious refugee problem in the subcontinent. Pt. Nehru and Liaquat Ali opened a channel of communication and reached an agreement in April 1950. The major issues given under the Nehru-Liaquat pact were to allow refugees to return to their previous homes to dispose of their property, to return looted property and abducted women in both the countries, and to confirm minority rights and not to recognize forced conversion (Nehru-Liaquat Pact, 1950).

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It is noted that the Prime Minister of India Pt. Nehru had drawn attention to the fact that the minority rights were guaranteed by its Constitution in India; the similar provision has been pointed out by the Prime Minister of Pakistan Liaquat Ali, and adopted by the Constituent Assembly of Pakistan. (The Indian Express, 2019)

As a result of this agreement, minority commissions were established in both the countries to implement the provisions of the Nehru-Liaquat pact. This step led to the restoration of confidence among minorities in both the countries. But it was not satisfactory for Indian politics; in a surprising way, just two days before signing of the Nehru-Liaquat Pact, Shyama Prasad Mookerjee who was a minister in Nehru's cabinet, resigned from his post. He was not satisfied with this pact and the reason behind it was not trusting Pakistan. Mookerjee formed Bharatiya Jan Sangh, which was the precursor of Bharatiya Janata Party (Lok Sabha Secretariat, 1990). After Mookerjee many political leaders blamed the Nehru government on this issue. However, whether the Delhi pact achieved its goal is still debatable. The exodus of Hindus and other minorities from East Pakistan (now Bangladesh) continued to West Bengal and other parts of India for decades after the pact was signed.

In the current government, after introducing CAB, this issue has been part of debate and discussion again. The Home Minister of India, Amit Shah quoted that the three-pointed questions were asked by Jan Sangha leader Niranjana Varma to External Affairs Minister Sardar Swaran Singh, in August 1966. The questions were regarding present position of Nehru-Liaquat Pact, both the countries are acting according to the term of pact or not, and to know the time since Pakistan is violating this Pact (Dutta, 2019).

The answer of Swaran Singh was very important. He replied that the Delhi Pact of 1950 was a standing agreement between both neighboring countries India and Pakistan. Through this agreement, both countries have to ensure that their minorities are enjoying complete equality of citizenship with the majority. To the second question, Swaran Singh answered that even in India, the minority rights and security have been effectively safeguarded. Pakistan has continuously defied the provisions of this Pact, and has neglected and harassed the minorities. To the third question, Swaran Singh had replied that the examples of such violations came to notice immediately after the initiation of the Pact (Dutta, 2019).

Recently the Government of India has passed this bill, citing the above reasons for passing this Act. Home minister Amit Shah said that Pakistan had never followed the treaty, and the conditions of religious minorities in

these countries are very bad, they are persecuted. Shah rejected the criticism of opposition that the CAA discriminates against Muslims. The govt. has given data on the population of these countries and given the argument that the population of minorities is decreasing continuously because of forced conversion, killings, and persecution. Many researches and media reports say that the present situation of Hindus and other minorities in Pakistan is not good. In fact, a direct outcome of that mistake which was done during the Partition of both the countries can be seen now. Many people from these countries have migrated to India for shelter and it has been part of political and academic discussion.

Former Member of Parliament in Pakistan Farahnaz Ispahani, who has been media advisor to the President of Pakistan from 2008 to 2012, raised the issue of religious persecution of minorities in Pakistan in her book *Purifying the Land of the Pure: Pakistan's Religious Minorities*. She blames the successive Pakistan Presidents and Prime ministers for launching a slow genocide against minorities in the country to shore up their political base. She specifically blames Muhammad Zia-ul-Haq, the Pakistan army general who was the country's 6th president, for creating a militant group to target Shias, Ahmadis, Hindus, and Christians. She says from 23% in 1947, Pakistan's minorities today constitute a mere 3-4% of the population (Ispahani, 2017, p. 166).

### **CAA and misconceptions**

The Citizenship (Amendment) Act, 2019 was passed on 11 December 2019 by the Parliament of India. It has amended the Citizenship Act, 1955 and provided a path to get Indian citizenship to those people who belong to minority communities and have been persecuted and fled from Pakistan, Bangladesh and Afghanistan, and had come to India before 31 December 2014. Such eligibility was not given to the Muslims from these three countries. The argument behind not giving such facilities to the Muslims was that they cannot face religious persecution in Islamic countries.

However, they can get Indian citizenship subject to the fulfillment of the conditions given in the Citizenship Act, 1955. Section-2 of the CAA gives the name of the communities and states that persons belonging to these communities (Hindu, Sikh, Buddhist, Jain, Parsi and Christian) can get citizenship, if they are from Afghanistan, Bangladesh or Pakistan and entered into India before the 31st day of December 2014 (The Citizenship Amendment Act, 2019).

When this bill was introduced in the parliament, a debate started in-house, and out of the house. Many political leaders started criticizing the government

and some of them held press conferences and some of them started protests against the government. Tension remained high after protests against the CAA turned violent in New Delhi on Sunday, 23 Feb 2020, when the police used tear gas to disperse crowds.

As we have seen there were many misconceptions regarding CAA; in the light of this and to remove such misconceptions the Press Bureau of India (PIB) posted several tweets and tried to bust the myths about the CAA. PIB tweeted in several posts about eleven most common misconceptions and countered them with facts. According to PIB, CAA will not trigger fresh migration of Hindus from Bangladesh, because most of the Hindus have already migrated from there, it has been reduced from 28% to 8%. PIB added that there is a cut-off date of 31 December 2014, the people who have come after that will not get benefit of this act. PIB clarifies that giving Citizenship is a constitutional process, and the aim of this Act is to give citizenship to the genuine refugees, not intruders (PIB, 2019 December 15). Main purpose of this tweet was to pacify the rumors in the society.

### **Stand of Ambedkarites on CAA**

We can see the difference between Ambedkar and Ambedkarites in this matter. One of the Ambedkarites, the Bahujan Samaj Party's head Mayawati has opposed this bill. She said that the CAA has made life arduous for Muslims. She asked Central Government to clear all the doubts of the Muslim community over the New Citizenship Act. BSP voted against the Citizenship Amendment Bill (CAB) in parliament and sent a delegation to meet the President of India to request him to withdraw the new amendments into the citizenship (Hindustan Times, 2019). Mayawati proved her hard stand on it, when she suspended party MLA Rama Bai for supporting the CAA (PTI, 2019). Another Ambedkarite organization Bheem Army has opposed CAA and said that this act is unconstitutional. Bheem Army chief Chandrashekhar Rawan participated in many rallies and protests, like the Jama Masjid protest. He challenged the Government to implement it (Mathur, 2020). He addressed the people who have been agitating against CAA and NPR in Uttarakhand's capital Dehradun by staging a Shaheen Bagh Style protest in the city's Parade Ground and challenged the Government that he would not let implement CAA. He also said that this act is not only divisive but against the unity of the country (Kalyan, 2020). Another Ambedkarite and Congress Party leader Udit Raj also opposed the Act and said that although he is a Buddhist, he opposes the Citizenship Amendment Act (CAA). He staged a Dharna at Jantar Mantar against CAA and said that this Act is an attack on the soul of the Indian Constitution. He continued that Article 14 of the Indian Constitution guarantees equality for all; so, no person can be discriminated against on the



basis of religion, caste, sex or birth etc. Therefore, he found that the act is discriminatory (Methri, 2019).

The details given above can prove that most of the Ambedkarites are against CAA, and their concern is discriminatory provision of this act. On the other hand, the Government of India claims that there is no discriminatory or unconstitutional provision. The BJP- led central Government claims that this act will provide citizenship to those people, most of them are Dalits; but no Ambedkarite is ready to talk on this point.

## Conclusion

Dr. Ambedkar always tried to make Indian society more inclusive. He was very much aware about the situation of Dalits in India as well as in newly born Pakistan. So, it can be said that the vulnerable condition of non-Muslims in Pakistan after partition is considerable. We can say, if the partition of India is a historical truth, the Nehru-Liaquat pact was a historical blunder. Those, who never demanded for, and not even wished to live in an Islamic Nation Pakistan, how can they be forced to live there in such a country where their fundamental rights are not ensured.

Seven decades before, the Indian government had made a severe mistake and the current government is trying to correct it. If some people in Pakistan (country which has been made on the basis of Religion, whose religion is Islam) are being religiously persecuted, it is the moral and legal responsibility of Indian Government to provide them patronage.

So, those, who claim to stand with the idea of Dr. Ambedkar, have to stand with the interest of Dalits in such neighboring countries. Ambedkarites in India have different political interests nowadays. There are many issues in the current political scenario, which are contradictory with the basic ideas of Dr. B R Ambedkar, CAA is one of them. Such a scenario is very much visible in a slogan- 'Jai Bheem-Jai Meem' (Srinivas, 2015). If we read Dr. B. R. In Ambedkar's book 'Thought on Pakistan', we find that this type of slogan is a case of total departure from the view of Dr. Ambedkar.

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# **PUNITIVE TURN OF THE STATE UNDER NEOLIBERALISM: A POLITICAL ECONOMIC PERSPECTIVE ON CRIMINALITY AND INCARCERATION AND ITS IMPLICATION ON INDIA**

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## **Abstract**

Under Neoliberalism, the state retrenches from the realm of welfare and promotes the idea of laissez faire, but in modern times, the state has simultaneously rearmed itself in the punitive realm to curb social insecurity and urban marginality which is resultant of such economic deregulation. Wacquant and others argue that under the Neoliberal regime, the incarcerations do not merely reflect the rising crime rates but also mirror state inactions in the realm of welfare and proactiveness in the punitive realm. This paper advocates the use of political-economic analysis for understanding the socio-economic dynamics of marginality and incarceration in India.

The works of Loïc Wacquant form the bedrock of my analysis. Wacquant in his methodological approach debunks the opposition between the materialist approaches of Marx and Engels and the symbolic approach of Emile Durkheim and combines them using the notion of bureaucratic field developed by Pierre Bourdieu to establish a vital understanding of the relationship between political economy, state, and penal apparatus. After analyzing people management techniques of Workfare and Prisonfare, this paper will highlight how the State under Neoliberalism got restructured as a Leviathan through astute use of these techniques and the rhetoric of security. After highlighting the contributions of Young, Hallsworth, and Lea, and LeBaron, and Roberts, this paper concludes by stating how the Indian state is undergoing a similar transformation under Neoliberalism.

**Keywords:** Prisonfare, Workfare, Neoliberalism, Leviathan, Incarceration

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## Introduction

In the report published by Dr. Ashley Nellis (2016) on the sentencing project, the key findings illustrated that in the State Prisons, African Americans' incarceration was more than 5.1% times that of the Whites. Furthermore, the disparity widened in the states of Iowa, New Jersey, Wisconsin, Minnesota, and Vermont where the ratio of incarceration of African Americans to Whites became 10 to 1. This disparity does not merely pertain to African Americans as the Latino incarceration rate is 1.4 times that of Whites. The Indian reality is also grim as according to Prison Statistics of India 2019, Schedule Caste (SC) comprised 21.74% of the convicts, Schedule Tribes (ST) comprised 13.6%, and Other Backward Classes (OBC) comprised 34.96% convicts in India. If we look into the numbers of undertrials, Schedule Caste (SC) comprised 20.96% of the undertrials, Schedule Tribes (ST) comprised 10.51%, and Other Backward Classes (OBC) comprised 34.21% of undertrials. The prison representation of these vulnerable communities far exceeds their share in the population.

What do these statistics tell us? These Statistics may point at the increasing crime rate in the USA, with African Americans being the largest chunk among the criminals. The Indian case might reveal to us the structural issues of law implementation and adjudication and societal limitations of Indian democracy. Through the analysis of various writings of Loïc Wacquant and other scholars, this paper would advocate the case of adopting a political-economic explanation for explaining and understanding the dynamics of criminality in India. The political-economic analysis allows us to interpret these statistics more critically. Wacquant and others argue that under the regime of Neoliberalism which is categorized by economic deregulation and retrenchment of the state from the realm of welfare, the incarcerations didn't merely reflect the rising crime rates but also mirror state inactions in the realm of welfare and proactiveness in the punitive realm. Under Neoliberalism, the state retrenches from the realm of Welfare but simultaneously rearms itself in the punitive realm to curb social insecurity and urban marginality which is resultant of economic deregulation.

The works of Loïc Wacquant form the bedrock of my analysis. Wacquant in his methodological approach debunks the opposition between the materialist approaches of Marx and Engels and the symbolic approach of Emile Durkheim and combines them using the notion of bureaucratic field developed by Pierre Bourdieu to establish a vital understanding of the relationship between political economy, state, and penal apparatus. After analyzing people management techniques of Workfare and Prisonfare, this paper will move on to highlight how the State under Neoliberalism got restructured to its core

with its innovative use of Workfare and Prisonfare technologies. After invoking the contributions of Young, Hallsworth, and Lea, and LeBaron, and Roberts, I will conclude by stating how the perspective political economy can help us in understanding State and Ethno-racial and gendered dimensions of punishment and its implication on democracy in India.

### **Criminality and the discourses on the State**

There are two dominant perspectives on viewing the relationship between the state and the penal apparatus. The first is the materialist school which deploys Marxist analysis in establishing the relationship between social forces and punishment while the second school represented by the works of Durkheim incorporates the symbolic analysis.

Dario Mellosi (1976) in his article ‘The Penal question in Capital’ tries to develop a Marxist understanding of crime and punishment. By analyzing the magnum opus of Marx, ‘the Capital’, Mellosi argues that Marx dealt with the issues of crime and punishment by situating this issue under the analytical purview of the study of man’s social condition under capitalism. To validate this claim, Mellosi invokes the Marxian axiom that the history of institutions and ideas has no life; it doesn’t exist. It is through an understanding of material conditions and social processes that produced it; we shall be able to grasp the essence of an institution (p.31). This can act as an opening point towards a Marxist analysis of the institution of prison and penalization.

Borrowing the scientific methodology of capital into his investigation of penal questions in Marx, Mellosi brings into light how Marx’s investigation of the penal question was primarily a historical enquiry tracing the origin of capitalist society. In that enquiry, Marx locates the central role of materialism that influenced the bourgeois criminal policy. Marx notes that in the dawn of the 15th century, through the massive appropriation of land, farmers were displaced from their means of subsistence and got converted into a wage labourer. This process was termed primitive accumulation because it divorced the producer from his means of subsistence and it preceded the capital formation (p.26). After the process gets completed, these erstwhile farmers become ‘free’ from their land, free in the sense to sell their labor-power in the labour market. Since this free proletariat cannot get easily absorbed into the newly developed manufacturing units, they were turned into vagabonds, beggars, and robbers (ibid.).

What is interesting for our analysis is the role of the state. The state acts as the classical political committee to manage the common affair of the whole of the bourgeoisie. The executives of the state were the primary usurpers of

the land and passed laws like Old Poor law to facilitate the appropriation of the 'commons'. The role of the state was to create conditions conducive to the formation of capital through legal or violent ways. In *Capital*, Mellosi notes that Marx highlights his concern towards state use of violence and penal apparatus to gain control over the labor-power and ensure the guarantee of surplus appropriation and exploitation (p.27).

However, there is a distinction when it comes to the role of prison. Since the executives passed various laws criminalizing pauperism, Prison became the site where the population expelled from the lands could be placed and disciplined as wage laborers with labor-power, which was necessary to sustain the wage labour system. Thus, Mellosi argues that Marx sees prison as an apparatus that seeks to discipline vagrants as to their new conditions (p.28). The prisons were fashioned into workhouses where inmates were made to work for long hours (sometimes even 12-14) to fashion them into workers from whom surplus can be extracted. The legal ideology was rooted in production hence the task of prison was to teach the proletariat the discipline of the factories (p.29). In the neoliberal political economy, the prison acts as a shed where people are managed while their subjectivity remains unchanged. Although the distinct role of prison here seems apparent, the logic that rules both epochs is the same. In the 15th century, the prison became the site of placing poor who couldn't find work similarly, in the late 20th century, it became the site of placing the poor rendered 'useless' in the interconnected globalized world. In both cases, the nature of prison is dependent upon the prevalent material conditions of the times. 'Criminals' that occupied the prisons in both epochs were the ones who could not find work and did not fit into the logic of capitalism. It was the state who adjudicated the task of labeling the criminal.

Rusche and Kirchheimer's analysis reflects a similar concern. In their book *Punishment and Social Structure*, Rusche and Kirchheimer (2003) analyzed the link between crime and the social environment. Through linking these two aspects, Rusche and Kirchheimer investigated how a certain mode of punishment became prominent or obsolete in the particular social situation and What were the causes of choices and rejection of certain methods of punishments in specific historical periods. In their study, they deployed a historical approach to argue that "every system of production tends to discover punishments which correspond to its productive relationships" (Mellosi, 2003, pp. 1-7). Their central thesis was that the specific development of productive forces permits the application and rejection of certain penal methods. Working through this premise we can see an inherent connection with the Marxist understanding of punishment. As argued that Prisons under the capitalist

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economy served as a site to refashion dispossessed farmers into wage laborers, it tallies with the study of Rousche and Kirchheimer when they locate the link between economy and penalization (mercantilist economy led to the rise to House of correction). Rousche and Kirchheimer question the bond between Crime and Punishment and reification of punishment as the causality of crime. They argue that punishment should be analyzed as a social phenomenon having wider associations with economy and culture.

Moving on to a different perspective, we encounter Durkheim's theory of the state that Loyal (2016) argues was situated on the understanding of the state as the 'representation of the social collectivity' or 'organ of social thought'. The state was assigned the task to 'work out representations that hold good for the collectivity'. Prima facie it appears Durkheim's analysis focuses on a sociological understanding of the state. Working on this idea, Steven Spitzer (1975) in his analysis of Durkheim, argued that Durkheim considered crime and punishment as essential 'social facts' that revealed the inner workings of society and mechanism through which societies change (p.613). For Durkheim, the element of the law was an important vantage point to understand the principal form of social solidarity and the type of morality prevalent in the society. These aspects aided Durkheim to understand the nature of crime and the aspect of punishment. In his work "Two laws of Penal evolution", he set out to give two important prepositions. Firstly, he argued that the greater the stratification of the society, the more lenient the punishment. Durkheim asserted that as a society moves from less developed to more developed, the intensity of punishment declines. Secondly, he argued that punitive intensity is high where there is a form of political absolutism (p.614). There seems to be a direct link between social development and punitive intensity in his works.

Wacquant interacts with a materialist understanding of punishment and the role of state however he moves beyond them to incorporate Bourdieu's notion of the bureaucratic field which brings material as well as symbolic aspects of state and its apparatus together. Bourdieu argues that "state is the culmination of a process of concentration of different species of capital" namely physical, economic, informational, and finally symbolic capital. The state then gets constituted into 'meta-capital', granting power over other species of capital and their holders. All these species of capital along with their corresponding field get together to give rise to 'statist capital' which enables the state to exercise the power of all species of capital and adjudicate upon their deployment and transformation into one another. The construction of state follows the construction of the field of power in which different species of capital and their holders struggle to get power over the state i.e., access to statist capital (Bourdieu, Wacquant and Farage, 1994, pp. 5-6).



Bourdieu's theory of state brings together the classical theories of Marx, Weber, and Durkheim and seeks to build upon them. The state as a bureaucratic field is defined by the possession of a monopoly of legitimate physical and symbolic power over territory and the population residing within it. We can see how Bourdieu brings in Weber's conceptualization. Bourdieu builds upon the definition of Weber and other 'physicalist' approaches like that of Marxism and Tilly by asserting that the power by itself has no purpose i.e., no power cannot be expressed as naked power. The physical violence exercised by the state has a symbolic dimension in a way that the brute force exercised by the state also contains a form of seduction and persuasion that obtains a certain kind of recognition from the social community. Bourdieu asserts that a state resting on brute force can easily be overthrown; hence it is the symbolic capital (symbolic power) of the state that influences the physical power. These symbolic components like legitimation and consent assist in the maintenance of state order. By placing much greater emphasis on the symbolic dimension, Bourdieu doesn't slip into idealism rather goes on to provide what Loyal (2016) calls 'materialist theory of symbolic' where material and symbolic domination co-exist. Bourdieu through this theory transcends Weberian analysis by stating that its monopoly of symbolic power that influences physical violence and also Marxian theories by situating symbolic over the material. When Wacquant professes his subscription to Bourdieu, he aspires to move beyond the Marxist understanding by assimilating it with a sociological one. Wacquant bases his argument on the premise that Neoliberalism enforces the transformation of the state but also keeps into account the sociological angle that Marxists ignore that can help us understand many of the practical policies of the state.

### **Neoliberalism and the Return of the Prison**

Wacquant (2010) paints Neoliberalism as a transnational political project that aims to remake the nexus of the market, state, and citizenship from above. Wacquant brings the class analysis to point towards the prevalence of the global ruling class consisting of executives from IMF, World Bank, and other multinational organizations along with economists, scientists, lawyers, and experts that are employed by them. Wacquant argues that this global ruling class facilitates the political project of Neoliberalism. Wacquant argues that the political project of Neoliberalism rests on four institutional logics. Firstly, economic deregulation aims at the facilitation of capital across territories along with privatization of public services. Secondly, retrenchment of the welfare state and shifting focus on workfare dissocializes wage labour via varieties of 'workfare' measures like contractualization of labour, dilution of labour laws, etc. Third, rolling out of the proactive penal apparatus that manages the population rendered useless under the neoliberal economy and final-

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ly, the cultural trope of individual responsibility that promotes entrepreneur spirit but leaves behind any appeal of corporate liability (p.213).

Proponents of liberalism associate ‘freedom’ with the ideas of liberalism. Neoliberalism too in its economic dimension used the rhetoric of freedom. Under Neoliberalism, Michel Foucault predicted the retreat of state and diffusion of its functions in his famous theses on governmentality. Wacquant in this regard registers a few of his disagreements in his engagement with Michele Foucault. While he agrees with Foucault’s formulation that power is not merely repressive but also productive, he argues that Foucault erred in concluding the retreat of prisons as in the neoliberal settings as prisons have made a heroic comeback. Secondly, instead of disciplining inmates into docile and productive bodies, the contemporary prison, mired by resource crunch and demographic impracticability, promotes brute neutralization and acts as a site of housing bodies not transforming their subjectivities. Thirdly, Contra Foucault’s prediction, carceral institutions haven’t spread like capillaries inside the organic body of state rather under Neoliberalism, people from certain localities, races, and classes are hoarded inside the prisons. The demographic profile of inmates within American prisons reflects ethno- racial selectivity. Finally, the ‘death of scaffold’ that is the demise of celebrations of rituals of public execution have not taken place instead, there is what Wacquant terms as ‘crystallization of law and order pornography’ which means the representation of offenders and prisoners have shifted from the state spectacle to the commercial media in the form of courtroom dramas, crime thriller serials, and news reporting. The actors embodying ideals of justice to their brim, perform the task of catching a criminal thereby perpetuating the paranoia of social insecurity and reestablishing the relevance of state (pp. 204-206).

The notion of power as production is integral to Wacquant’s study of state. The penal state does not merely suppress but also produces images of criminals (most often that’s a racist or communalist image), new bodies of knowledge in the sphere of criminology, and finally, the idea of security and insecurity. The power of Leviathan is not merely situated in its penal front in the era of Neoliberalism, but the state operates simultaneously in economic, cultural, and penal levels (Wacquant, Volker and Karen, 2011, p.213).

### **Workfare and Prisonfare as People management techniques**

With the heroic comeback of the Prison within Neoliberalism, we can identify innovative technologies of utilizing prison to reproduce and sustain social relations of Neoliberalism. These two techniques are Workfare and Prisonfare. Workfare and Prisonfare are a direct result of the criminalization of poverty and the management of marginality. Workfare is the consequence

of the retrenchment of the state from the realm of welfare. As the obligation of workfare replaces the right to welfare, people are forced to work in sub-par conditions with a minimum of wages to get public support (p.207). Wacquant lists Prisonfare as one among three-techniques to remedy the undesirable behaviour of the population. The other two are socialization that seeks to find the social root of their issues, second is medicative that seeks to treat miscreants as cases of individual pathologies. By Prisonfare, Wacquant implies a “policy stream encompassing categories, programs, and discourses that confront urban ills by rolling out of police, courts, and prisons. This includes criminal databases, schemes of profiling like background checks and surveillance” (p.209). Prison fare also accompanies the system of its justification manifested in the cultural industry of media that propagates a culture of fear. Wacquant argues that penalization is not limited to mere incarceration but also all those apparatuses of states (like public places and school) that deploys the technologies of panopticism and surveillance. Wacquant (2010) argues that workfare and Prisonfare can be termed as people processing institutions (p.202). Under Neoliberalism, Prisons are getting fundamentally transformed from being houses of correction imbued with the philosophy of reformation and rehabilitation to mere warehouses, housing the surplus population rendered useless by globalization. Workfare and Prisonfare complement each other as the Workfarization entails reducing recipients from state support while Prisonfare entails facilitation of marginalized into the prisons, ensuring longer jail terms leading to a ballooning of population within the prisons. Punitive containment as a technique tends to club poor as criminals and perpetuates the paranoia of social insecurity among the citizens. Using this rhetoric, a carceral regime is established that offers “relief not to the poor but relief from the poor” (p.204).

### **Emergence of Leviathan**

Wacquant argues that Neoliberalism has brought unique structural innovation in the realm of state crafting as with the monopoly on legitimate violence, the Leviathan also procures a monopoly over symbolic definitions of criminality and morality. Neoliberal Leviathan thereby gets involved in the construction of bureaucracy for policing, judging, and punishing the socially marginalized. This remaking of the state is carried out for global capital and management of the poor.

Wacquant asserts that this enlargement of the penal sector is the response to social insecurity created by the retrenchment of the state from its welfare function. This retrenchment leaves certain sections of the society economically vulnerable who are then sequestered into the penal warehouses. This new Leviathan reinforces class, racial and ethnic segregation. During the 1960s

race riots in America, police, courts, and prisons were deployed to contain advanced marginalization that was the result of economic deregulation. This economic deregulation creates class polarization and reinforces ethno-racial hierarchy (Wacquant, Volker, and Karen, 2011, p.205). Wacquant argues that it's not the policies of the neoliberal state that is illiberal rather it is its architecture. Wacquant gives the name centaur state to this design of the state that is liberal at the top and paternalistic at the bottom. This state displays its kind face towards upper and middle classes whereas displays a rough tyrannical face towards the lower classes (ibid). The central ideological tenet of Neoliberalism is of small government and laissez-faire but it only embraces it from the above. Neoliberalism is a revolution from above that reemphasizes control in every area of social life with an exception of the economy.

What is the implication of this engagement? Through this engagement, Wacquant debunks the myth of the prison industrial complex modeled on the industrial-military concept of 1960. Wacquant argues that the surge in the number of prisons or prison boom is not a result of privatization's drive for profit rather is a political project of state crafting (Wacquant, Volker and Karen, 2011, p.211). The privatization of prison would not go much far as Wacquant argues that private prisons operate with medium to low-level security hence, they would not want to house felons with long sentences. Furthermore, they also seek to avoid old prisoners and women due to medical costs and reproductive health care costs attached to them. Secondly, without the subsidies borne by the state, the maintenance of prisons can become a hugely expensive affair. Prison fare cannot be commodified because prison is a political institution not an economic one and remains one of the more central organs of state even during the time of Neoliberalism (pp. 213-215).

### **The Rhetoric of Security**

Hallsworth and Lea (2011) in their essay account for the emergence of the security state as the successor of the liberal welfare state. Although the Neoliberal state has retrenched from the welfare domain, there are three areas in which the security state is emerging namely transition from welfare to workfare, risk management manifested in measures to control crime, and finally, blurring of warfare and crime control (p.141). What's noteworthy in their argument is there is not merely rolling out of state in its punitive dimension but also how under Neoliberalism, there has been the rise of non-state actors and organizations in the sphere of crime control who have not challenged the state rather got into the partnership with the state to the extent of expanding its power (p.142).

Hallsworth and Lea do not ignore the presence of the economic system of

Neoliberalism which is the major force leading to such restructuring of the state. Hallsworth and Lea argue that the security state or Leviathan engages in the task of managing social fragmentation and advanced marginality rendered structurally irrelevant to capital accumulation. The collective status of such a useless population justifies their banishment. The security state deploys new technologies of power for risk management that involves surveillance and punitive containment. Hallsworth and Lea concur with Wacquant when they point towards a move of the state from welfare to Prisonfare marked by arming up of penal apparatus. Unlike the welfare state, which identified poverty as a social problem to be remedied by welfare measures, the Security state sees poverty as a security issue that is to be remedied by coercive management of the population (p.144). This coercive management of the population is similar to that of punitive containment propounded by Wacquant with the addition of astute use of crime rate statistics to deploy paranoia of increasing crime rate by political leaders not only to sustain social relations but also keep their legitimacy intact. As Wacquant noted the transformation in the architecture of the state, Hallsworth and Lea add on to his formulation by inserting Crime control as the dominant paradigm of social control; criminalization of social policy, and functions of states being distributed through an assemblage of state and private non-state actors as arms of Neoliberal Leviathan.

Hallsworth and Lea also register their agreement with Wacquant by asserting that instead of the general welfare, crime control becomes an essential part of statecraft. Instead of providing full employment to the population and investing in social security, the state minimizes the population dependent upon state benefits. The priority of the state is to attract footloose capital by providing a cheap labour force and conditions conducive for capital investment. Under this scenario, social security from its welfarist dimension turns into a coercive form of workfare as entitlement to benefits becomes linked to job seeking that forces the poor to work for whatever wages the global capitalist class dictates. Furthermore, the sections of people who are not able to secure jobs which are usually belonging to a certain ethnic minority are sequestered in prison, leading to Prisonfare (pp. 145-146). Hallsworth and Lea complement Wacquant's formulations by illustrating that the punitive turn of the statecraft takes place in twin directions of pre-crime and post punishment. The security state has expanded the range and use of custodial sentences to create new categories of criminals. The security state through pre-emptive criminalization of a particular portion of the population manages the risk in the society. In the post punishment domain, the Leviathan gets tooled up with laws that ensure prolonged incapacitation of the 'useless' population. This Leviathan arms itself up with laws that impose similar sentences onto street criminals that were originally formulated to punish rapists and pedophiles. Indeterminate sen-

tences for Public Protection (IPP) a law that was crafted to punish rapists and pedophiles is now being used to punish ordinary criminals (p.147).

In India, extraordinary laws were drafted to address extraordinary situations of compromised national security with regard to terrorism and separatism in the country. However, some of the controversial provisions from now lapsed Prevention of Terrorism Act (POTA 2002-2004) and Terrorist and Disruptive Prevention Act (TADA 1985-1995) were siphoned off to the permanent Unlawful Activities (Prevention) Act (UAPA 2013) which gives a semblance of permanence of the extraordinary. The requirement of global capital has been translated into threats to internal national security, which warrantees application of such laws on the 'internal enemies of India' (Roy & Singh, 2015, pp. 309-310). While the POTA and TADA dealt with terrorism, UAPA has ingrained itself into a normal legal regime in India and is being used to target not merely terrorist suspects but also alleged Maoist sympathizers, civil and human rights activists, journalists, academicians and lawyers. Any obstruction in the flow of global capital hence becomes a threat to national security.

Wacquant would note the neoliberal capitalist logic to it, whereas Hallsworth and Lea would complement it by adding the logic of 'securitization'. Neoliberal capital logic and risk management logic work in tandem to shape the contours of the state. Iris Marion Young (2003) has argued that a security state deploys patriarchal logic (of subduing and disciplining women at home) into the domain of statecraft under the rhetoric of security to reduce citizens to the status of an obedient subject. Hallsworth and Lea (2011) concur with Young to assert that such arming up of Leviathan signals changing worldview of executives regarding humans. The security state no longer sees delinquents as composite beings embedded in exploitative social relations rather as anti-social risks to the society which are to be contained. The state labels the 'useless' sections of the population as 'deviant' one to gather legitimacy that it lost by retrenchment from the domain of welfare. The security state not merely dilutes rights and democratic citizenship, as Wacquant and Young would argue but also becomes authoritarian. Hallsworth and Lea would term such transformation as the move towards soft fascism (p.153). Wacquant (2010) also argues that the rise of the penal wing into ascension within this bureaucratic field is injurious to the democratic ideals. Due to the advent of Neoliberalism and the retrenchment of the state from welfare, certain sections of society have been pushed back into poverty under which they are not able to enjoy their basic citizenship rights and are reduced to mere subjects of the state (p.218).

## **Workfare and social mobility**

Reproduction and extension of capitalism involve relations of coercion, discipline, and restraint. The relevance of Wacquant assertion can be listed down by taking into account the thesis by Genevieve LeBaron and Adrienne Roberts (2010) that describes contemporary carcerality in capitalism as an interplay of states, markets, and households to reinforce a set of social relations that integrate large numbers of people in Workfare while marginalizing others and pushing them into the realm of Prisonfare (p.21). The important contribution of the article by Roberts and LeBaron is that it highlights the carceral relations prevalent in our day-to-day existence and demonstrates how the workfare is not merely an oppressive outcome of economic deregulation as Wacquant would suggest but also demonstrates Workfare as a form of carceral relation. LeBaron and Roberts bring into play the example of debt structure as a carceral relation that integrates people into unequal relations with the market. Due to the retrenchment of the state, people have to take debt to fulfill their necessities like health and education. LeBaron and Roberts argue that this debt structure affects the social mobility of people. To repay the debt, people get forced into workfare (p.33). Providing a gendered perspective on the reproduction of social relations and the plight of domestic workers, LeBaron and Roberts argue that lower-class migrant women and black women are denied any rights by their domestic employers and the state doesn't come to their rescue either. Women domestic servants enter into unfair capitalist relations to avoid deportation. The state under Neoliberalism appropriates the labour power of the women immigrants for the social reproduction of capitalist relations while simultaneously seeking to curtail the biological reproduction aspect of women immigrants so that it doesn't have to provide healthcare to them (p.37).

Wacquant in his formulation of Prisonfare, talks only about 'warehousing of population' but doesn't elaborate upon the productive aspect of penal incarceration in the form of prison Labour. LeBaron and Roberts argue Neoliberalism transforms even the market into a carceral space. Due to the privatization of prisons, there has been a rise in 'corporate use of prisoner's labour power' integrating them in 'unfree capitalist relations of production (p.29). Due to this cheap (or rather free) prison labour, the conditions of workers outside prison also deteriorate as their wages drop when their jobs go behind bars leading to enhanced workfarization of the population. Under Neoliberalism, Prisons themselves become a capitalist enterprise(ibid.).

## **Neoliberalism and workfarization in India**

Even after the adoption of economic reforms, the political leadership across the ideological spectrum has promoted the idea of inclusive growth with

special legal provisions for the vulnerable sections of society. This aspect challenges the application of the concept of workfare in the Indian context, especially after when OBC were provided with 27% reservation in the public sector. Jayal (2015) highlights that the quota for other backward classes came at the same time India liberalized the economy which comes across as an anomaly and does not fit the idea of ‘workfare’; however, she argues that there are three explanations for this anomaly. Firstly, as the privileged found new opportunities in industries and business, the expansion of quota became a politically expedient formula for political elites to demonstrate their pro-poor stance as they get away with providing recognition rather than distribution. The second explanation refers to the pace of reforms which has been slow and gradual as compared to other countries, which has allowed political rhetoric of inclusive growth to work alongside privatization, creating what Atul Kohli calls ‘illusions of inclusion’. Finally, since in India, no political party can ignore the voice of the poor in which SC, ST and OBCs form the major chunk, the parties provide social benefits as compensation for being left by the business and industries which caters to upper caste and class notion of merit. Here the social and economic rights (judgments on right to education, right to work etc.) forms part of what T.H Marshall calls class abatement and quotas form the part of caste abatement. These social rights abate the ‘nuisance of poverty’ through public spending enabled by economic growth, which does not address the widening disparity between rich and poor. The quotas are provided in the area (government jobs) where there is rising disinterest from the elites hence performing the function of caste abatement. The class and caste abatement argument provide the explanation for the anomaly between economic reforms and rhetoric of inclusive growth (pp. 123-124). However, under the pressure of global capital, the state has started rolling back, which is evident from decreasing vacancies, the problem of paper leaking, delay in results and judicial stays on the appointment. This backlog of vacancies is an example of an illusion of inclusion which is evident through this table.

**Table 1 : Data on the backlog of reserved vacancies as on 31.12.2019**

S. No	Ministry/ Department	SC			ST			OBC		
		Vacancies	Filled up	unfilled	Vacancies	Filled up	unfilled	Vacancies	Filled up	unfilled
1	Posts	1379	393	986	845	158	687	1090	426	664
2	Railways	9767	4208	5559	7713	2250	5463	12061	5314	6747
3	Housing & Urban Affairs	259	141	118	272	124	148	720	431	289
4	Defence Production	8604	6818	1786	7352	5647	1705	4692	4156	536
5	Defence	1649	236	1413	1068	117	951	2732	529	2203
6	Atomic Energy	189	52	137	189	40	149	679.	108	571
7	Financial Services	1527	648	879	1363	421	942	2252	1018	1234
8	Revenue	4971	1483	3488	3214	647	2567	4336	1492	2844
	Total I	28345	13979	14366	22016	9404	12612	28562	13474	15088



This table is taken from the answer provided in the Lok Sabha for unstarred question no.4511 on 24.3.2021 regarding 'vacant posts of reserved categories' raised by Ms. Raksha Nikhil Khadse, Mr Kapil Patil and Mr. Manoj Kotak. The table reveals that more vacancies remain unfulfilled than filled. The vacancies for the All India Civil Services have been declining as well.

Table 2 : Vacancies advertised by Department of Personnel and Training

<b>Year</b>	<b>Vacancies</b>
2014	1364
2015	1164
2016	1209
2017	1058
2018	812
2019	927
2020	796
2021	712

The data shows that SC, ST and OBC are pushed into workfare in the informal sector of the economy, where they face a competitive disadvantage from the elites and are forced to take up menial jobs.

### **Security state and Prisonfare in India**

According to the census of India 2011, SC formed 16.63% ST formed 8.63% of Indian population from 1998 to 2014, their average representation into prisons was 22.21% and 13.5% respectively. Hindus formed 80% of the population, while their representation was a mere 70%. Muslims comprised 14% of the population while they averaged 21% occupancy in the Indian prisons from 1998 to 2014 (Ahmed and Siddiqui, 2017, p.100). These figures may tempt us to use socio-religious factors to explain the representation in prison; however, Ahmed and Siddiqui (2017) add nuance to this study by highlighting that Hindus get over-represented in prison in the states where they are in the minority. For example, in the states of Meghalaya, Manipur, and Jammu and Kashmir, Hindus are in minority while they are in the majority within prisons (ibid.). Now, these numbers might just reveal the aspect of criminality; however, looking at the number of undertrials, we witness the same pattern of over-representation of minorities. Socio-religious and backwardness explanations fail as they would not explain why Hindus get overrepresented

in the prisons in the states where they are a minority (p.102). Vijay Raghawan (2016) highlights the problem of undertrials in India as firstly, they suffer from a lack of quality representation from the lawyers provided by the state. Secondly, the undertrials from the vulnerable sections of society are not able to furnish the bail amount. Finally, a very poor judge to population ratio has increased the pendency of cases in the Indian courtrooms (pp. 17-18). The report by Sayan Ghoshal (2020) affirms this point by revealing that there are 448 vacancies in the High courts, 5000 in subordinate courts. The report also quotes former Chief Justice of India, T S Thakur's plea to increase the sanctioned strength of subordinate judges from 21,542 to 40,000 so that pendency of cases can be fixed and undertrials also get a speedier hearing. This demand is not new but is implausible to fulfill as the state continues to roll back in the era of Neoliberalism. The rising population of undertrials in the Indian prison is evidence of people management techniques rendered useless by global capitalism in India. The study by Irfan Ahmad and Zakaria Siddiqui (2017) analyses the impact of over-representation of minorities and its implication for the democracy of India. They contend that the disproportionate presence of minorities in the jail represents democracy in the jail (p.99). Given the activists and tribals under extraordinary laws for showing dissent against neoliberal policies of the state, the quality of democracy has suffered immensely in neoliberal India.

Padhi and Adve (2006) argue that post liberalization of the economy, the state governments have been vying for private capital, and the architecture adopted by the state is that of a security state which expresses sovereignty in repression (p.186). Under the neoliberal condition, criminality is manifested in the protests against large dams and industries in tribal areas and the punishment is exercised through incarceration under extraordinary laws. In India, under the paradigm of development, various neoliberal projects have rendered vulnerable sections displaced and dispossessed. The examples are the Kalinga Nagar violence in Odisha in 2006, where the Police killed 14 tribal protesters during their protest against boundary construction at Tata Plant. In 2000, three people were killed at Maikunch in Raygada in Odisha. On May 1, 2005, the police indiscriminately arrested 42 people, including 9 women in Lower Sukhtel of Bolengir district for protesting against the proposed dam (p.187).

### **Conclusion: Neoliberalism and penal democracy**

Through the synthesis of materialist and symbolic understanding of the state, we may be better equipped to understand its transformation in the era of Neoliberalism. The political-economic explanation becomes a better explanation that ties the experiences of over representation of incarcerated minorities in the US with that of India. Neoliberalism inserts punity into the capitalist

democracy so that those sections of people who cannot be integrated into the global capitalist logic shall be warehoused into prisons through the exercise of extraordinary laws.

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# **AN EXPLORATORY STUDY OF IDENTIFYING FACTORS CREATING PURCHASE INTENTION TO BUY LIFE INSURANCE POLICY- AN EMPIRICAL STUDY**

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## **Abstract**

Human life is invaluable and there is no replacement for the same. But financial security could be ensured to a great extent through life insurance. Despite being so important, everyone does not buy life insurance. Review of literature indicates that there is a dearth of studies identifying the factors which create purchase intention in individuals to purchase a life insurance policy. To fill in this gap, the present study has been undertaken. The purpose of the study is to find out the variables/constructs which create purchase intention to buy a life insurance policy. Out of 983 individuals contacted from Delhi/ NCR, the Data of 549 valid respondents was finally analysed through Exploratory Factor Analysis and Multiple Regression. The result of the data analysis revealed 4 factors namely Rational Evaluation, Customer Satisfaction, Customer Trust and Customer Relationship Management for predicting Purchase Intention to buy life insurance policy, CRM emerged as the most significant factor. The study has major implications for insurance companies selling life insurance policies to focus on identified factors to increase their customer base and revenue.

**Keywords:** Purchase Intention, Life Insurance Policy, Insurance, Exploratory Factor Analysis, Customer Relationship

## **Introduction**

The Indian population has been increasing continuously and reached 138

crores in 2021. Despite the large population in India, a very small number of people have taken life insurance policies. Insurance sector contributes, significant part to the GDP of the Indian Economy. Life insurance sector plays an important role in any nation's economic development. Life insurance sector is also helpful in mobilizing long-term savings through financial intermediaries and important not only for the development of consumers but also for the country also. Globalisation and privatization has already opened the window for foreign companies in India. Human life is the most precious asset. There are various types of policies available which can be broadly classified in 2 categories namely Life insurance and General insurance. Life insurance is a contract between Life Insurance Company and a person, wherein Life Insurance Company promises to pay a sum of money to the legal heir of the person upon death of the assurer. Life insurance policy covers the financial risk of the family due to the death of the main earner. After the death of an insured person, the beneficiary receives a sum assured from the Insurer Company. Thus, Life insurance covers financial loss due to the death of the insured person. Life insurance is mainly purchased for dependants' financial security. In India, more than 24 companies are doing life insurance business. Life insurance is a significant financial product of insurance companies which provides financial security. The key to success for any company is selling their goods or services. The ultimate goal of any marketing activity should be to create purchase intention within the customer. Life insurance demand is highly dependent on customers' trust. Since life insurance is related to the future, one would like to purchase a life insurance policy from such companies which are financially sound with a good reputation. The purpose of this study is to identify variables/constructs which create intention to purchase a life insurance policy and studying their contribution to create purchase intention. As life insurance is voluntary in India people may think that it is not required by them. But life is uncertain and the sudden death of a bread earner could discontinue source of income and would cause financial hardships to the dependents indicating the need of life insurance. The life insurance company should focus their marketing strategies to increase their customer base and encourage people to buy life insurance policies. By focusing on the factors that potential policyholders seek in policy, Life Insurance Company can increase their customer base and the insurance sector can grow in India. According to Lee, C. (2015) attitude towards using Mobile Application services is the most significant factor of customer satisfaction and increased satisfaction leads to increased customer relationship management. People's needs are a situation of feeling of deprivation. To ensure the security of dependents after death, people want to take a Life insurance policy. Review of literature indicates that the majority of the work done relates to studying buyer/consumer's attitude towards buying of life insurance policy but there is almost no research which

identifies the factors which create buying intention to life insurance policy. As such death is an inevitable part of everyone's life. But the untimely death caused by the ongoing pandemic has proved how important it is to take Life Insurance policy. Financial support in critical times plays an important role for shaping the future of dependents. According to Frees, E.W. (2010), Life insurance business is an important part of insurance companies. For life insurance products a huge market is available but there is low penetration in the life insurance sector. Life insurance policy provides social and financial security to people. Life insurance policy fulfils two types of objectives i.e. long term savings and reduction in financial risk. Life insurance sector has three players namely life insurance companies, life insurance buyers and policy regulators. Life insurance sector provides different types of services, financial protection in the short term and long term.

### **Literature Review**

According to Omar, O. (2007) Word of mouth plays an important role in influencing life insurance purchase decisions and highly satisfied policyholders of life insurance are the invisible promoters of life insurance. Marketers should focus on financial risk cover under life insurance policy. According to Yi, H.T. (2012), Ethics training and ethical climates are positively related with salesperson ethical attitude but selling pressure is not related with ethical attitude of salesperson. Chen, T.J. (2021) suggests insurance demand is significantly affected by the distributional channel. Jayasingh, S. (2018) found in his study that consumer engagement rate in Indian life insurance, Facebook brand pages is significantly affected by media format and content type. Brand related content is the most important factor for increasing consumer engagement. Xumei, Z. (2007) shows in his study that intention of purchasing life insurance is positively affected by the extent of worrying about future, economical condition, cognition about life insurance and adventure activities preference. E., Arun. (2017) found in his study Customer Relationship Management is an important factor and it must be implemented in the Insurance sector. Kruger, L.J. (2018) suggests that consumers of life insurance policies are significantly influenced by what happens to the people around them, by people they trust, by Word of mouth, by financial intermediary. Uppily, R. (2016) suggests lack of awareness about life insurance policy exists. There is a need to understand the requirements of consumers of life insurance policy and provide services accordingly. Life insurance companies must attract people from their product or services of life insurance policies. Umamaheswari, D. (2018) stated that product quality, service quality and return on investment had significant influence on consumer behaviour towards life insurance products. Sidhardha, D. & Sumanth, M. (2017) arrived at a conclusion that insurance is not just a tax

saving instrument but it is also a risk protection and multi-faceted investment instrument. Further there is no link between yearly income and variables affecting a buyer's decision to take life insurance. Reddy, P. R. & Jahangir, Y. (2015) found in their study that security features, Information, Marketing activities, Process of the insurance products play a significant positive role on purchase of the life insurance products in the rural market. Dev, S. & Bansal, M. (2017) found in their study that unawareness about terms & conditions of different life insurance policies, education has a significant role in purchasing life insurance. Kim, H. (2012) found that regular saving and household income are significant factors in predicting purchase of life insurance policy. Masud, M.M. (2020) suggests awareness plays a vital role in life insurance purchase. Shukla, U.N. (2018) contends that the most significant elements in promoting life insurance in India are education, occupation, and age, and the primary motivation for obtaining life insurance is tax savings. Insurance Regulatory Development Authority of India (IRDA) plays an important role in the development of the insurance sector in India (Ghosh, A. 2010). Life Insurance corporation of India should increase the customer satisfaction in the rural segment by reducing the gap between customer's expectations and the actual service perception, in terms of tangibility, responsiveness, reliability, assurance and empathy (Lakshmi, S. Rani 2020). Company image, income and pre & post service provided by the distribution channel are the main deciding factors of life insurance policy and awareness about life insurance policy is still growing and customers are more familiar with agents than other distribution channels (Grazy, L. & Ganesan, P. 2020). Customer relationship management (CRM) techniques should be good at branch level operations because they improve customer contentment and comfort at branch offices, ease of access to branch offices, and branch office work hours and timings have a beneficial influence on customer satisfaction. (Rao, M.V.S.S. 2017).

## **Data and Research Methodology**

The study is based on both qualitative and quantitative approaches. Initially, a qualitative approach was followed and interviews of life insurance policyholders were conducted. After that from responses of interviews so collected, a structured questionnaire was prepared and administered to individuals from Delhi/NCR, and 549 filled in responses were received. The data collected through survey is analysed through IBM SPSS Statistics v26 by employing Exploratory Factor Analysis (stage 2) and Reliability of data and Multiple Regression (stage 3).

## **Sample Design**

All life insurance policyholders are the universe and population. Type of Population is infinite so there is no sampling frame. Convenience &



Judgemental sampling method is used to collect the data. To qualify as a proper respondent, the person is asked to confirm if he/she has a life insurance policy, then only, further questions are asked. In all, 983 persons were contacted, out of which 621 were the life insurance policy holder in Delhi/NCR area during Dec 2019 to Jan 2021. 63.17% are qualified respondents (Malhotra, N.K. and Das, S. 2019). For purity of data, data screening was done and authors identified 72 unengaged responses, which were excluded from analysis (Barbara G. Tabachnick)<sup>1</sup>. For the analysis purpose 549 responses were analysed. This work is done in 3 phases encompassing quantitative and qualitative research. In the first phase, we carried out qualitative research in which the interview method is used. The interviews of life insurance policyholder, insurance agent and marketing experts were taken. After this in the second phase exploratory factor analysis with Principal Component Analysis was done and in the third phase reliability of scale and Multiple Regression were carried out.

## **Findings**

### ***OTT Stage 1: In-depth Interviews***

20 male and 30 females were interviewed. The average age is 40 ranging from 25 years to 60 years. Most (40) participants are married and have children. To understand the items which create intention to purchase life insurance policy, people were asked what creates intention to purchase life insurance policy. Various reasons were provided by the respondents.

The items creating purchase intention of life insurance policy along with corresponding category and the frequency as reported by respondents are displayed in Table 1. The items creating purchase intention of life insurance policy in this study coincide with the review of literature.

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<sup>1</sup>Tabachnick, B. G., & Fidell, L. S. (2013). *Using multivariate statistics (6th ed.)*. Pearson.

Table 1:  
Reason of purchasing life insurance policy as reported by interviewer

S. No.	Particulars	Count
1	My insurance company rewards my loyalty	10
2	I identify myself with my insurance company	12
3	My insurance company tries to understand my preferences, questions and suggestions.	8
4	My insurance company treats me as an important customer	9
5	My insurance company offers convenience to its customers	7
6	My insurance company treats its customers with respect	8
7	I know my insurance company is trustworthy	12
8	I know my insurance company is Honest	11
9	I know my insurance company cares about its customers	12
10	I know my insurance company provides good service	13
11	I know my insurance company is not opportunistic	16
12	Insurance agents do not hesitate to find the time to serve me better	12
13	I receive prompt services from the insurance agents	15
14	If there is any problem, my insurance company is willing to discuss it with me	16
15	Insurance agents have the necessary knowledge to serve me promptly	17
16	There is a warm friendly atmosphere inside my insurance company	10
17	I look extensively for information before making a decision	12
18	I analyse relevant information extensively before I came to a conclusion	13
19	I follow a most analytical process in decision making	15

### Stage 2.1 Exploratory Factor Analysis for Independent variable

19 items which were derived from stage 1, measured on 5 points Likert-type-scale (1= “strongly Disagree,” 5= “strongly Agree”) were used. A principal component analysis was conducted to assess how 19 “reasons of purchasing life insurance policy” variables clustered with orthogonal rotation (Varimax rotation). The Kaiser- Meyer-Olkin test (KMO=0.960) confirmed the analysis’ sampling adequacy (marvellous according to Hutcheson & Sofroniou, 1999)<sup>2</sup> and all KMO values for individual items were larger than 0.9, which is much higher than the acceptable limit of 0.5. (Field 2013). The analysis was run to obtain 4 factors (a priori) and these four factors had eigenvalues over 0.7 (Jolliffe 1972, 1986)<sup>3-4</sup> with explained variance 70.70% of the variance. Factor loading after rotation the items grouped on same factor suggest that factor 1 Customer Relationship Management accounted for 20.869% of the Variance, factor 2 represent Customer Trust accounted for 18.960% of the variance, factor 3 Customer Satisfaction accounted for 16.815% of the variance and factor 4 Rational Evaluation accounted for 14.033% of the variance. Table 2 displays the items and factors loadings for the rotated components, with loadings less than .40 omitted to improve clarity.

Table 2:  
Rotated Component Matrix for Independent variable

Items	Component			
	1	2	3	4
My insurance company rewards my loyalty	.748			
I identify myself with my insurance company	.726			
My insurance company tries to understand my preferences, questions and suggestions	.710			
My insurance company treats me as an important customer	.680			
My insurance company offers convenience to its customers	.679			
My insurance company treats its customers with respect	.644			
I know my insurance company is trustworthy		.796		
I know my insurance company is Honest		.780		
I know my insurance company cares about its customers		.766		
I know my insurance company provides good service		.765		
I know my insurance company is not opportunistic		.694		
Insurance agents do not hesitate to find the time to serve me better			.778	
I receive prompt services from the insurance agents			.658	
If there is any problem, my insurance company is willing to discuss it with me			.653	
Insurance agents have the necessary knowledge to serve me promptly			.632	

<sup>2</sup>Hutcheson, G. and Sofroniou, N. (1999) *The Multivariate Social Scientist: Introductory Statistics Using Generalized Linear Models*. Sage Publication, Thousand Oaks, CA. a

<sup>3</sup>Jolliffe, I. (1972). Discarding Variables in a Principal Component Analysis. I: Artificial Data. *Journal of the Royal Statistical Society. Series C (Applied Statistics)*, 21(2), 160-173. doi:10.2307/2346488

<sup>4</sup>Jolliffe, I.T. (1986). *Principal Component Analysis. Second Edition*, New York Springer

There is a warm friendly atmosphere inside my insurance company			.605	
I look extensively for information before making a decision				.750
I analyse relevant information extensively before I came to a conclusion				.747
I follow a most analytical process in decision making				.738
Extraction Method: Principal Component Analysis.				
Rotation Method: Varimax with Kaiser Normalization. <sup>a</sup>				
a. Rotation converged in 6 iterations.				

### Stage 2.2 Exploratory Factor Analysis for dependent variable

In the study, a dependent factor is purchase intention of life insurance policy, for measuring it 5 points Likert-type-scale (1= “strongly Disagree,” 5= “strongly Agree”) were used. 5 scale items were prepared and exploratory factor analysis was run. A principal component analysis was conducted to assess how 5 items of intention to purchase life insurance policy” variable clustered with orthogonal rotation (Varimax rotation). KMO (Kaiser Meyer Olkin) value is 0.892 (Meritorious according to Hutcheson & Sofroniou 1999) and all KMO values for individual items greater than 0.9, which is well above the acceptable limit of 0.5 (Filled 2013). 1 factor “purchase intention of life insurance policy” had been extracted based on Jolliffe (1972, 1986) retain all factors with Eigen Value>0.7, a priori and in combination explained 77.295% of variance. Table3, the factor loading the items grouped on the same factor suggests that factor 1 which is intention to purchase life insurance policy, with loadings less than .40 omitted to improve clarity.

Table 3:  
Component Matrix<sup>a</sup> for dependent variable

Items	Component
	1
My insurance company will be my first preference choice to purchase life insurance policy.	.890
I will continue to use the services provided by my current insurance company.	.883
I would recommend my insurance company to my friends and family members.	.882
I would consider as best to my insurance company for purchasing life insurance policy.	.871
I intend to purchase from my insurance company in near future.	.869
Extraction Method: Principal Component Analysis.	
a. 1 component extracted.	

### Stage 3 Reliability of scale and Multiple Regression

Multiple regression was carried out and as a first step the reliability and validity was examined. The results are shown in Table 4.

Table 4:  
Reliability and validity Data for constructs

Construct	Number of Items	Cronbach's Alpha
Customer relationship management	6	0.905
Customer trust	5	0.891
Customer satisfaction	5	0.873
Rational evaluation	3	0.874
Purchase intention	5	0.926

As clear from table 4, the Customer relationship management has 6 items and its Cronbach's Alpha value is 0.905. Customer trust has 5 items and its Cronbach's Alpha is 0.892. Customer satisfaction has 5 items and Cronbach's Alpha is 0.873. Rational evaluation has 3 items and its Cronbach's Alpha is 0.874. Finally, Purchase intention has 5 items and its Cronbach's Alpha is 0.926. In general, Alpha value 0.60 is acceptable<sup>5</sup>. As all values are above 0.60, hence accepted.

### Multiple Regression

All the five variables (four independent and 1 dependent variable) were measured with multiple-item scales. Multiple regression was conducted to determine the best linear combination of Rational Evaluation, Customer Satisfaction, Customer Trust and Customer Relationship Management for predicting Purchase Intention of life insurance policy. (Assumptions of linearity, normally distributed errors, and uncorrelated errors were checked and met.). This combination of variables significantly predicted Purchase Intention of life insurance policy,  $F(4,544) = 271.809$ ,  $p < .001$ , with all four variables significantly contributing to the prediction as shown in Table 5. The adjusted R squared value was .664. This indicates that 66.4% of the variance in Purchase Intention of life insurance policy . According to Cohen (1988), this is a large effect. The beta weights, presented in Table 5, suggests that Customer Relationship Management contributes most to predicting Purchase Intention of life insurance policy and that Rational Evaluation, Customer Satisfaction, Customer Trust also contribute to this prediction.

<sup>5</sup>Churchill, G. (1979). *A Paradigm for Developing Better Measures of Marketing Constructs*. *Journal of Marketing Research*, 16(1), 64-73

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Table 5:  
Regression Coefficients

<b>Coefficients<sup>a</sup></b>						
<b>Model</b>		<b>Unstandardized Coefficients</b>		<b>Standardized Coefficients</b>	<b>t</b>	<b>Sig.</b>
		<b>B</b>	<b>Std. Error</b>	<b>Beta</b>		
1	(Constant)	-1.235E-16	.025		.000	1.000
	Customer Relationship Management	.537	.025	.537	21.697	.000
	Customer Trust	.362	.025	.362	14.613	.000
	Customer Satisfaction	.381	.025	.381	15.397	.000
	Rational Evaluation	.319	.025	.319	12.878	.000
a. Dependent Variable: Purchase Intention						

## Conclusion

Life insurance policy has a unique characteristic of providing mental, financial and social security not only to the policy holder but also to their family. Buying a policy by itself, gives mental satisfaction to policyholders and their family that they have financial security to meet challenges of uncertain life. And in the untoward incident of death of the bread earner, the dependents do not face harassment and can lead a respectful life. The outbreak of covid 19 which took a toll on so many human lives made its need more evident. But still, companies selling life insurance policies are not very successful in selling their policies. Perhaps the companies are not able to understand the factors creating demand for such policies. What is required is to understand the needs & wants of customers and convert the same into demand. The present study contributes by identifying and empirically testing the significant contributing factors creating purchase intention for life insurance. The corporations should focus on the significant factors identified through the present study namely Customer Relationship Management, Customer Satisfaction, Customer Trust and Rational Evaluation to create purchase intention amongst prospective buyers. India, being one of the most populated countries in the world, is a very large sized potential market to exploit. And in today's competitive world, the customer is the king. One who will meet the needs of customers will gain. Marketing and advertising strategies of insurance companies should be focused on the mentioned factors. This way not only the social security of people will be ensured, Insurance Companies will also be able to increase the number and volume of customers leading to the substantial increase in their sales revenue.

## **Future Scope of Study**

No study is without limitations. So, is also the case with the study in question. The present research has considered only limited factors. The list is not exhaustive. There could be factors other than those studied by researchers affecting purchase intention of life insurance. There is a further scope of study. Firstly, more factors can be studied which can create a purchase intention to buy a life insurance policy by taking different items. Secondly, the same factors which are given in this study can be tested in different regions/areas or for different types of populations. Lastly, other Moderating and Mediating factors like education level, income, gender, marital status, country, culture etc. can also be studied in testing relationships between factors creating purchase intention to buy a life insurance policy.

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# UNVEILING THE FINANCIAL CRISES

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## **Abstract**

Financial crises have been occurring since the 1700s. For years, it has been believed that lack of information and the associated rising uncertainty led to crises. However, the deep penetration of the internet has drastically changed how the financial system works. Contrary to classic causation of uncertainty and financial crashes, this paper argues that it is the ‘Perceived Certainty’ during the crucial time of buildup of a crisis that actually leads to the crisis. Economic actors behave as though there is total certainty regarding key economic variables. This belief manifests in two primary outcomes: neglect of key economic variables; disregard of the effectiveness of key economic variables as measures of the health of the economy.

**Keywords:** Perceived certainty, financial crises, Recession, key economic variables, expectations

## **Introduction**

‘What we know about the global financial crisis is that we don’t know very much.’ – Robert J. Samuelson (Samuelson, 1999). Financial crises have been occurring since the 1700s. For years, it has been believed that a lack of information and rising uncertainty lead to crises. However, the deep penetration of the internet has drastically changed how the financial system works. This paper derives motivation from the gap between the traditional explanations of financial crises and the current reality, one witnessing unprecedented technological change and rapid information exchange. This paper takes a step towards bridging the gap. The paper proposes that economic actors behave in a strongly certain manner during the run up to a financial crisis. It entails disregarding or deeming incompetent the predictive ability of key economic variables. The idea focuses on the pre-crisis period during which certainty is perceived by economic actors as opposed to the traditionally accentuated

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uncertainty during the crisis period.

## **Background and Methodology**

The year 2000 has been specifically chosen to mark the onset of the internet which now forms the backbone of the global financial system. In order to create a time-relevant and environmentally receptive proposition, we proceed with the premise that financial crises between 2000 and 2020 best resemble the current economy in terms of technology as well as composition of goods and services produced and traded. Whereas the work analyses all financial crises between 2000-2020 to unveil the factors that prevail at the time of birth of a crisis, in-depth analysis is offered for the following: the 2000s Recession (Tech Bubble), the Financial Crisis of 2007-08 and the European Sovereign Debt Crises of 2010-2013.

It is observed that financial crises are broadly caused by interest rate imbalances, asset market effects on balance sheets, banking sector problems, and fiscal imbalances (Mishkin and Eakins, 2011). However, these changes do not comprehensively explain the continuing behavior of economic actors during the run up to a financial crisis. Based on traditional economic theory, statistical behavior of key economic variables, and the economic impact of increased internet penetration, a theory to explain the genesis of financial crises in the economic system has been put forth.

## **Case Studies of Financial Crises**

### ***The 2000 Recession (Tech Bubble)***

Characterized by a decline in economic activity in the European Union and the United States, the 2000s brought a global decline in Gross Domestic Product (GDP). Particularly in the United States, the crisis took the form of a rapid bubble in the technology industry. The Dotcom bubble was a speculative bubble of stock prices of Internet companies during 1995 until 2000. In two years (1998-2000), the Internet grew over 1000% of its public equity and equaled about 6% of the market capitalization in the United States (Wollscheid, 2012). It peaked on March 10, 2000 with a National Association of Securities Dealers Automated Quotations (NASDAQ) score of 5,048.62 (Pop Goes the NASDAQ, 2000). This period witnessed relentless establishment of technology companies (McCullough, 2018). The bubble burst during 2000 until 2002 when the NASDAQ lost nearly 80% of its value and over \$7 trillion in market value were destroyed (Gray, Frieder, Clark, 2007).

***What created the bubble?***

In 1993, Mosaic, a web browser was released. It made the internet highly famous in America Kline (2003). At the same time, a decline in interest rates increased the availability of capital leading to higher investment spending, particularly in the now famous internet industry Weinberger M. (2016). The low interest rates in the U.S. during 2001-04 were the core factors behind the increases in housing prices and household leverage. Analytical models suggest higher risk-taking when interest rates decline and a shift to quality when interest rates rise, with consequences on the availability of external funding (Stiglitz and Weiss, 1981). Empirical evidence supports such a channel because credit standards tend to loosen up when policy rates fall (Maddaloni and Peydró, 2010).

A combination of the above created *Irrational Exuberance* in the markets. It implies that the prices of assets rose above their actual value computed on the basis of discounted cash flows. In this animalistic spirit market participants ignored traditional measures such as the PE ratio and poured investment into any company with a dotcom. The market was convinced that in the new era of the internet, traditional measures did not hold merit. And based on this fallacious reasoning, profitability of a company did not qualify as a test of its merit (McCullough, 2018).

**The Great Recession of 2007-08**

The recession began in December 2007 and ended in June 2009. The years leading up to the 2008 crisis witnessed exorbitant rise in asset prices and associated boom in economic demand. The U.S. shadow banking system was not subject to stringent regulations, standing vulnerable to a bank run. US mortgage-backed securities offered higher yields than U.S. government bonds. Many of these securities were backed by subprime home mortgages, which collapsed when the bubble burst and homeowners began to default on their mortgage payments in large numbers.

The subprime loan losses in 2007 exposed other risky loans and inflated asset prices. With increasing loan losses and failure of the 150 year old Lehman Brothers on September 15, 2008, a major panic set in the interbank loan market resulting in huge losses, bankruptcies, and bailouts to well established banks across the United States and Europe. This resulted in a sharp drop in international trade, a steep rise in unemployment and a slump in commodity prices, setting off the Great Recession.

***What caused the recession?***

As the U.S. economy slowed in the early 2000s, the Federal Reserve cut

interest rates in a bid to activate the interest-sensitive sectors (Figure 1). Normally, a low interest rate increases corporate investment, but corporations had already invested remarkably during the tech bubble and had a meagre incentive to continue. Instead of corporate investment, low interest rates incentivized consumers to take housing loans.

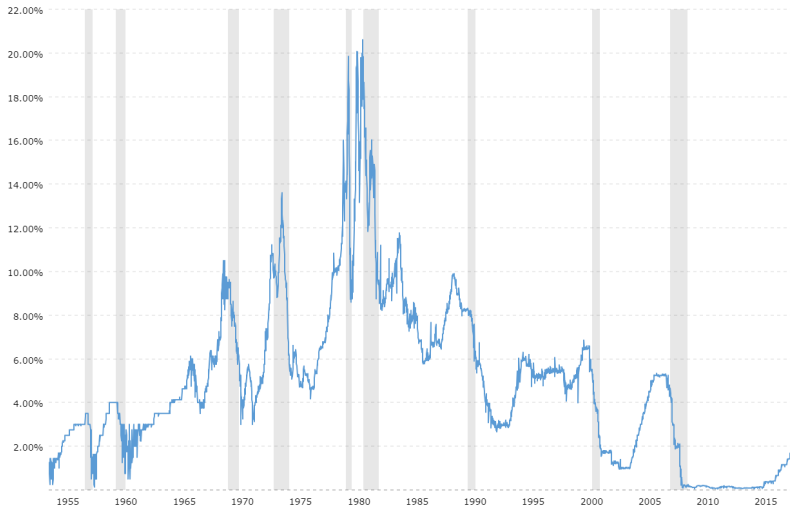


Figure 1: United States Interest Rate

Source: Federal Funds Rate - 62 Year Historical Chart. [macrotrends.net](https://www.macrotrends.net)

With low rates of interest, fulfilling the American Dream became easier than ever. This led to a huge increase in housing investment and house prices went up. A large part of the housing demand came from individuals with low credit ratings — the subprime borrowers. And rising house prices offered them the ability to continue refinancing low interest rate mortgages to prevent default. Borrowers withdrew their home equity to undertake consumption for leisure. Repaying loans was neither a priority nor a compulsion.

A sharp drop in long-term interest rates from 2000 to 2005, brought about by export-oriented growth in developing economies, especially China which through saving the dollars it was earning, in effect made money available for cheap loans. Rapid expansion of credit and sharp growth in house and other asset prices were indeed associated with large capital inflows in many countries before the 2007-08 financial crisis. Securitization dealt with investors' concerns. If the mortgage was packed with securities from other areas, diversification would reduce the risk. Moreover, the riskiest claims against the package could be sold to those who had the appetite, while the safest, AAA-rated parts could be sold to foreign investors seeking safety.

The Federal Reserve Chairman conceded that the low federal funds rate made it easier for borrowers to use adjustable-rate mortgages, thereby making them vulnerable to interest rate rise. When home prices fell and another bubble seemed inherent, the Federal Reserve increased interest rates. The monthly interest payments for subprime borrowers skyrocketed and as a result, they defaulted.

Once the housing market began to crash, and borrowers were unable to pay mortgages, banks were stuck with loan losses on their balance sheets. As unemployment rose, many borrowers defaulted or foreclosed on their mortgages. Since the economy was in a recession, banks could not resell the foreclosed houses for the same price at which it loaned out to the borrowers. Therefore, banks sustained massive losses, which led to tighter lending, which in turn led to low loan origination in the economy, thereby blocking consumer and corporate access to credit and lowering economic growth.

The global financial crisis of 2008-9 had its roots in more than two decades of growing complacency in wealthy nations, a complacency whose main financial manifestation was ever-growing leverage. Bankers and households alike piled on levels of debt that would have been sustainable only if nothing ever went wrong.

Once investors witnessed the Federal Reserve allowing Lehman Brothers to fail, it led to massive consequences and sell-offs. As investors increasingly pulled money out of banks and firms, those institutions began to fall. Although the subprime crisis began in the United States' housing market, the shockwaves led to the Great Recession.

### **The European Sovereign Debt Crisis**

A number of countries in the Eurozone – Greece in May 2010 and February 2012, Ireland in November 2010, Portugal in May 2011, Spain in July 2012 for its banks and Cyprus in May 2013 – have been taking emergency loans from the Eurozone, European Union governments, and the International Monetary Fund (IMF). With budget deficits mounting, these countries increasingly became unable to finance their deficits at the given interest rate on the market and therefore, faced the possibility of defaulting on their debts. In return for aid promised by the aforementioned, these countries were required to implement reforms called austerity measures in order to balance their budgets and sustain their economies.

#### ***What caused the crisis?***

The primary goal of European integration is to maintain peace and ensure

freedom and prosperity in Europe. A single currency for the European Union (EU) coerced euro members to abdicate control of monetary policy to the European Central Bank (ECB) which sets interest rates for the entire Eurozone. This was not balanced off with a fiscal policy regulatory body resulting in irresponsible use of government revenue by certain Eurozone countries like Greece.

The system of implicit guarantees to protect weak Eurozone countries together with an illusion of prosperity across the Eurozone meant that countries like Greece, that were earlier charged high interest rates than say Germany could now borrow more cheaply, which they did. Cheap foreign credit was used to finance consumption, an oversupply of housing and to implement irresponsible fiscal policies. This fueled a buildup of debt in certain countries and led to the belief in financial markets that every country in the Eurozone had the same risk of defaulting on their loans.

Some large countries, notably Germany, had low growth which led the ECB to set a relatively low interest rate hindering growing economies like Ireland and Spain and forming housing market bubbles there. Additionally, by abdicating monetary policy and currency, countries with high debts were unable to use measures such as allowing higher inflation to reduce debt, depreciating currency to increase exports, and buying own debt to prevent default through quantitative easing programmes to their aid.

### **Theory of Perceived Certainty**

During the build up to a financial crisis, economic actors perceive certainty towards key economic variables pertaining to the current economic scenario, which leads them into a false perception of positive developments in the economic system. The theory proposes that during the run up to a crisis, economic actors either disregard key variables as indicators of crises thereby disengaging them from the economy or collectively fail to recognize the warning levels of specific indicators because they are 'certain' of the positive status of the economy or the insignificance of the specific variables.

The said behavior is justified through Peter Wason's (1960) Theory of Confirmation Bias which brings to light the human tendency to search for, interpret, favor, and recall information in a manner that confirms or strengthens our existing personal beliefs (Plous, 1993). It implies that by neglecting a key economic variable and forming a belief without its consideration, economic actors are likely to search for, interpret, favor, and recall only the information which stands in tandem to their newly formed beliefs. Therefore, the specific economic variable is now likely to make an insignificant impact on the actions of economic actors.



Another significant amplifier to the ‘Perceived Certainty’ is the ‘Herd Behavior’ phenomenon. Mob psychology or hysteria is well established as an occasional deviation from rational behavior; in such situations, the action of each individual is rational—or would be—were it not for the fact that others are behaving in the same way. Herd Like behavior, although individually rational, produces group behavior that is, in a well-defined sense, irrational (Shiller, 2000). It implies that once formed and subsequently ascertained time and again through the confirmation bias, a belief is likely to spread through psychological contagion, amplified by the herd like behavior depicted especially in the financial markets, thereby leading to strongly ‘Perceived Certainty’ regarding health of the economy during the run up to a financial crisis.

This differs from *Irrational Exuberance* (Shiller, 2000) in that Irrational Exuberance refers to investor enthusiasm that does not take into consideration deviation from fundamental asset prices. *Perceived Certainty* has to do with a robust belief in the direction of certain economic variables and neglect of certain others.

A Perceived Certainty Variable is defined as the specific economic variable that is either neglected or deemed unsuitable for determining the health of the economy during the run up to a financial crisis.

A proportion of individuals may comprehend the warning levels of the specific indicators during the run up to a financial crisis. However, whether or not their recognition turns into effective action determines the occurrence of a financial crisis. Therefore, when referring to economic actors, this paper refers to corporations, governments, economic institutions, and authorities empowered to take action that significantly changes the course of the economy.

In the run up to the 2008 crisis, leverage ratio was the variable overlooked by economic actors as shown in figure 2.

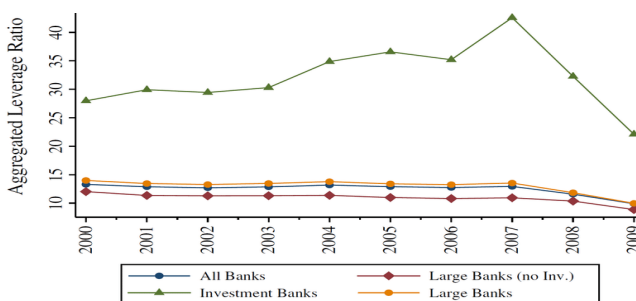


Figure 2: U.S. Banks' leverage ratio during the U.S. Great Recession

Source: Palombo Edoardo (2019)

In the run up to the 2000s recession, Price-Earnings (PE) ratio (calculated by dividing the market price of a share by the earnings per share) was the variable overlooked by economic actors. At the height of the Dot-com bubble, PE ratio had risen to 32 whereas the market average PE ranges between 20-25 and lower PE ratio may give a good investment opportunity. The collapse in earnings caused PE to rise to 46.50 in 2001. Perceived Certainty about the onset of a 'New Era' heightened by the leap into the 2000s led economic actors to overlook a traditional measure that depicted reality - PE ratio.

In the run up to the Sovereign Eurozone Debt Crisis, Debt to GDP (Gross Domestic Product) was the variable ignored by economic actors.

Debt to GDP of Greece in 2008 was 109.4% and that of Italy was 106.1%. Perceived Certainty regarding the strength of the European Union derived from Germany, UK, and other European Union (EU) countries stood testament (as perceived) to lenders of the credibility of Greece and Italy. It misled them into disregarding a traditional measure of credibility of governments - Debt to GDP.

Table 1 summarizes the perceived certainty variables for the recent financial crises occurring during 2000-2020. The table depicts how specific economic variables are neglected each time in the run up to a financial crisis.

Table 1:  
Perceived Certainty Variables for financial crises during 2000-2020.

Year	Crisis	Variable overlooked	What do they measure
2000s	Recession (Tech Bubble)	PE ratio	Ratio of share price to the earnings per share to estimate value.
2001	Turkish economic crisis	Budget Deficit	When expenses exceed revenue to indicate the financial health of a country.
2002	Uruguay banking crisis	Banking Regulation	A form of government regulation which subjects banks to certain requirements designed to create market transparency.
2007-09	World Financial Crisis	Leverage Ratio	The proportion of debts compared to equity/capital of a bank or firm.
2008-10	Auto crisis of US	Fuel Price	-
2008-12	Icelandic financial crisis	Foreign Debt	Total debt which the residents of a country owe to foreign creditors
2008-10	Irish banking crisis	External Debt	Portion of a country's debt borrowed from foreign commercial banks, governments, or international financial institutions.

2008	Latvian financial crisis	Interest Rate	The rate that lenders demand for the ability to borrow their money.
2009-10	Venezuelan banking crisis	Corruption	Misallocation of bank funds towards anonymous individuals
2008-16	Spanish financial crisis	Real Estate Prices	-
2009-19	European sovereign debt crisis	Debt to GDP ratio	A ratio indicating if an economy that produces and sells has sufficient funds to pay back debts without incurring further debt.
2014-17	Brazilian economic crisis	Share of External Demand	The extent to which entities create demand for export commodities.
2015	China stock market crash	Financial Regulation	-

## Conclusion

This paper argues that it is these pre-crisis times of uncertainty during which investors feel confident towards the direction of movement of a deterministic economic variable. This ‘Perceived Certainty’ propelled investment into highly inefficient dot com companies in the 2000s, into subprime mortgages in 2008, and into lending to bad credit countries in the Eurozone in 2009.

Contrary to classic causation of uncertainty and financial crashes, this paper argues that it is the ‘Perceived Certainty’ during the crucial time of buildup of a crisis that actually leads to the buildup of the crisis. Economic actors behave as though there is total certainty regarding key economic variables. This belief manifests in two primary outcomes: neglect of a key economic variable; disregard of the effectiveness of a key economic variable as a measure of the health of the economy.

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# EMERGING TRENDS IN MOBILIZATION OF FINANCIAL RESOURCES THROUGH EQUITY: ISSUES BY COMPANIES IN INDIA

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## **Abstract**

To understand the trend regarding any phenomenon, past information and “time-series” data are gathered. In this study, the chronological data relating to “amount of funds generated through public offers”, which includes Initial Public Offerings (IPOs) and Further Public Offerings (FPOs); and “the number of times” the companies resorted to this mechanism to garner funds in a particular year, has been analyzed. Public Offerings as mode of equity funding has been studied to understand its impact in current economic and business scenarios, and to make forecasts. The Method of Least Squares has been used to grasp the trend of equity issues made by Indian companies across sectors over a period of 31 years ranging from 1990 to 2021. The study is based on a secondary source of data. It has been taken from the PRIME database. The analysis has revealed that equity financing has been used as one of the important sources of long-term financing in India; and the financial resources raised through it has been continuously increasing. It indicates that in future also, this mode of financing may be relied upon by industries for collecting funds to complete long-term projects. However, the analysis demonstrates that the number of times the equity offerings made to collect funds; has been reduced over the period.

**Keywords:** *IPOs, FPOs, Stock Market, Equity, Financing, Trend*

## **Introduction**

Capital is an inevitable need for any business entity. The long-term need for funds may arise due to several factors, such as, to improve operating efficiency, to fulfill expansionary plans into related or unrelated fields, to launch a new product/project, to modernize the business, to shed off an existing costly debt, and to acquire a fixed asset.

Deeds, Decarolis, & Coombs (1997) established that the strategic decision of management affects the amount of funds raised through equity offerings. However, before collecting the required amount of funds for a longer time, a company must make a tough and intelligent decision to opt for a specific mode of funding for raising capital. It may go for debt or equity options or utilize retained earnings to fulfill its proposed goals. The choice of modes of funds is a function of numerous factors, like, reputation and past performance of the company; availability of time; required efforts; cost associated with a particular mode; present and prospective capital structure; expected return on proposed projects; and investors sentiments, among others. Companies generally prefer to go for equity source of funding as it is irredeemable during their lifetime, and associated service costs in terms of dividend are not fixed. Moreover, it may act as a cushion in times of financial crisis. On the other hand, investors also like to invest in equity to multiply their funds by way of earning dividend and appreciation in share price. Equity Public Offerings may be of two types i.e., IPOs, and FPOs.

In IPOs, a company offers its shares or common stock to the public for the first time in its life. This option is undertaken by smaller as well as large companies seeking capital for expansion and growth. It results in an increase in the equity base of the company along with inflow of fresh capital in business. In other words, IPOs are the maiden public issues made by a company either after its incorporation or on conversion from private to public company. The issuer company becomes public-listed on the recognized stock exchange and its shares are traded in the open market.

If the same listed companies make further issues of equity to meet their long-term demand of funds in the secondary market; it is called Follow-on Public Offerings or Further Public Offerings (FPOs). It may be classified as Dilutive or Non-Dilutive offerings.

In case of Dilutive offerings, the new shares are issued, and as a result, the total number of outstanding shares tends to increase; and Earning per Share is reduced or diluted. Furthermore, if these additional shares are offered to existing shareholders than the market for a given time period; it is referred to as Right Issue. In this type of issue, the present shareholders are offered the opportunity to subscribe these shares within specified time, generally, at discounted price in proportion to shares already held by them. This form of offer provides a chance to present members to increase their exposure or shareholding in the company on a preferential basis. However, they may exercise the right or renounce in favor of their nominees. After the expiry of specified time or on receiving the intimation of decline of the offer, such

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shares are offered to the public at large for subscription.

Non-diluted follow-on offerings are, generally, known as Offer for Sale (OFS). It was introduced for the convenience of listed companies to offload their holdings to abide by the requirement of minimum public shareholding. Basu, Jain & Singhal (2016) considered OFS as an effective tool to divest the shareholdings of promoters of listed companies. Later, the government used this route for divestment in public sector companies to mobilize more funds. In this process, existing shareholders, promoters, directors, and high net worth individuals offer shares to the public for sale which were issued to them previously. Anyone from the public must place a bid for buying shares. So, the funds are raised from the public, but sales proceeds of such offers are received or get deposited with existing shareholders who offered their holding for sale. The sale is made to take advantage of increased valuation of the company and to enjoy liquidity. Since, no new shares are issued by the companies, their earnings per share are not diluted; and capital structure remains unchanged. Only the pattern of shareholding gets affected. It is to be emphasized here that; OFS are made to garner public funds which are not available for meeting companies' growing financial needs.

The process of public offerings includes various steps. The issuer company deliberates upon the price and number of shares to be issued after taking into consideration various factors, such as, investors' sentiments, market share, valuation of company, governments' regulations, and business activity in the economy. The issue price of public offer is determined by management in consultation with merchant bankers and underwriters. To ascertain issue price, Fixed price method, or Book Building method may be followed. In the case of a fixed price method, the price at which the security is to be offered; is predetermined. But under the book building method which was introduced by the Securities Exchange Board (SEBI) in 1999, a price band is offered to investors. It helps in discovering the demand and price of its shares. According to Huang & Zhang (2022), this method is preferred by companies which surface uncertainty about demand of its shares in the market.

The issuer company nominates an investment banker as a book runner who files Red Herring Prospectus to SEBI; and takes care of all other regulations including listing of securities. SEBI scrutinizes all aspects related to the underlying issue; to safeguard the interest of investors; by detecting and prohibiting fraudulent practices. Once the approval is received by the company, it sets out for promotions, conferences, exhibitions, and road shows across states to attract prospective investors. It paves the way for collecting most-wanted large volumes of capital for future growth.



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## Review of Literature

Ansari (2012) presented a review of the Indian capital market along with an analysis of performance. Tigari and Aishwarya (2019) presented the conceptual framework of Indian capital markets; with a focus that the role of markets is to transfer the funds from the surplus sector of the economy to the one who can put it to best use.

Many studies relating to public offerings are focused on their pricing and related return on stock, such as, the studies conducted by Pandey & Pattanayak (2022), Patatoukas, Sloan, & Wang (2022), Xue, & Jiang (2021), Nielsson & Wójcik (2016), Sehgal, & Sinha (2013), Bayar & Chemmanur (2012), Derrien (2005), Ghosh (2004), and Teker & Ömer (2003).

Separate studies have been observed for Initial Public Offerings (IPOs), and Public Offerings or Further Public Offerings (FPOs) – Right issues and Offer for Sale (OFS).

Lester and Richard (2006) revealed that top management makes strong efforts to increase the legitimacy of the company before bringing its IPO in the market. Kipnetich, Kibet, Guyo, Kipkoskandey (2011) investigated various factors which determine pricing of IPO of firms listed on Nairobi Stock Exchange in Kenya. They identified main determinants of IPO pricing as investor sentiment, post-IPO ownership retention, firm size, board reputation, and age of the firm. Singh (2012) analyzed risk perception of investors for investment in IPOs and found that investment through IPOs is considered as moderately risky. Study revealed that promotion of upcoming IPOs plays an important role in building investor's sentiments. Kungu and Iraya (2017), and Manu and Saini (2020), explored that the pricing of IPOs are underpriced at initial stage. They term it as an equilibrium phenomenon. But with passage of time, stock prices embody every piece of information; and no one can make extra profits. They explored that 70 per cent of the IPOs under study were underpriced in the short run; and noticed that such movement is not influenced by the age of the company, size of the IPO issue, ownership pattern, and the promoter's holdings after the issue. Cameron and Morrison (2021) identified that the biotech companies raising equity funds through global markets; attracted huge investments in 2020, despite the widespread COVID-19 pandemic. Hansen (1988) found that underwriters play an important role in enhancing the value of a firm. Eckbo (2008) analyzed that right offerings were cost efficient for companies when the issue is subscribed by a large number of shareholders; and so, companies tend to underwrite the issue.

Cotterell (2011) highlighted that in South Africa, the stock market returns were

negatively associated with the announcement of the right issue. Malhotra et al. (2012) noticed the decline in liquidity across sectors after the announcement of the right issue. Miglani (2011) explored the positive relationship between the value of a firm and announcement of the right issue. Ogada and Kalunda (2017) found that market returns were significantly higher after the right issue than before. Kusuma & Yasa (2019) explored the positive reaction of the stock market towards the right issue, made by companies for the purpose of investment rather than to pay debts.

Basu, Jain, and Singhal (2016) examined that improper fixation of floor price of OFS may destroy the shareholder's wealth. Lin and Ahmad (2018) revealed that when promoters sell their holdings in the market through OFS route, the market does not welcome it as the motives behind such offers are not made public. Rashid and Rashid (2018) presented that the demand of shares of a firm is relatively less, which makes public offer only through OFS route rather than the firms which issue new shares through IPOs.

### **Objectives of the Study**

The objectives of the study are:

1. To analyze the trend of equity-based funding in Indian economy for growth and expansion of business activities; and
2. To study the frequency of equity issues as a source of finance by companies across sectors.

### **Statement of Problem**

Study is focused to inquire about the availability or possibility of long-term source of finance through equity issues in the capital market in India where companies across sectors aim to meet the requirement of funds for a longer period for the purposes like expansion and growth.

### **Hypothesis of Study**

The study is focused on following two hypotheses:

- Ho1: There is no change in quantum of money raised from equity issues annually over a period of time.  
HA1: There is an increasing trend in the quantum of money raised from equity issues annually over a period of time.
- Ho2: Mobilization of funds through equity issues is not a frequent mode of financing among companies across sectors.  
HA2: Mobilization of funds through equity issues is a frequent mode of financing among companies across sectors.

## Research Methodology

### Research Design

Method of Least Square has been used in the study to examine the trend of the amount of funds raised through equity issues. It is a mathematical tool to capture the trend of time-series data. The straight-line trend calculated by using this device is the line of “best fit” to approximate the data. The straight-line trend has the following type of equation:

$$Y_c = a + bX$$

where,

$Y_c$  is the estimated or calculated values of underlying trend;

$X$  represents the deviations taken from a selected and convenient time period; and ‘a’ and ‘b’ are parameters.

The values of these parameters are determined, to minimize the sum of squares of deviations of individual time-series observations from a corresponding estimated trend value. To accomplish this purpose, the following two normal equations are solved, where  $n$  represents the total number of observations:

$$\sum Y = na + b\sum X; \text{ and}$$

$$\sum XY = a\sum X + b\sum X^2$$

The obtained values of ‘a’ and ‘b’ are substituted in a straight line equation to estimate required trend values.

Since time has no magnitude but have the positional value, the calculations of trend values in the study have been made by taking middle year i.e., 2006 as the origin because it makes  $\sum X$  equal to zero; and calculations are convenient. For the purpose of analysis, the unit of time is defined as ‘one year’.

Two variables or two time-series observations have been analyzed which are represented by  $Y_1$  and  $Y_2$ . Here, the first variable i.e.,  $Y_1$  is the quantum of funds measured in crores of rupees through equity issues by companies; and the second variable i.e.,  $Y_2$  is the “number of times” an equity issue has been chosen as mode of finance by companies in a particular year. The trend values have been estimated for two identified variables separately as  $Y_{C1}$  and  $Y_{C2}$ . The calculations for the same have been shown in Table 1 and Table 3, respectively.

The simple regression analysis has also been applied to the data to examine

the statistical significance of underlying variables. The  $Y_1$  and  $Y_2$  have been taken as independent variables in separate regression models; and results have been presented in Table 2 and Table 4 respectively. The “time” or “Year” has been taken as a dependent variable.

### Period of Study

The study covers a period of 31 years from 1990 to 2021.

### Data Collection

This study is completely based on a secondary source of data. It has been taken up from the PRIME database. The time series observations relate to the total amount of funds raised annually in the economy by companies across sectors through equity issues via IPOs, and FPOs; and the number of times these issues have been made by companies collectively in each corresponding year.

### Sample Selection

The sample consists of all Indian companies across sectors which have raised funds from equity issues in a particular year; either through IPOs or FPOs.

### Analysis of Data and Research findings

The results obtained by using Least Square Method have been presented in Table 1 and Table 3. The analysis has been made separately; of two identified variables of study i.e.,  $Y_1$  and  $Y_2$ . These are as follows:

#### 1. Trends of quantum of funds generated via IPOs and FPOs

The trend values  $Y_{Cl}$  has been calculated for the observed value of  $Y_1$  i.e., quantum of funds raised by equity issues.

The equation of straight-line trends is :  $Y_{Cl} = a_1 + b_1X$ .

Table 1 depicts that the year 2006 has been taken as the base year. It has resulted into the value of  $\sum X$  as zero. Since  $\sum X = 0$ , the values of  $a_1$  and  $b_1$  are obtained as follow:

$$a_1 = \frac{\sum Y_1}{n} \text{ i.e. } \frac{4762471}{31} = 22957.94 \text{ and}$$

$$b_1 = \frac{\sum XY_1}{\sum X^2} = 1920.351$$

Hence, the equation of straight-line trend is:

$$Y_{Cl} = 22957.94 + 1920.35X$$

The average annual change in the number of resources garnered through equity issues is given by the slope of the straight-line trend i.e., 1920.35 crore rupees. Furthermore, the positive sign of  $b_1$  indicates the annual increase in the amount raised via equity issues every year i.e., rupees 1920 crore. The trend values for the years 1990 to 2021 are obtained by substituting the values of  $X$  in a straight line trend equation. These have been calculated in the second last column of Table 1. Similarly, the estimates for the funds to be generated for the year 2025 can be obtained by substituting the value of  $X$  equal to 19. So, the estimated amount of the funds to be raised in 2025 by companies through equity finance would be around 60,000 crores of rupees.

The statistical implication is attributed to the value of  $\sum(Y_t - Y_{IC})$  which is almost equal to zero, i.e., the sum of deviations of actual values of  $Y_t$  from the computed values of  $Y_{IC}$  as shown by the last column of Table 1. These results have been further verified by applying simple regression analysis by taking “time” as a dependent variable and “amount of funds raised” as independent variable. The findings have been presented in Table 2.

Table 1:  
Fitting Straight Line Trend to Amount of Funds Raised through Equity Issues

S.No.	Year t	Amount (Rs. cr) $Y_t$	$X = t - 2006$	$XY_t$	$X^2$	Trend Values $Y_{IC}$	Errors $Y_t - Y_{IC}$
1	1991	1450	-15	-21750	225	-5847.325	7297.325
2	1992	1400	-14	-19600	196	-3926.974	5326.974
3	1993	5651	-13	-73463	169	-2006.623	7657.623
4	1994	10821	-12	-129852	144	-86.272	10907.272
5	1995	12928	-11	-142208	121	1834.079	11093.921
6	1996	8723	-10	-87230	100	3754.43	4968.57
7	1997	4372	-9	-39348	81	5674.781	-1302.781
8	1998	1132	-8	-9056	64	7595.132	-6463.132
9	1999	504	-7	-3528	49	9515.483	-9011.483
10	2000	2975	-6	-17850	36	11435.834	-8460.834
11	2001	2380	-5	-11900	25	13356.185	-10976.185
12	2002	1082	-4	-4328	16	15276.536	-14194.536
13	2003	1039	-3	-3117	9	17196.887	-16157.887
14	2004	17807	-2	-35614	4	19117.238	-1310.238
15	2005	21432	-1	-21432	1	21037.589	394.411
16	2006	23676	0	0	0	22957.94	718.06
17	2007	24993	1	24993	1	24878.291	114.709
18	2008	52219	2	104438	4	26798.642	25420.358
19	2009	2034	3	6102	9	28718.993	-26684.993

20	2010	46941	4	187764	16	30639.344	16301.656
21	2011	46182	5	230910	25	32559.695	13622.305
22	2012	23982	6	143892	36	34480.046	-10498.046
23	2013	34313	7	240191	49	36400.397	-2087.397
24	2014	15234	8	121872	64	38320.748	-23086.748
25	2015	29716	9	267444	81	40241.099	-10525.099
26	2016	34322	10	343220	100	42161.45	-7839.45
27	2017	36615	11	402765	121	44081.801	-7466.801
28	2018	98984	12	1187808	144	46002.152	52981.848
29	2019	36405	13	473265	169	47922.503	-11517.503
30	2020	37677	14	527478	196	49842.854	-12165.854
31	2021	74707	15	1120605	225	51763.205	22943.795
	<b>n = 31</b>	$\sum Y_1 = 71$ <b>1,696</b>	$\sum X = 0$	$\sum XY_1 = 4762471$	$\sum X^2 = 2480$		$\sum (Y_1 - Y_{1c}) = -$ <b>0.14</b>

The indication of Table 2 about the statistically significance of t-value of  $Y_1$  at 1% level of significance supports these findings. The value of R-square is 55% and that of adjusted R-square is 53%. It implies that 53% of variation in the dependent variable i.e., amount raised through equity issues is caused by time.

Table 2:  
Results of Simple Regression Analysis

#### Dependent Variable – Year

	<b>Coefficients</b>	<b>Standard Error</b>	<b>t Stat</b>	<b>P-value</b>
Intercept	-7767.684	5914.632	-1.313	0.199
Amount of Funds Raised (Y1)	1920.351	322.670		0.000
R-square	0.5498	F-statistic*	35.4197	
Adjusted R-square	0.5343	Significance F	0.0000	

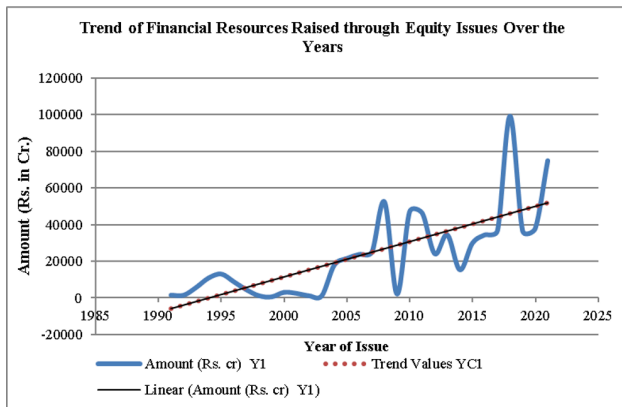
\*Significant at 1% level of significance

Similar trends are depicted in Figure 1. It is indicating to reject the first null hypothesis i.e., “there is no change in the quantum of money raised from equity issues annually over a period of time”. The fitted trend line is also emphasizing that an increased amount of funds may be mobilized by floating equity issues in future.

This trend throws light on the fact that the capital markets are quite active; and investors are confident enough to invest their funds in equities. There was a time before the seventies when the average Indian preferred to keep their savings in banks as a safe source of investment. But now the inclination

towards investment in equity is quite visible. Recently, many IPOs are witnessed as oversubscribed many times. It also reveals that the capital market is quite efficient and capable of fulfilling the long-term needs of industries. The positive sentiments and boosted confidence of investors can be attributed to various investor-friendly steps taken over the years, by the market regulator i.e., SEBI. To list a few, are automatic trading e-platforms, anonymous trading in equity, uniform cycle of settlement of stock market transactions on all stock exchanges, holding of shares in dematerialization form, and shortened trading cycles from T+5 to T+2. In addition to it, the enforcement of better corporate governance standards, like laws to protect Whistle-Blowers; strict vigilance on insider-trading; enhanced requirements of disclosure; appointment of independent directors; have also helped in enhancing transparency in working of companies. These steps have helped in strengthening the confidence of investors against any prospective fraudulent practice on the part of the company, and multiplied liquidity and trading volumes of funds. Further, the establishment of “Investor Education and Protection Fund”; and enforcement of “Insolvency and Bankruptcy Code of India” have been an instrument in boosting the awareness and trust of investors in the capital market.

It can be inferred from the discussion that the industries may focus and rely on the equity source of financing in times to come rather than mainly on loans from financial institutions or banks. SEBI is continuously making reforms in one form or the other to improve capital markets’ efficiency to make them competitive with international markets. From the viewpoint of investors, the popularity, availability, and recurrence of investment of funds in equity issues is expected to further increase in future times.



**Figure 1 (based on author’s computation)**

**2.Trend of number of times the equity issues floated in the market**

This head gives insight into frequency with which equity mode of funding is undertaken by the companies. The Method of Least Square has been used to analyze the underlying trend and results are presented in Table 2.

The trend values  $Y_{2C}$  has been estimated for the observed value of  $Y_2$  i.e., number of equity issues over the period of time. The equation formed to capture this trend is :

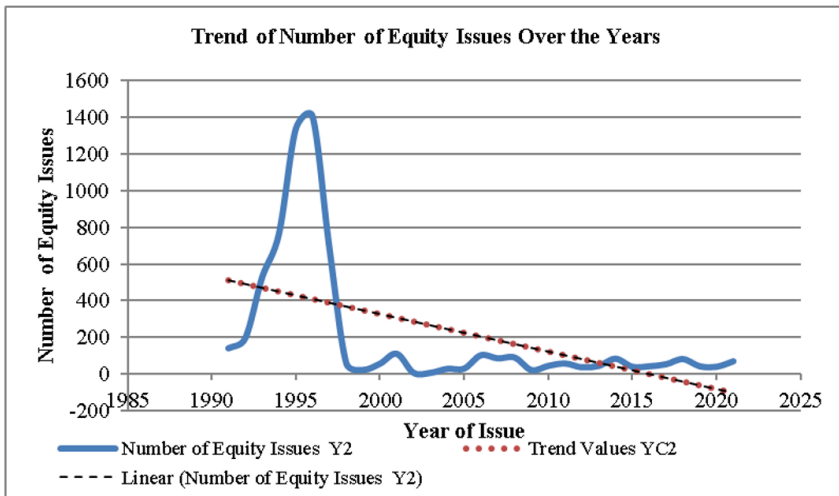
$$Y_{2C} = a_2 + b_2X.$$

The base year has been chosen as the year 2006 for the convenience of calculations. Table 2 reveals that the calculated value of  $\sum X$  as zero. Since  $\sum X = 0$ , the values of  $a_2$  and  $b_2$  are computed as follow:

$$a_2 = \frac{\sum Y_2}{n} \text{ i.e. } \frac{6289}{31} = 202.87 \text{ and}$$

$$b_2 = \frac{\sum XY_2}{\sum X^2} = -20.53$$

The slope of straight-line trend i.e.,  $b_2$  gives average yearly change in the number of equity issues made by companies which is 20.53. The negative sign of  $b_2$  implies that the number of equity issues per year is declining. This fact has been reflected by the trend values shown in the second last column of Table 3, which have been computed for the years 1990 to 2021. The value of  $\sum(Y_2 - Y_{2C})$  is zero which indicates the statistical significance of trend values. The similar trends have been shown in Figure 2.



**Figure 2 (based on author's computation)**



Table 3:  
Fitting Straight Line Trend to Number of Equity Issues

S.No.	Year t	Number of Equity Issues $Y_2$	$X=t-2006$	$XY_2$	$X^2$	Trend Values $Y_{2c}$	Errors $Y_2-Y_{2c}$
1	1991	140	-15	-2100	225	510.67	-370.67
2	1992	195	-14	-2730	196	490.15	-295.15
3	1993	526	-13	-6838	169	469.63	56.37
4	1994	764	-12	-9168	144	449.11	314.89
5	1995	1336	-11	-14696	121	428.59	907.41
6	1996	1402	-10	-14020	100	408.07	993.93
7	1997	684	-9	-6156	81	387.55	296.45
8	1998	58	-8	-464	64	367.03	-309.03
9	1999	22	-7	-154	49	346.51	-324.51
10	2000	56	-6	-336	36	325.99	-269.99
11	2001	110	-5	-550	25	305.47	-195.47
12	2002	6	-4	-24	16	284.95	-278.95
13	2003	6	-3	-18	9	264.43	-258.43
14	2004	28	-2	-56	4	243.91	-215.91
15	2005	29	-1	-29	1	223.39	-194.39
16	2006	102	0	0	0	202.87	-100.87
17	2007	85	1	85	1	182.35	-97.35
18	2008	90	2	180	4	161.83	-71.83
19	2009	21	3	63	9	141.31	-120.31
20	2010	44	4	176	16	120.79	-76.79
21	2011	57	5	285	25	100.27	-43.27
22	2012	36	6	216	36	79.75	-43.75
23	2013	44	7	308	49	59.23	-15.23
24	2014	83	8	664	64	38.71	44.29
25	2015	39	9	351	81	18.19	20.81
26	2016	42	10	420	100	-2.33	44.33
27	2017	53	11	583	121	-22.85	75.85
28	2018	81	12	972	144	-43.37	124.37
29	2019	42	13	546	169	-63.89	105.89
30	2020	39	14	546	196	-84.41	123.41
31	2021	69	15	1035	225	-104.93	173.93
	<b>n=31</b>	<b><math>\sum Y_2 = 6289</math></b>	<b><math>\sum X = 0</math></b>	<b><math>\sum XY_2 = -50909</math></b>	<b><math>\sum X^2 = 480</math></b>		<b><math>\sum (Y_2 - Y_{2c}) = 0.03</math></b>

These outcomes have indicated towards the acceptance of the second null hypothesis i.e., mobilization of funds through equity issues is not a frequent mode of financing among companies across sectors. Table 3 reveals that the maximum number of public issues i.e., 1402; were floated in 1996. After that, the number of issues declined to even single digit in 2002 and 2003 respectively.

The statistical significance of the independent variable, i.e., the number of equity issues, has been identified by applying simple regression analysis and results have been reported in Table 4. The *t*-value is significant at 1% level of significance.

Table- 4:  
Results of Simple Regression Analysis

Dependent Variable – Year				
	<i>Coefficients</i>	<i>Standard Error</i>	<i>t Stat</i>	<i>P-value</i>
Intercept	531.3161	116.3655	4.5659	0.0001
Number of Equity Issues (Y <sub>2</sub> )	-20.5278	6.3483	-3.2336*	0.0030
R-square	0.2650	F-statistic	10.4563*	
Adjusted R-square	0.2397	Significance F	0.0030	

\*Statistically Significant at 1% level of significance

The reason for this trend may be attributed to the associated costs accompanied with reforms made by SEBI in the capital market. The various benefits which accrued to companies due to reforms were enjoyed and welcomed; but related costs are not neglected but due considerations have been given to this aspect. Apart from that, a lot of effort and time is required to bring out an equity issue, such as, preparation, printing and filing of prospectus; making contracts with underwriters, solicitors and bankers; filing of required documents with SEBI; marketing of issue; and then allotment of shares. However, it has not wiped out the popularity of equity issues. This fact has been reflected in not only sizable funds collected from public issues, but also many noticeable oversubscribed issues.

## Conclusion

Equity issues have been an important source to fulfill long term financing needs of companies. Statistical evidence has established that the funds collected from this source are increasing every year. So, the preference of management for using this mode of funding over the years has been dominating the Board's room. It also indicates the willingness and perception of investors in favor of investment in equities. Even after the outbreak of covid-19, which led to decline in business activities; many IPOs have been witnessed as oversubscribed and registered a remarkable performance in terms of money collected. Many of them have been successful to list at a high premium to their issue price. These types of activities in financial markets have further strengthened the belief; that generation of financial resources through equities is a dependable and continuous source of long-term finance for industries to diversify and expand. However, huge amount of costs is to be borne

by companies in reaching to public or making a public offer, such as, preparation of legal documents and related payments and fee, underwriting commission, expenses relating to accounting and disclosure of information, expenditure on publicity of issue, and costs associated with human resource connected with IPO process. These costs have somewhat restricted the decision of companies to make public issues relatively at shorter time intervals than they used to happen in the mid-nineties. But still equity financing has gained attention as one of the important sources of long-term financing in India.

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# **SYMBOL OF POWER OR VICTIM OF PATRIARCHY? REVISITING THE FEMALE CHARACTERS FROM INDIAN MYTHOLOGY AND EPICS WITH SPECIAL REFERENCE TO “PANCH KANYA ”**

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## **Abstract**

Mythological stories are timeless and universal across all cultures. Interestingly, Mythology, since time immemorial, has played an important role in the construction of social norms and societal structure in India. Myths and legends, transmitted from generation to generation, on one hand, contributed to the continuity of culture, and on the other, became instruments of control by encouraging conformity to accepted social norms, often discouraging social deviance. Myth and legend have become a pervasive element in the consciousness of our society, often engendering proverbs and aphorisms. The grand narratives of Indian epics Ramayana and Mahabharatha are embedded in the collective consciousness of the Indians. The representation of women in Indian mythology is an interesting and equally important area of study because such representations are often used as a reference in our contemporary society; enforcing how women should behave in society. They also impact the social norms specially created towards women. These tales from epics form a popular part of entertainment in the world of films and television in India. A large number of stories in television and films are derived from popular mythological sources. Such adaptations are immensely popular among viewers.

It is also vital to study the manner in which women have been constructed in the cultural discourse at different times through mythological tales and how the representations have been affected by the changing times vis-a-vis with socio-historical contexts. It has also been observed that the misinterpretation of Indian mythology has tended to serve the purpose of patriarchy. Feminists

all over the world find the marginalisation of female characters and the dissemination of female stereotypes in the classical myths. In the Indian mythology the feminists question the grand narratives of patriarchy which impose masculine superiority over the women characters. To explore and understand women's present location in our society, it would be useful to explore the traditional cultural heritage most prominently embodied in myths and legends of Indian mythology because historical narratives of the past continue to affect contemporary consciousness in its conceptual constructs as well as social practices. This paper will be an attempt to study the representation of women in Indian mythology from a perspective of questioning the gender dichotomy established in patriarchal norms and their strong reflections in contemporary time.

**Keywords:** *Women, Mythology, Feminism, Social Construct, Norms, Patriarchy.*

## **Introduction**

Mythology is a collection of stories about legends, Gods and Goddesses of a particular religion and culture. The mythological stories are timeless and universal across cultures. Mythology has been playing an important role in the construction of social norms and social structure in India since time immemorial. Indian culture is deeply influenced by Indian Mythology. Myths and legends, transmitted from generation to generation, on one hand have contributed to the continuity of culture and on the other have become instruments of control by encouraging conformity to accepted social norms and often discouraging social deviance. Myth and legend from mythology has become a pervasive element in the consciousness of our society, often engendering proverbs and aphorisms. By connecting individuals to their social, collective past, they have the full potential to become vehicles for carrying awareness of the past into the future, and as such act as determinants of our present. The representation of women in mythology is an interesting and equally important area to study as such representations are looked up upon and often used as reference in our contemporary society even now to decide how an ideal woman should be and what role she must play in the society. Moreover, the social norms specially created towards women are influenced and enacted accordingly. It is vital to study how women were constructed in the cultural discourse of different times through mythological tales and how the representation got affected by the changing time with socio-historical context.

Indian mythology more than often has tended to serve the patriarchy, placing the woman at the lowest level of the social ladder, even below the lowest

caste - the shudras, as per the hierarchy of caste system in Indian society – Nari Narak Ka Duyaar, which literary means women are the doorway to hell! Yet it is equally interesting to see that women are also considered to be “Devi”, the ultimate deity of power and motherly protection. Feminists all over the world, who are vocal about the equal rights and dignity for women, right from Simone de Beauvoir to Betty Friedan to Judith Butler, Kate Millett and others, have always questioned the representation of female characters in texts, that re-enforce the ideas and feelings of patriarchy and male supremacy among readers. Contemporary female writers from India like Lalitha Kumari, and Chitra Banerjee Divakaruni, among others, question the marginalization of female characters and the dissemination of female stereotypes in the classical myths. In Indian mythology feminists question the grand narratives of patriarchy which impose masculine superiority over femininity. To explore and understand women’s present location in our society, it would be useful to explore the traditional cultural heritage most prominently embodied in myths and legends of Indian mythology as historical narratives of the past continue to affect contemporary consciousness in its conceptual constructs as well as social practices; for example, in the Vedas the prayers that were resonant in all directions were for being blessed with a son, “putram dehi,” an idea that is equally prevalent even today.

### **Purpose of Research**

Mythology and epics play a crucial role in shaping the customs of Indian society. Characters from Indian mythology are used as a point of reference to build up social norms to abide the lives of the common people. People feel a kind of cognition, resonance with these characters. Even now many television serials and films are being made in India based on themes from Indian mythologies, which are quite popular among the viewers. Therefore, it is important to study how women were portrayed in Indian mythological tales, as even now in our contemporary times people look up to these women characters to decide what should be the social status of a woman and what role she should be playing in the society.

### **Theoretical framework**

For this research paper, it is important to understand what the tendency of representation of women is in mythological texts and what can be the probable effects of such representation on readers, both psychologically and socially. Therefore, to conduct this research study, reference has been drawn from Feminist theory as all kinds of representation of women in texts come under close examination under this theory. The main aim of feminist theory is to understand gender inequality, the reasons behind this inequality and the social role of women. In order to understand how people engage with mythology,



and the cognitive approach, the model of cognitive poetics is essential. As Mittell explains: “According to this model, viewing (or reading of literature) is understood by drawing upon our knowledge of cognition and perception, and then positing how the formal elements in a text might be experienced by such a viewer—while viewers are not reduced to their mental mechanics, the insights of cognitive science informs how we imagine the possible ways that viewers engage with film or television”.

### Research Questions

1. What is the discourse of representation of women characters in Indian Mythologies and the two Indian epics?
2. What can be the effect of such representation on the status of women in contemporary society?
3. Is there any evolving new trend of countering such representation and retelling the mythologies from the female perspective?

### Research Methodology

To conduct the research and reach a conclusion, an empirical approach will be followed. Qualitative method of textual analysis will be followed to study the text and qualitative understanding will come through in-depth analysis of the female characters from Indian epics – case study will be done on the “Panch Kanya”.

### Representation of Women in Indian Mythology and Epics

The two epics of Indian origin – *Ramayana* and *Mahabharata* have been the source of inspiration and information for social construct for generations. In texts from Indian mythology there is a vast range in characterization and representation of female characters – strong, bold, educated to manipulative, scheming to meek, and a demure self. But in the tales one aspect remains constant, that the position of women is much inferior to that of men. One reason could be that these mythological tales are mostly written by men, be it in the patriarchal set up like Valmiki’s *Ramayana*, Vyasa’s *Mahabharata*, Kalidas’s *Abhigyan Sakuntala* and so on. More than often, women in these tales are left with little choice to make a decision which could be beneficial for them; rather, they have to sacrifice a lot to save their father, family and husband. For example, Gandhari from *Mahabharata*, who lived her life blind folded because she was married to the blind king Dhitarasta, did not do so willingly. She did it to save her father, family and kingdom from the Wrath of Bhisma, who would have destroyed her kingdom if she had refused to marry Dhitarasta.

The famous “*Panch kanya*,” from the two Indian epics of *Ramayana* and

*Mahabharata, are being taken as a case study, to consider the various aspects of the representation of female characters. "Panch kanya" is the name given to the group of five most popular and glorified women from the two Indian epics. Their names are so powerful and pious that it is considered that if their names are recited it shall eliminate any sort of sin. The women are Ahalya, Mandodari, Tara, Draupadi and Kunti. While Ahalya, Tara and Mandodari are from the epic Ramayana, Draupadi and Kunti are from Mahabharata. They are highly praised in the hymns.*

The unique yet common aspect of these women are that they are presented as ideal women and re dedicated wives; their chastity has always been highlighted as their power. These women are highly educated, bold, vocal about their dignity, yet often the victim of male dominance. They are all beautiful, and, mandatorily bear at least one son for their husband. By choice or by force they had association with more than one man and often the rule breakers of traditions in some cases. In our Hindu society even today their names are taken with respect and are often considered to be the image of what an ideal woman should be. *"ahalyā draupadī kunti tārā mandodarī tathā | pañcakanyāḥ smarennityaṁ mahāpātakanāśinīḥ"*

**Ahalya:** Ahalya, the wife of sage Gautama Maharishi, was known for her extraordinary beauty and it is interesting to note that she was placed in the care of Gautama after her birth, until she gained puberty and finally she was married to the elderly sage himself!

As per the legend, fascinated by her beauty, the king of Gods, Lord Indra, visits her in the disguise of Gautama, when the sage was away and goes for sexual intercourse. In some verses it is mentioned that though Ahalya could recognize him, his true identity still compiles out of curiosity. In some other versions however, it is mentioned that Ahalya falls prey to Indra's trickery or was raped by him. As per the narratives, Ahalya and Indra were cursed by Gautama, and the former becomes a stone. She is finally purified by Ram after severe penance, when Ram's feet touches her (Ram being an avatar of the god Vishnu). The point that gets highlighted through this narration is that a woman should always be loyal to her husband and the husband is empowered to punish the wife at any point of time, with or without any reason. Another point is that only a male God could turn up as a saviour. There is little choice left for any woman to take a call.

**Tara:** Tara was the Queen of Kishkindha and wife of monkey King Bali. They had a son named Angad. Tara had to marry Sugriv, Bali's brother, when Bali was presumed dead in a battle with a demon, as per norms and had no choice

in the matter. However, Bali, being alive, returns and accuses his brother of treachery, and sends him to exile. Sugriv in turn challenges Bali to a duel, which Tara wisely advises Bali not to accept because of Sugriv's alliance with Ram (Avatar of Lord Vishnu). But Bali does not listen to her and deceptively gets killed from Ram's arrow. While dying, Bali advises Sugriv to follow Tara's wise advice in all matters. Tara's lamentation formed an important part in many versions and as per most of the vernacular versions, Tara cast a curse on Ram by the power of her chastity. After Bali died, though Sugriv was at the throne, the real power was always in the hand of his chief queen Tara. Being the chief diplomat, Tara was known for her tactful nature and expert knowledge of diplomacy. Tara was highly educated and was a beauty with a brain.

Another important female character named Tara was the wife of Brihaspati, the guru of Devas and the god of planet Jupiter. According to the Puranas, as her husband used to spend most of his time solving the problems and dealing with the matters of Devas, she felt ignored by her husband. Chandra, the moon god, visited Brihaspati, saw Tara and was captivated by her beauty. A mutual attraction developed between them. Chandra kidnapped her and refused to return Tara. He even sought help from the Asuras to prevent her return. The Devas and Asura were about to fight a war, but Lord Brahma, the creator, stopped them and convinced Chandra to return Tara to Brihaspati. In some versions, Lord Shiva stopped the war. Tara mothered a child named Budh, through Chandra and also had a son named Kach through Brihaspati.

**Mandodari:** Mandodari was the Queen of Ravan, the king of Lanka. In Ramayan, she is described as beautiful, pious and righteous. Ravan, while visiting the house of Apsara Hema and Mayasura, the King of Asuras and father of Mandodari, falls in love with her and marries her. She had three sons with him: Meghanada (Indrajit), Atikaya and Akshayakumara. Mandodari always advised Ravan to follow the path of righteousness. Her love and loyalty to Ravan are praised in the Ramayan and she is considered to be a sati – the ultimate pious lady. In some versions, after the death of Ravan, in grief Mandodari curses Sita that Ram would abandon her, and she will also have to live a life of loneliness just like her. Sita herself is considered to be the greatest among the satis, she being the ultimate figure of love, loyalty, sacrifice and dedication towards her husband. Even now married women in India from Hindu backgrounds are supposed to follow the footsteps of Sita to become an ideal wife and daughter-in-law. She is considered as Maha Sati along with Anasuya, Sati, Damayanti and Savitri. The Panch Maha Sati had given enough tests defying even death for their husbands, sacrificed everything for their husband's well-being and they all were pious, meek and

totally devoted to a single man till their end. They never had a voice or life of their own, everything in their life was dedicated towards their husbands orders or wishes or choices.

**Draupadi:** The most famous, popular and powerful women character from *Mahabharata* is that of Draupadi. She was the common wife of the five Pandava brothers and the queen of Hastinapur. Born to Drupad, king of Panchala from a fire-sacrifice, Draupadi was headstrong and beautiful. In her swayamvara, Arjun, disguised as a Brahmin, wins her. Though in early versions it is mentioned that as per Krishna's advice she refused to marry Karna in the swayamvara on account of his low caste, but later, in many verses it is mentioned that she regretted this decision, especially when Yudhishtir used her in the game of dice. Draupadi was compelled to marry all the five brothers on the command of her mother-in-law Kunti, against her will. As per the agreement Draupadi always remained the chief consort of all the brothers and always the empress. She had a personal union with one pandava every year and bore them children. Draupadi mothers five sons from each of the Pandavas. In some later verses it has been mentioned that she also had daughters with the Pandavas. She had the blessing of regaining her virginity after every year. Now the point that can be noted over here is that while the men can have multiple wives and their chastity doesn't matter, a woman on the other hand, even if married to five men must regain her virginity every time before going to the other man, after having intimacy with one man. So is this a blessing or curse, rather an insult for a woman?

Treating her like his personal property, when the eldest Pandava Yudhishtir loses her to Kauravas in the game of dice, Dushasan tries to disrobe her in the royal court and none of her husbands tries to protect her. However it was the divine intervention of Krishna that saved her dignity by wrapping her with cloth infinite in length. She never forgets this insult and never lets her husbands also sit calmly until she gets her revenge. Time and again attempts were made to dishonor her, when she was in exile in the forest with her husbands. Every time she made it a point that she got her revenge as she made her husbands kill all those who tried to harass her. The killing of Kichaka, the brother-in-law of King Virata, in the 13th year of exile, when Draupadi and her husbands' spent a year incognito in Virata's court is a case in point. She had to serve as the maid of the queen also at this phase. After life in exile, her insult was finally avenged when the Kurukshetra war broke out between the Kauravas and Pandavas, in which all the Kauravas were killed, but in the process Draupadi also loses her father, brother and sons. When Draupadi and her husbands set off to walk to heaven, Draupadi falls in the middle for her sin of loving Arjun more than her other husbands. It was tragic to note that

she was left alone by her husbands once she fell. She never had a happy life ever – from being a princess to being a queen, she had to cover a long journey filled with pain but never played the victim card. She was a fighter, who stood against all the odds of her life bravely and boldly. She had five husbands, but still none to love, respect and protect her solely, it was rather always Krishna, her best friend who came for her rescue in times of need.

**Kunti:** Kunti, born to Yadava king Shurasena, was adopted by the childless king of Kuntal Kingdom, Kuntibhoja, and was the first Queen of Pandu, the king of Hastinapur. Sage Durvasa was pleased by her service and granted her a mantra by which she could summon a God and have a child. Though she was unmarried, she invites Sun-god Surya, out of curiosity to test the boon and she was granted a son by him - Karna, whom she had to abandon after his birth. In her swayamvara, Kunti chooses Pandu. When Pandu was cursed by a sage that union with a woman will result in his death, he abandons the kingdom and goes to spend his life in forest with his two wives. As being cursed Pandu couldn't go for a physical relationship with his wives, he requests Kunti to use Durvasa's boon and then Kunti mothers Yudhishtir from the god Yama, Bhim from Vayu, and Arjun, from Indra. Then she teaches the mantra to her co-wife Madri and she bears the twins Nakul and Sahadev, from Asvin Kumars. Madri commits sati on the same pyre with Pandu when Pandu dies while getting intimate with Madri, while Kunti returns to Hastinapur and takes care of the five Pandavas.

She was a very diplomatic and intelligent person, always ready to take a call. Her brain ruled her heart. Once when Kauravas, the cousins of Pandavas, tried to kill Kunti and her sons, they escaped. On her advice Bhim married demoness Hidimbi and begets a son, Ghatotkacha. It was Kunti who instructed the pandavas to share Draupadi among themselves as if she was the prize that Arjun had won in her swayambhara. Later she admitted that she took this decision because she did not want any rivalry among her sons as Draupadi was irresistible in all aspects and a jealousy may come among the brothers because of her. When Pandavas were sent to a total of thirteen years of exile, when defeated in a game of dice by the Kauravas, Kunti stayed in Vidura's refuge. When Kurukshetra war started between Pandavas and Kauravas, to save the lives of pandavas, Kunti reveals to Karna - then a Kaurava general - about being his mother, so that he doesn't kill any pandava brother. After the war, Kunti left for the forest with Gandhari and Dhitarashtra to spend the rest of her life in prayers. She was never weak in her life, while facing all the difficulties and was even a good manipulator at the times of need.

These “Panch Kanyas” are women from Indian epics who suffered the most in

their lives and who had to follow the dictates, norms and regulations prescribed in the patriarchal structure for women. The fact is that these characters were constructed and edited to suit the needs of a patriarchal society, keeping the women at a subjugated level. Each of them are portrayed as exceptionally beautiful to satisfy male gaze and suffer tragedies and are used by men but they never give up, rather fight on with life and society, they face challenges in their lives with dignity.

Myths are part of the lives of common people. According to Carl Jung, these myths are the expressions of the collective unconscious that constitutes memories and experiences shared by the human race. The primordial images that are the elementary structures of the collective unconscious form the archetypes. From the Jungian perspective, Literature is the expression of the author's collective unconscious but not merely the personal unconscious. Carl Jung believed that bringing unconscious things (the repressed memories) to the consciousness could build one's personality positively. He also observed that human psyche is androgynous. Hence he said, "The anima is a personification of all feminine tendencies in a man's psyche... In women, the compensating figure is of a masculine character and therefore can be termed animus". (Dr Winmayil, 2020). Simply speaking, animus (Yang within the Yin) is the archetypal image of the male in the female psyche. A positive expression of the anima (Yin within the Yang) includes sensitivity and empathy, capacity for loving relationships, a feeling for nature. The animus contains the personification of masculine tendencies such as strength of conviction, assertiveness, courage, strength, vitality, and a desire for achievement. The anima and animus seem to be the gender stereotypes yet the mythopoeic fictions humanize the animus within the female protagonists by activating its positive aspects. In the Jungian standpoint, feminine energies are passive and receptive whereas masculine are active and propelling.

## **Recent Development**

In our recent times much work is being done towards the retelling of mythological tales, with a new balanced gender perspective. This provides the marginalized characters in the narratives to speak up their version of stories and thereby dismantle the mainstream narrative and generate a discourse of their own. It is a story with mythological characters being recontextualised to the modern times yet depicting a faithful version of the epic.

For example Valmiki's Sita is known for her meek nature, sacrificing self, wisdom and chastity whereas Amish Tripathi's Sita emerges as a warrior of Mithila. Tripathi is a well-known writer of re-telling the Indian myths with contemporary sensibility. In his book *Sita: Warrior of Mithila'* , Tripathi

completely put a topsy-turvy story of the epic Ramayana in his mythopoeic fiction which introduced Sita as an orphan found and fostered by King Janak and his queen Sunaina as a brave masculine undaunted warrior. She learnt Nyayasastra and other Indian School of Philosophy to have good discretion and administration. She is good at martial arts in a way to lead a troop as chief. Tripathi points out, “Our epics are not one book, rather, a collection of books, written by different people at different times, and so sometimes values prevalent in that time are reflected in the portrayal of women characters.” He also adds “The further one goes back in time, the more one finds that women were strong feminists,... he articulates.” For instance, he shares, “Parvati (Shiva’s consort) is no pushover. She has a mind of her own; she takes her own decisions and follows them.” (Biswas, 2016).

Some authors in recent times have passionately taken up the cause of feminist revisionist of Indian mythology like Kavita Kané, Utkarsh Patel, Saiswaroopaa Iyer .

A tale about the apsara, Menaka, who was sent by Indra to stop sage Vishwamitra from achieving his spiritual goals, Kané wrote “Menaka’s Choice”. In a unique take Kané wrote about Menaka as a common woman who chooses to be a mother, and then depicts her anguish when she was forced to leave her child behind and return to the celestial realm. Then again, in her book *Lanka’s Princess*, Surpanakha, the widow sister of Ravan, is more than just a lustful demoness, eyeing Ram and hence whose nose was cut off by Lakshman. It actually builds upon the narrative of feminism, where it is being highlighted that women who are vocal about their desires and sexualities are always stamped as being evil by a patriarchal society like in India.

Based on the myth of Narakasura and Krishna, a new feminist voice has been raised by Saiswaroopaa Iyer, with her novel *Abhaya*, where Iyer refashioned Satyabhama’s character as *Abhaya* – which literally means the fearless one.

In Utkarsh Patel’s debut novel *Shakuntala: The Woman Wronged*, the heroin Shakuntala is not the poor little woman of Kalidasa’s play *Abhijñānaśākuntalam*, who goes to Dushyant begging him to remember her and give her a place in his life. Rather, here, the heroine dares to be loved, accepts the consequences bravely, and keeps her pride intact.

*Yagnaseni: the Story of Draupadi* by Pratibha Ray and Chitra Banerjee Divakaruni’s *The Palace of Illusions*, also about Draupadi, are an interesting retelling of the story of the epic *Mahabharata* from Draupadi’s perspective and how time and again she was wronged. Divakaruni’s heroine, even without

any hesitation or denial, unabashedly craves for the love of two extraordinarily powerful men – Karna and Krishna, none of them her husband. It showcases the inner desires of a woman, who is often neglected.

“Many of us don’t understand these stories completely and thus have a false assumption about these ladies. If you read up however, you will find that both Sati and Savitri were women who had their own minds and made their life choices independently without any pressure from their father or husband,” explains well-known writer Devdutt Pattanaik, (Srivastava, 2019), who has written many books deciphering the various Vedas, Puranas and other mythological tales, narrates many stories of female characters from Hindu mythology to illustrate how women back in the days were strong and independent.

Many strong female characters are often neglected and are not focused in tales from epics. Amba, who vows to be the reason of Viswa’s death; and Chitrangada, the warrior princess, who chooses to rule her kingdom like a king are two such examples. Chitrangada raised her son single handedly and was not so submissive, but instead the strong and vocal third wife of Arjun from *Mahabharata*.

*Naari shakti* or woman power has been given great importance in Indian culture. While the Adi Shakti, the Primordial One, has been portrayed as the Sacred Feminine, who gives birth to the whole world from her womb, Indian mythology does chronicle the existence of powerful women, who have been responsible both for great victory as well as the great downfall of mighty rulers and their legions, but not as much as is needed. More focus is always on the submissive ones.

## **Observation**

It is interesting to note that though the tales of “*Panch Kanya*” have been written in a patriarchal tone throughout, yet the five female characters were not at all weak or meek. They were victims of patriarchy or circumstances, yet they were all headstrong and most importantly educated and fighters in true sense. It is also interesting to note that to suit our patriarchal society’s needs their sacrifices are always highlighted and glorified but their revolts or protests are not! This is mainly because patriarchal society wants it’s women to be meek and submissive in nature and hence tries to draw such references from mythological texts.

In ancient India, the woman’s place in rituals was as important as the man’s. There was an arrangement that a man could not perform a ritual without his



wife, which made sure women had an equal place. A man could not receive blessings without his wife. A man could not go to heaven without his wife. A man could not attain salvation without his wife. As per narration even Ram had to build a statue of Sita before conducting a yagna because Sita was not present at that time as because she was sent to exile by Ram himself.

It cannot be denied that in Indian mythology, mostly those women are considered to be ideal who are submissive, obedient and faithful, follow their husband's orders blindly and worship their husbands as God. These women were described as if they have no existence apart from that of their husband. The mythological tales we are so used to hearing from our early age always resonate about strong male characters portraying the religious anecdotes of Hinduism. But how many of us can recall a portrayal of a strong female character not being the victim of patriarchy from those tales? Women characters were placed as either 'Good' or 'Evil' based on patriarchal parameters. They were either obedient mothers, wives, or vamps. But there is much more to the vulnerable characters, much depth. Some of them had a mind of their own, they were highly intelligent with sharp acumen and they trusted their sensibilities.

But the tables are finally turning now. The contemporary writers like Kane with deep feminist insight are creating a new feminine myth where there is no grievance for gender discrimination, as they are giving the much needed voice to the female characters. Now in these texts they are shown to be physically and mentally strong characters, bold decision makers, rather than the silent, fragile spectators. The juxtaposition of legendary narratives with their recent reconstructions in literature and other media adaptations are yielding fascinating results. This is evident in the form of rewriting tradition from the woman's point of view and often in her own voice, even though the texts may be getting written by male authors as well. Mythological heroines as sheroes are breaking the patriarchal narratives and creating a counter-myth or a female epic which is acceptable in the contemporary period and is expected to get naturalized in the forthcoming years. The process of new myth-making is necessitated as per the social, cultural and anthropological needs of the society. The myth when recreated adds eternity to the older version as well as the newer one so that unravels the underlying meaning of the grand narratives. It could break the dichotomies and stereotypes, opening up a way for an inclusive narrative with multi-linear threads which is essential for the growth of a society and its development.

## **Conclusion**

It is often correctly said that women are perhaps one of the most misunderstood

and misrepresented figures in the course of history. This stands particularly true in patriarchal societies, including their depiction in mythologies, where women are either completely ignored or mostly seen as carriers of men's community values – the flag bearers of chastity. The case is no different in Indian mythological tales – the main products being the *Ramayana* and the *Mahabharata*. Although not all the female characters from the mythologies succumbed to notions of patriarchy, there is always a male domination involved.

The original textual presentation of the "*Panch Kanya*" has been patriarchal throughout, yet with a hint of the characters being strong in one way or the other, fighting their way in the men's world. It will be very effective if these tales of the "*Panch Kanya*" are presented subtracting the patriarchal elements and highlighting the strong sides of the female characters; the tales being told from their perspectives, matching our contemporary needs. Time is changing, so is the social structure, so it's high time that a proper healthy spin is given to these tales of the "*Panch Kanya*". That will be healthy for society. Girls need to protest against any type of atrocities that are meant against them.

The Vedic texts are comparatively liberal in their presentation and portrayal of women. While a woman's authority in the family and the society was below that of a man in the Vedic ages, still she was an individual in her own right, could choose to remain unmarried, her chastity was not questioned randomly and she had the right to be educated. References to Brahmavadinis or female composers of the Vedic hymns, women of flesh and blood and not mythical figures, like Lopamudra, Gosha, Apala, Maitreyi, Gargi, Indrani, Mudgalini and Vishvara are present abound in ancient texts.. Other career options, apart from literary activities and household economy, also appeared to have been extended to women including teaching, music and dancing. Even women would choose martial pursuits and there is mention of female warriors like Shashiyasi, Vadhrimati, Vishpala, Danu and Sarama, taking active part in actual fighting in the battlefield.

However, in the *Ramayana*, women somehow begin to be regarded as the upholders of the male honour, submissive, meek, self-sacrificing, and obedient, having no individual identity of her own and also the reason behind crimes. While the depiction of the female characters from the *Mahabharata* was, to an extent, much diverse. Here the women were much stronger, bold and had their own voice and had the power to change the course of history.

*Manusmriti* holds an important place in the Brahmanic tradition. Manu, the author of *Manusmriti*, is often considered to be fanatical in his support for

the fourfold varna division of the Hindu society and subjugation of women. *Manusmriti* describes the role that should be performed by the four varnas in a Hindu society – The Brahmins, The Kshatriyas, The Vaishyas and The Shudras, Shudras being treated as the outcast. *Manusmriti* makes it clear that Shudras do not have the right to study the Vedas, nor do women. According to it, inter- caste marriages are a severely punishable offense. Women are not supposed to act independently. A woman's father takes care of her in her childhood; her husband takes care of her in her youth; and her son takes care of her in her old age. "*Manusmriti* has been single-handedly responsible for the derogatory position accorded to women in the post-*Vedic* period. The watertight dichotomization of the public and private sphere and the confinement of the women in the former has found its requisite justification in a text like *Manusmriti*. The ubiquitous presence of women in Hindu texts can never be overlooked." (Ghosh, Sreyashi, 2018). *Manusmriti* seems to have emphasized what a pure woman ought to be like. This normative approach of these texts, towards trying to describe the ideal woman, and the failure of women to do so, would lead to disgrace and downfall, actually highlights the patriarchal nature of the epics. This is bound to have a negative impact on the receivers of such texts, if they use these female characters for their reference in real life and accordingly figure out the position of women in the society.

The mythological tales have a great influence on the opinion building process among the common people in our country. So it is very important that the messages conveyed through the female characters from mythology should not be distorted or manipulated to fit the need of patriarchal society in India. There is often a tendency to even manipulated with the true character traits of female Goddesses, like for example it is often advised that a girl should be like Goddess Laxmi, very cool temperamental, beautiful, homely, bringing luck and food for the whole family, most importantly obedient to the husband, but as per Vedic description, she is actually very whimsical in nature and never tolerates any kind of insults and immediately leaves a place if she feels to be neglected and it actually takes a lot of dedication and efforts from her husband (Lord Vishnu) to please her.

The positive side is that now many counter tales are also being written, giving an alternative perspective to the tales and such retelling of the mythologies are going to have a positive effect on the society. It is important to change the mindset of the common people so that they think rationally before taking reference from a character from mythology in their real life. Proper, duly dignified and respectable status should be given to women in our society if the society wants to truly flourish in our contemporary time. If there has to be gender equality in our contemporary time, such must be presented in the

textual context as well, through proper portrayal of the female characters because text plays a vital role in shaping our mind and society.

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# ANIMAL DISCOURSE AS A METHODOLOGICAL TOOL FOR HISTORY WRITING : CASE STUDY OF HYECHO'S TRAVELOGUE<sup>1</sup>

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## **Abstract**

The travelogue of the 8th century Korean Buddhist traveller, Hyecho, provides important insights to the world of domesticated animals in the various regions of the Indian subcontinent. Such descriptive details, which this acute observer of the local animal wealth provides, is rarely encountered in the memoirs of more exemplary Chinese pilgrims, who on account of their better linguistic skills remained more concerned in providing details of the cities, its people, kings, religion and culture. A more contextualized study of the regions described in the text and their respective animal wealth could provide important linkage for the integrated study of the local ecology and economy. The early medieval western Deccan, as the text suggests, shows a greater dependence upon cattle pastoralism in the local economy. To some degrees, the apparent vagueness in the description of the texts can be resolved through a greater contextualization of the animal data provided. The latter also help in finding the routes followed by the traveller himself and understanding the world he encountered. The contextual analysis of the local animal data, through the study of this text, is forwarded as a workable methodological tool for the history writing.

**Keywords:** Hyecho, sheep, cattle, camel, elephant, travel route

Main purport of the paper lies in bringing animals as a methodological tool in the history writing. The history of animal-human relation is complex and can be studied from multiple perspectives. In the past few decades, the multivalent aspects of these relations have gained academic attention, to name a few, the history of European colonization of America and the war of independence have become much entangled with the history of mosquitos and Malaria<sup>2</sup>; the exchange of the Buddhist ideas and artifacts between the Himalayan regions

of Kinnaur and western Tibet has been much related with sheep herds and its pastoralists<sup>3</sup>, the economy of the medieval state of Marwar and the culture of Thar has been increasingly described in terms of the local animal wealth<sup>4</sup>, etc. Long histories of animals like elephants, lions, tigers, cheetah, rhinoceros, camels, etc have been written. Nevertheless, there has been a general neglect to analyze the data on animals appearing in one's primary sources, in favour of the historian's selective approach in digging out "important" facts and data, excluding the description of animals from the text as an information of particular concern. The following paper deals with the case study of an 8th century Chinese travelogue by a Korean Buddhist traveller, Hyecho, called the Memoir of the Pilgrimage to the Five Kingdoms of India, discovered by Pelliot at the famous Dun Huang caves in 1908. An attempt has been made through this case study to show that animal data provided in a text could provide some important answers to the questions concerning a historian, what it just requires is a greater receptivity towards the description of animals.

The records of the Chinese Buddhist pilgrims like Fahian, Sung Yun & Hui Sheng, Xuanzang and I-Ching (of the early fifth, early sixth, early seventh and late seventh century respectively) have been often studied for the rich information they provide on the cultural and political landscape of the regions they had visited. Hyecho's travelogue (henceforth, HYD) is often neglected in this regard, and a major reason for discrediting him is the apparent vagueness in his passages and very limited descriptions. For instance, the ruler of the land is never named but simply called king, the names of cities rarely appear, etc. Its English translators commented on the "clear gap between the literary attainments" of him and his preceding travellers, and a "lack of linguistic training".<sup>5</sup> However, what is completely neglected is his fascination for the domesticated animals of the various regions of the subcontinent, something clearly absent in writings of his predecessors.

The paper is roughly divided into two parts. The first part enumerates how the data on animals, which one encounters in this text, could be used as an important historical source for writing the history of the contemporary local economy and ecology of the regions discussed. This involves a case study of the data on domesticated animals which Hyecho provided for the region of Deccan. The second part enumerates how such data can also be used for a better understanding of the text and its author. This involves a careful usage of this data for marking the possible routes which the author followed during his long sojourn across the Indian subcontinent and its west. The two parts also divide his journey into two halves- his journey up to the deccan/south India in the first part and the succeeding journey in the second part.

### (a) Contextualizing the local animal wealth and economy from Hyecho's travelogue

The extant fragment of the text begins with the descriptions of two Buddhist pilgrim centres-Vaishali and the desolated city of Kushinagar, and then Varanasi. He informs that a stupa was built at the site where Buddha attained Nirvana at Kushinagar and was surrounded by deserted forests on all sides. He added that those on the pilgrimage were often wounded by *rhinoceros and tigers*.<sup>6</sup> The greater one-horned rhinoceros is known to have roamed the marshes of northern India—from Sindh to the Brahmaputra valley, as well as the Terai regions of Nepal and Sikkim. Shibani Bose pointed out that during the Gupta period the animal must have been sufficiently around to be encountered during hunts at least in the Ganga valley, but was not part of the popular art due to its infrequent encounters with humans.<sup>7</sup> It is interesting to think what could have instigated rhinoceros to attack the pilgrims as the animal is usually not known to attack humans. Nevertheless, this is for the first and the last time that he mentions the wild animals in his memoir. What subsequently follows is a vivid account of the domesticated animals in various terrains, including his first hand close observations which are sometimes very acute<sup>8</sup>, and at other times based on what he must have heard. The latter includes his description of the animals in the possession of the state and its army. Such descriptions continue throughout the text once he reaches to, what he calls, the “central region” of the country.

A major problem which the reader of this text encounters is the apparent vagueness of what constitutes the region which makes study of the ecological data for the economy of the region a complicated task and needs a greater contextualisation of the region discussed. There is clear distinction between the supra-regions which Hyecho ‘referred’ to and a small section of it which he actually observed and ‘described’. Regarding the “central region”, his zone of encounter and description would have been fairly limited to the region of Gangetic valley centred around Kannauj. He vividly described the might of its king, who like elsewhere in the record, remains unnamed. The “central region” could hardly be applied to our understanding of central India, as he mentions that the domestication of sheep, camels, mules, asses and pigs is not popular in this region.<sup>9</sup> Nevertheless, from the “central region”, he moves towards the “southern country” which itself is a problematic term as it could mean the whole of the peninsular lying, below of whatever constitutes his “central region”. His route also becomes quite murky as he moves Southwards.



He describes a South Indian king with vast territories and having a possession of eight hundred elephants. Donald Lopez Jr. has identified the kingdom described by Hyecho as that of Cālukyas.<sup>10</sup> The Cālukyas largely controlled the region of Deccan, which can help, partially, in delimiting the “southern country”. The memoir, thus, provides a literary record of the domesticated animal wealth of the Deccan. Several tracts of the Western Deccan have been traditionally the centres of pastoral activities. Pastoralism has very recently entered the field of history writing, and its proponents have often complained about its slow inclusion. In the semi-arid regions of the Western Deccan, agriculture could never replace pastoralism, which remained, historically, a major component of the economy. The Dhangars and Kurubas/Kuruvas have been the dominant shepherd pastoral communities of Maharashtra and Karnataka-Andhra Pradesh regions. Sontheimer and M.L.K Murty (1980) have worked on the prehistoric origins of sheep pastoralism amongst the Kurubas suggesting the strong sheep breeding tradition amongst the pastoralists of the region. However, Ajay Dandekar (1991, 2003) has pointed out that the Dhangars were once predominantly cattle pastoralists, who at some stage of history became largely Sheep pastoralists. Through his study of cattle-raid memorials of the Western Deccan, Dandekar has pointed at the role of cattle pastoralism (& not simply the agrarian expansion) in the emergence of the local states of the region.<sup>11</sup> This is not to neglect the role of early medieval sheep pastoralism, with sheep being the “cow of the poor”, but a predominance of the cattle herding in the region. His argument for the historical shift of local pastoralists from being the cattle herders to the shepherders was based on the dominant depiction of cattle in the early medieval memorial stones and the explorations of the folk legends. He could, however, not provide any literary records to corroborate above trends.

In this regard, Hyecho’s accounts of the domesticated animal of Deccan could provide some important support to the above mentioned trends. For the region of Central India, Hyecho makes clear remarks on the absence of sheep domestication amongst the common people and the great chiefs, except the king who possesses two to three thousand sheeps.<sup>12</sup> Unlike the region of Central India, Hyecho does recognize the practice of sheep domestication in the “southern country”. However, he remarks that *sheeps are fewer*.<sup>13</sup> Rather, he claims that major products of land are *water buffalo, yellow cattle*, elephants and cotton cloth. It hints towards the greater contribution of cattle towards the pastoral economy of Deccan in the early 8th century as compared to the sheep. This makes the diary of Hyecho an important text for study of the domesticated animal wealth in various regions of the subcontinent. This, at the same time, supports the argument which anthropologists have been forwarding in the past few decades. This is again not to neglect the role of agriculture

in the economy of the region discussed and even Dandekar acknowledged these concerns. Hyecho also comments on the staple food grains of the regions he described, including that of the “southern country”<sup>14</sup>, but it is the close observations on the domestic animals by the author which remains unprecedented.

### **(b) Tracing the Hyecho's travel route through the animal data**

From the “southern country”, Hyecho moved towards the “western country”. The territoriality of the western region again remains quite ambiguous in his accounts, as he opts out to list the exact places he visited and to describe the routes followed. Han-Sung Yang (& others), laid a “very tentative” route by drawing a straight line from Vallabhi in Gujarat to Jalandhar in Punjab, even though the text itself never mentions the city of Vallabhi. This projected route lies very much within the terrains of modern Rajasthan. Later, Lopez Jr. demarcated a very different and, what he calls, “known” route of the journey. This passes from Gujarat to Sindh, and then while passing through the western borders of modern Jaisalmer district and Punjab (Pakistan) reaches Jalandhar. This demarcated route was largely based on a description from the text that “currently, half the country (western region) is destroyed and ravaged by the invasions of the Arabs”, likely related to the Arab capture of the Sindh capital of Aror in 712 AD. However, the impact of Arab invasion was felt even in the Western and Southern Rajasthan and likely in the parts of modern Gujarat. This makes the territorial potential of the “western country” to a fairly large region, as Hyecho, himself, writes, “the land is very broad. To the west it reaches Western Sea”.<sup>15</sup>

Lopez Jr. identified the “western country” as the region of Sindh. This identification is possible as Hyecho gives passing reference to the existence of the both sects of Buddhism in this region, a claim which he makes for other regions of the subcontinent as well, where this religion was already declining. However, he does not provide any description of the Buddhist practices, patrons or monasteries of the region, which he did for the active Buddhist centres of North West India, like Xintou Guluo, Tamasavana, Nagaradhana, Kashmir, etc. This is surprising because Buddhism was quite popular amongst the urban sections and merchants of Sindh during the period, who would have actively patronized the monasteries and should not have missed his attention. Another problem with the identification as Sindh is the clear absence of the reference of camels in his list of the products of the western land, which one would expect to be mentioned if he actually passed through the desertified tracts of Jaisalmer-Sindh border. This is notable because the accounts of camels appeared regularly as he moved westwards of Punjab, from Xintou Guluo, Udyana, Kapisha, Tokharistan, Persia, Arab, greater Fu-lin, and so on. He

even remarked his surprise on the absence of camel domestication in central India. Camels were the dominant cattle wealth of the Sindh region in the 7th-8th century and this was also attested by Hyecho's predecessor, Xuanzang.<sup>16</sup> Camels would have never missed the acute attention of Hyecho, if he would have ever actually visited the region of Sindh, a recently devastated region which itself wouldn't have provided him much reason to visit. Moreover, it is also unlikely that he was referring to the arid Western Rajasthan, as the region is not known to have yielded any notable Buddhist traces.<sup>17</sup> Much of Buddhist archaeological remains of Rajasthan comes from the agrarian South Eastern and Eastern Rajasthan. The region around Chittorgarh in the south-eastern Rajasthan, particularly the site of Nagari, has yielded remains of early Buddhist occupations.<sup>18</sup>

Moreover, he refers to the West Indian king as possessing five to six hundred elephants. This number is relatively less if compared with eight-hundred elephants of the South Indian king and nine hundred elephants in the possession of a certain Central Indian king of Kanyakubja, whose great chiefs are remarked to themselves possess two to three hundred elephants each! Nevertheless, the total elephants under the possession of the western king still appears to be a decent number, in light of the local terrain. Trautmann has discussed the long history of an Asia-wide retreat of wild elephants. He informs that the Sanskrit texts, starting from Arthaśāstra of Kautilya, provide a recurrent "stock list" of eight elephant forests. Based on his map of these forests, it can be inferred that the Saurastra elephant-forest would have included portions of modern Gujarat, South and South-Eastern Rajasthan, and small portions of Western Madhya Pradesh. These texts, however, also indicate that the worst kind of elephants came from the Saurastra forest and the forest of the Indus basin, the two regions where wild elephants began to decline early and are now extinct.<sup>19</sup> The wild elephants must have significantly declined from the Western India during the 8th century, and whatever survived would not have been suitable to the local kings and chieftains of Western India. Hyecho lists elephants as one of the products of the western land, which must have resulted from his confusion of treating imported or traded elephants as the products of the land, a confusion regarding elephants he made for some other regions as well.<sup>20</sup> Rather, it appears that during the early medieval period, elephants were largely procured in Rajasthan either through the trade<sup>21</sup> or as the victories of war.<sup>22</sup>

The western king, therefore, appears to have been powerful enough to procure a decent number of elephants, though not strong enough to have successfully defended the Arab attacks. O'Brien has shown that the Bhatia chieftains of the Raimal region of Sindh, who had significant control over the arid terrains of

the western Rajasthan from around 8th-9th onwards, had a decent population of elephants in their control.<sup>23</sup> This is much before the process of state formation began in these arid terrains. It suggests that even the local chieftains, whose profits derived from the desert trade and successful utilization of animal wealth, could import a good number of elephants. The local chieftains of Western Rajasthan are not, of course, the candidate for Hyecho's description, for reasons discussed above. The more ideal candidates would then be the local chieftains of the south-eastern Rajasthan. Nandini Sinha has shown that the process of Guhila state formation began in south-east Rajasthan from the 7th century onward, with integration of local chiefs into emerging political structure and emergence of the ideological dimension of the state for the first time in the region. However, this region is not known to have been ravaged by Arabs, which makes them less likely candidates.<sup>24</sup>

It is therefore more likely that the portion of the western country, through which Hyecho passed and described, falls somewhere in the south of Rajasthan, the *Gurjaradesha*. This was half ravaged by the Arabs and also falls safely at a distance of three months from his next destination in Punjab, the city of Jalandhar. This place was earlier visited by Xuanzang as well. The Chavadas or the early Pratihar kings of Jalore-Bhinmal area in Southern Rajasthan seem to be the possible candidates of the power authority. Therefore, the western-country described by Hyecho must have been the broad region of western subcontinent upto the Arabian sea, but the region he actually encountered and described must have been only the *Gurjaradesha*. Rather than visiting Sindh and passing through western Rajasthan, he must have reached southern Rajasthan from the western Deccan and thereafter moved towards Jalandhar in Punjab, likely passing through the eastern Rajasthan.

From Jalandhar, he passed through Takshar/ Takka and reached a region called Xintou Guluo. Han-Sung Yang (& others) interpreted and translated the latter as Sindhu-kula. While they themselves didn't comment on the identity of the place, its interpretation as Sindh-Gujarat has been forwarded by some scholars. Lopez Jr., however, questions this interpretation<sup>25</sup> but indirectly hinted for a region near Kashmir<sup>26</sup>, without providing any alternative possible identification of Xintou Guluo. The place could, however, not be in Kashmir based on the journey he follows and the distance covered. More importantly, the description of the animals in his memoir is incompatible to its local ecology. Hyecho doesn't mention any animals for the region but camels. He describes land as having "many camels from which the people obtain milk and butter for the food". This data on the local animal could provide some more hints in locating the site or at least the region where the site could have belonged to, as the site must have a significant population of camels.

There is one possibility that the site could have been located in the Northern Cholistan desert, which is safe one-month westward travel from Takshar/ Takka. This is also compatible with the Hyecho statement that currently half of this land has been lost to the Arabs. Hyecho, then, describes the monastery of Tamasāvana, near the town of Cinābhukti on the west of the Beas River in northern Punjab. However, the memoir doesn't clarify whether he actually visited the monastery. Thereafter he reaches Kashmir in fifteen days.<sup>27</sup> This much travel time is possible if he counts fifteen days from Tamasāvana. This would then make Northern Cholistan a possible region where it would be located. This identification would, however, become unlikely if the travel days are not calculated from Tamasāvana. In that case, Xintou Guluo could be somewhere in the arid tracts of the Punjab province, which would need some more future investigations. This region also had a significantly large population of camels in the late 19th century, as evident from the table of the approximate distribution of domestic animals in six of the Indian provinces in 1882-83 as recorded in the Gazetteer of India.<sup>28</sup>

Therefore after reaching Jalandhar in Punjab, Hyecho must have turned westwards towards Takshar/ Takka, and then Xintou Guluo, which could have been located in the northern tip of Cholistan or in some portion of Punjab province and then later reached Kashmir. Thereafter reaching some portions of Tibet, he moved further westwards towards Gandhara, and later crossing Afghanistan and Persian, reached Arab. Each of the regions coming between were described in terms of the domesticated animals he encountered. This alternative reconstruction of the route followed by Hyecho, largely the portion of the memoir between Deccan and Kashmir, is largely based on a methodological approach in which animal data from the text is given a major importance.

### **Concluding notes**

The two segments of this paper used the animal data from the HYD for a better understanding of the texts, delimiting the vague regions and contextualizing the territories which author described, the demarking the route followed by the traveller- which differed significantly from the previous studies on his routes (at least regarding some portion), etc. All this was largely carried on the basis of the information on the domesticated animals which Hyecho had provided. Even if these identifications and interpretations proved to be misjudged at some juncture, the future writers analysing the text would have to look at the issues highlighted regarding the animal data for providing a better alternative for the route, identification of cities and delimiting the regions. The travelogue provided rich information for linking the local ecology and economy of the various regions discussed. In this regard, Hyecho provided

important literary corroboration to the claims of anthropologists on the dominance of cattle wealth in the early medieval western Deccan. The shift from predominantly cattle based pastoralism to a sheep based pastoralism in the Deccan or the retreat of elephants from the Saurashtra forests of the western part of the subcontinent testify to the long term changes in the local ecology and its components, which are often neglected for more tangible colonial era changes. As K.D. Morrison pointed, one needs to look at the “longer records of change” rather than just seeing changes (in this case regarding animals) as ‘colonial ecological watershed’. Texts like Hyecho’s travelogue, deeply entwined with natural world one encounters, can help in engaging with such longer records of change, though, to the best of my knowledge Hyecho’s travelogue was never analysed in this regard by scholars interested in the history of animal-human relationships.

The previous travellers like Xuanzang had sufficient command over the local Indian languages, which allowed them to provide more precise details on the various aspects of Indian society, culture and economy, through direct conversations. Hyecho’s limited skills in this regard made him a better observer and a naturalist. Thus, he provided much precise and extensive detail on the local animal wealth which his predecessors didn’t find relevant to record. Both parts, while somewhat different in contexts, claim one thing in common. That is to humbly bring the animals, the mute others, in the discourse of history writing and celebrating its huge academic potentials.

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## Notes

1. Memoir of the Pilgrimage to the Five kingdoms of India
2. McNeill (2010).
3. Singh (2003)
4. Choudhary (2021)

5. Han-Sung Yang (1984:20)
6. HCD:39-40
7. Bose (2014: 74)
8. For instance, he writes that most cows in the “central region” are white, and among ten thousand heads rarely there is one which is red or black. (HCD:41)
9. *ibid*:42
10. Lopez Jr. (2017:23-24)
11. He showed that it was in the semi-arid zones of western Deccan from where Yadav rulers probably came, patronized the erection of a large number of hero stones and patronized their principal temples, like Pandharpur. Dandekar (2003: 66-7, 84)
12. HCD:42
13. *ibid*:43
14. He mentions that they have rice fields but no sorghum or millet in the southern country. HCD 43
15. HCD:44
16. Xuanzang remained virtually silent on the domesticated animals of the subcontinent. However, he makes exceptional remarks on the animal wealth of Sindh, “it is suitable for the breeding of oxen, sheep, camels, mules, and other kinds of beasts. The camels are small in size and have only one hump”. (Siyuki: 271-272)
17. One of the minor exceptions could be *vedika* remains from Badrol, Bikaner. (Chaturvedi 2012:160)
18. *ibid*:158-9
19. See the first chapter of Trautmann (2015) for a general discussion on the retreat of elephants in the various regions of Asia.
20. Hyecho makes similar remarks for the region of Jalandhar (Punjab) and even Kashmir, which cannot be corroborated from other sources. This mistake appears again in accounts of Gandhara, where its Turkish king is said to have possessed (only) five elephants and countless Sheep and Horses. Despite this, the king is described as having generously donated to the Sangha, on the feast of the Wu-che assembly, whatever he likes, including horses and (surprisingly) elephants!
21. Elephant was one of the high value item traded at Ahar or early medieval Āghāṭapura in south eastern Rajasthan. (IA vol. 58; c.f. Chattopadhyaya 2012:106)
22. The Harsha record of 973 AD informs that the Cahamana ruler of Sikar acquired large quantities of spirit-rutted elephants from the enemies. (EI vol.2, p.127)
23. O’Brien 1996:49
24. The other known chieftains were the Maurya of the Upamala region

in eastern Rajasthan, who are known to have patronized some early 8th century temples. (EITA II:part 2, p. 275) The region, again, does not fit to the covered distance enumerated in his memoir, nor was it ravaged by Arabs.

25. He questions this on two grounds. For him, the western region represented Sindh, and therefore, he pointed out that it would have been unlikely for him to return. Secondly, the distance from Takshar to the Sindh would have taken more than a month's journey that he mentioned.
26. Hyecho describes XintouGuluo as the homeland of Samghabhadra (HCD:25). Lopez Jr argued that the latter was an important fifth-century Indian master of the Vaibhāṣika school, who is believed in traditional accounts to be born in Kashmir.
27. HCD:46
28. IA 1906:16

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# READING ‘MARGINS’—‘ENVIRONMENT’ AND WOMEN— IN THE COSMOPOLITAN “REPRESENTATIONAL SPACE” MAPPED IN VARANASI AND THE POISON OF LOVE

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## **Abstract**

In the aftermath of the failure of neoliberal globalisation (where capital takes the centre stage) to bring autonomy to ‘margins,’ there is a conspicuous presence of religion on the world stage in the twenty-first century. For marginalised women, a return to religion is seen as solace from their existential crises. So, what is needed today for the spiritual well being of the world is a hybrid space which is cosmopolitan and indigenous at the same time, and also religious and secular. The present paper maps the “spatial practices,” “representation of space” and “representational space” (spatial triad) of Henry Lefebvre (1974, 1991) within the real and imagined spaces of Varanasi and Vrindavan. With reference to the selected Malayalam novels, *Varanasi* and *The Poison of Love*. These places, with their traditional ritualistic space and eco-feminist futuristic space, could serve as cosmopolitan places of hope for the disenfranchised. This paper, while focusing on space, margins and religion, argues for the necessity of reconfiguring the postmodern religious places for the construction of new “representational spaces” and thereby to make religion relevant in a post-secular world.

**Keywords:** Margins, Environment, Women, Representational Space, Religion.

Marginality is becoming universal” (De Certeau, 1984, p. xvii) in an increasingly cosmopolitan world today as global power structures are unequally distributing the benefits of neoliberal globalisation while pushing many of the local societies into distress. In the past, the exclusions were, to a larger extent, restricted to peripheral geographies keeping the privileged at the centre. Whereas, today “even majorities feel like uprooted aliens in their own land” (Beck, 2006, p. 19). According to Walter D Mignolo (2011), “The ‘mar-

gins' are places, histories, and people who [. . .] were forced to deal with the encroachment of their [own] modernity" (p. 285) by the western colonial modernity. The drastic transformation of places that followed modernity resulting from enlightenment created unprecedented spatiality (the dialectics between space and society) and more unpleasant marginality in a cosmopolitan world. The philosophy of cosmopolitanism that was propagated by Kant in the post-enlightenment had hospitality and perpetual peace as its bedrock. But it has taken a multitude of forms, positive and negative in the later periods. The worst form of cosmopolitanism – neoliberal globalisation, in its mission of homogenising places and promoting consumerism ended up polluting (spatially and cognitively) the sacred places as well. In the aftermath of the failure of neoliberal globalisation to bring autonomy to 'margins,' particularly 'environment' and women, there is a conspicuous presence of religion on the world stage in the twenty-first century. "Throughout history religion itself has often been a globalising force. [It] has frequently been at the centre of resistance to imperialism, either through maintenance of cultural traditions in the face of colonial domination or through various revolutionary hybrid forms, which Lanternari identified as the 'religions of the oppressed'" (Beyer & Beaman, 2007, p. 338).

For marginalised women, becoming a woman is possible in a sacred place. "All becoming takes place in a space of affinity and in symbiosis with positive forces and dynamic relations of proximity . . . minorities can undergo the process of becoming only by disengaging themselves from a unitary identity as others (Braidotti, 2011, p. 30). So, marginalised women's return to Varanasi and Vrindavan – the religious places that harbour a symbiotic relationship between nature and culture – is seen as a homecoming for poor widows as well as educated cosmopolitan women. Understanding the role of religious space in the betterment of 'margins' would necessitate the preservation of its pristine environment.

The novels, *Varanasi* by M T Vasudevan Nair and *The Poison of Love* by K R Meera, which are based on the real religious places, Varanasi and Vrindavan have been brought into the analytical framework of this paper to contextualise the spatiality of 'margins' within the 'adjustable frame' of religion. Magdalena Mączyńska's idea about post-secular texts, which are to "be defined as narratives that openly question or destabilise the religious/secular dichotomy" (Lackey, 2019, p. 151) comes meaningful in these novels. As *terra* (material condition) embedded in the 'environment' of religious spaces contributes towards its sacrality, the ramification of the environmental degradation that has beset the planet can be addressed effectively within the purview of local religious places. The very fact of exploring the materiality of place will expose

it as a contested terrain with inclusion and exclusions. Thus, the analysis of place can uncover it as a world of promise and also a world of marginality. It can simultaneously re-imagine the place from a site of oppression into a site of resistance and hope. This paper puts forth the urgent need to preserve the 'environment,' particularly within the religious places to assist in the possible attenuation of pain that the space of faith can bring about in the distraught women.

Ecofeminists claim that environmental issues are feminist issues because it is always the women and children who disproportionately suffer the consequences of injustice emanating from environmental destruction. Mary Mellor in the essay "Gender and Environment" states that "the environmental consequences of modernising global structures as being disproportionately inflicted on women, indigenous communities...natural world [environment] and its non-human inhabitants" (Eaton & Lorentzen, 2003, p. 20). The textual content in *Ecofeminism & Globalization: Exploring Culture, Context and Religion* by Eaton & Lorentzen ascertains the potential of ecofeminism to expose and challenge the injustice inherent in the corporate mechanism of globalization. Socialist ecofeminists like Carolene Merchant (1992) and Vandana Shiva (2014) are of the opinion that it is not only environmental degradation but also the sexual division of labour that add to the impoverishment of women. To contain the spatiality of margins within ecofeminism, this study adopts Upamanyu Pablo Mukherjee's coinage, 'environment' rather than environment as generally used in ecofeminism. The word 'environment' acquires a multiplicity of meanings in a postcolonial world which "is the site of an intensified exploitation (and as ever, struggle against this exploitation) by a globalised ruling class" (Mukherjee, 2010, p. 6). In a postcolonial (neo-colonial) world the influence of capital has percolated into the cultural, material, political, and ecological realms. Therefore for Mukherjee "it is precisely this network of politics, culture, ecology, *physical space* and *non-human matter* that we should understand as 'environment'" (p. 13) (*italics mine*).

Space is considered as the fundamental aspect of the notion of lived reality. Henry Lefebvre's landmark book, *The Production of Space* (1974) puts forth the idea that it produces itself and is produced by an array of social processes and relations. This socio-spatial dialectics is what Edward Soja calls spatiality (1996, p.2). More often than not marginality focuses on the 'sociality' (society) and 'historicality' (time) and leaves out space where the real action takes place (*ibid*). The coming of spatiality into the discourses on marginality will no doubt expand the epistemic and ontological knowledge on the process of *social spatialization* (Rob Shields) associated with 'margins'. Lefebvre's contribution of 'spatial triad' in *The Production of Space*, explains how so-

cial space is formed from absolute space. The spatial triad is the three ways of thinking about a space that acts together back-and-forth to produce that space. Absolute space is made up of fragments of nature located at sites that are chosen for their intrinsic qualities such as rivers, mountains, caves etc. These are the spaces where rites and ceremonies are performed as in the case of religious places which are the officially “conceived space” or “representation of space” (second space in a spatial triad). This is the space conceived by planners and map makers who are concerned with the physical properties of a location. But in social production and reproduction, these spaces lose their uniqueness. Not that absolute space disappears in the process; rather it survives as the bedrock of historical space and the basis of representational spaces (religious, magical and political symbolism) (p. 48). Neoliberal capitalism has turned absolute space into abstract space - space for commodity, as seen in the new “spatial practices” or “perceived space” (first space of spatial triad). The “spatial practice” of a society secretes that space (p. 38). The “perceived space” is presented before an individual through visual images that influence their perception. The inevitability of imagining a new differential space, a “representational space” (third space in the triad) or a “lived space” (along with perceived and conceived space) arises, as a certain section of the population uses the conventional spaces for different purposes. A city space carries different meanings for different people. Religious places are not exempted from this. Thus space within a religious place is also contested like a city space.

The cosmopolitan religious place in the present post-secular times (secular and religious at the same time) contains “representational space” where diverse pilgrims use the space differently. Therefore what is needed today for the spiritual wellbeing of the world is a hybrid space – cosmopolitan and indigenous at the same time and also religious and secular simultaneously. As Michael Kaufmann says:

*[s]ince the secular and religious depend on each other for meaning, they must always be present at the same time... each concept is meaningless in isolation... What we term conclusively secular might in another moment or another context suddenly appear religiously significant. In other words, our sense of religion is an adjustable frame. (Lackey, 2019, p.152)*

Realizing the inefficacy of, firstly the traditional religion and later neoliberal globalization as a panacea for the ills of the world, this study brings attention back to religion within the matrix of ‘environment’ which embody eco-spirituality and feminism to chart out maps to make religious places relevant more than ever before. Aruna Gnanadason’s proposition is relevant here. She says that women call for religion with “a wholistic eco-spiritual vision based on

care and nurture of the earth and of all those people who have been denied the right to personhood and human dignity" (Parsons, 2002, p. 37).

For ages, the "representation of space" pertaining to the city of Varanasi (also known as Banaras or Kashi) has been projected through the Viswanatha temple, many other temples and ritual sites that are situated on the bank of the Ganga river. "There were places assigned to the nine planets and to Ganapathi, Parvathi, Radha and Krishna" (p. 22), writes M T Vasudevan Nair (2017). The ritual geography of "Kashi Kshetra" (sacred space) was anchored on the 'linga' of the Hindu deity, Shiva. Shivalinga is a sacred symbol in the Hindu religion. Nair (2017) mentions this in the text, "The Jyotirlinga is a shaft of light that pierces the earth and reaches beyond the sky. The universe and nature are immanent in it. It is not just a sexual symbol" (p.154). The ritualistic landscape of the eternal Kashi consists of a number of ghats such as Dashashwamedh Ghat, Manikarnika Ghat, Tulsi Ghat and Panchananghat. "The spatial practices" imagined and represented by M T in the course of narration, take the readers through these ghats in a realistic manner. A few excerpts from the text will prove it right:

*Look, that is Asi and this side is Varuna. The place between Varuna and Asi is Varanasi. Here the Ganga flows from the South to the North. He went up the steps and walked along the lane. The lane would take him to the top of Manikarnika Ghat. If he walked a little more he would reach the Viswanath temple...At Manikarnika, he saw three bodies being cremated. A fourth one had just arrived and preparations were on. They carried the body on a bamboo stretcher and dipped it in the holy water. They brought it to the shore and placed it on the ground. There were four people participating in the rights. Must be sons of the dead man. Some workers had started stacking the firewood for the pyre. (pp. 48-50).*

Vrindavan (or Brindavan) is another spiritual capital of contemporary India that is located on the bank of the river, Yamuna. The meaning of Vrindavan is the forest of Vrinda (Tulsi or Basil). This is the place where Lord Krishna, the Hindu god is believed to have spent his younger days. Vrindavan has, for a long time, been associated with women as well, particularly widows. Like Varanasi, Vrindavan also has Ghats and many temples. K R Meera (2018) marks her fictional space mainly with the spatiality of Maighar where the widows are housed. The representation of its urban religious landscape traverses through Govind Dev temple, SevaKunj, Ranganath temple and Rangji temple. A pattern of the spatial practice at Vrindavan is shown here:

*The bells at Rangji temple rang out then, snapping me out of my reverie, and ushering in the three o'clock rituals. I went to the Yamuna to wash the soiled cloths. A sanyasi dozed on the rocks, dazed with marijuana...I stepped into the waters. The*

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*black waves slithered and coiled sinuously around my feet. (p. 40)*

The words – ‘black waves’ and ‘coiled sinuously’ in the last line signal the Anthropocene in which we are trapped where the number of margins is skyrocketing.

There is a sea change in the real and imagined geography and historiography of these places available in various discourses. The religious urban environments of these places raise many questions on their significance in cosmopolitan India today. In the twenty-first century, the represented historiography of Varanasi rests on the Ganga purification project (Nirmal Ganga) and of Vrindavan on the ‘save our heritage Ghats’ campaign, that have aimed at rejuvenating the spiritual and spatial experience in these places for which they have known for ages. However, that is not enough, since these places are also the destinations for many of the cosmopolitan women who are in search of a space where they can belong. Therefore, an attempt has been made to read the selected fictional narratives based on Varanasi and Vrindavan through the prism of spatiality and gender. Contextualising this paper within the post-secular religion is done with the pure and clear purpose of subverting the conventional idea attached to these religious places is no longer tenable. The alternative imagination of religious places as social space helps in reconfiguring them as secular places. Henri Lefebvre’s “representational space” which is identical to Edward Soja’s “Thirdspace” or “real-and-imagined space” is ideal for conceiving religious spaces as radical spaces for performing eco-politics and gender politics. This reconstruction of floating signifiers to choose from, when it comes to places like Varanasi and Vrindavan, could be called “a symbolic revolution” (borrowed from Pierre Bourdieu’s book’s title, *Manet: A symbolic revolution*) especially when it comes to the empowerment of women and preservation of the environment.

The novel, *Varanasi* originally written in Malayalam and translated into English by N Gopalakrishnan is a non-linear narrative delineating the lived reality of Varanasi, the oldest living city in the world, which is also an iconic Hindu religious centre. It is known for its heterogeneity where death meets rebirth; sacred meets profane; love meets lust. The protagonist, Sudhakaran comes to the home of lord Bhaironath who is believed “to wipe out all fears and anxieties of the material world. The sins of several births are cleansed by a single vision of the deity” (Nair, 2003, p. 22). He leads a promiscuous life before coming finally to Kashi which is considered as the space of salvation with respect to the Hindu religion. He gets into a transient relationship with many women including a foreigner out of his burning lust. Among them, Sumita Nagapal is the woman whom he meets in Varanasi but she leaves him

after a short period. The novel ends when the wayward modern man returns to tradition while agreeing to perform *atmapindom* as he does not have any progeny to conduct the posthumous rites.

In the religious and material culture of Varanasi, the Ganges imparts the *terra* (material condition) that gives sacredness to Varanasi by purging people of their sins. Whereas this symbol of purity stands more polluted than the deviants who visit there. What Sudhakaran witnesses when he is about to take a dip in the Ganga was alarming. Nair (2003) writes:

*He saw the carcass of a cow lying motionless, right on the edges of water. He had heard that half-burnt human bodies were often dumped into the river. Bodies of people who died of smallpox used to be taken to the deep midst of the river and weighted by heavy stones sunk there. (p.24)*

Varanasi, the mythical 'city of light' which is known as the place for salvation for Hindus was in the news for the wrong reasons, during the peak of the Covid-19 pandemic. The sight of a large number of dead bodies floating on the river Ganges was received by the people in the country with unease and horror. The postmodern experience of callousness and emptiness will strip Varanasi of its significance and leave the wo/men who are in search of their soul in a state of schizophrenia.

For an individual like Sudhakaran religion is not about God. Nowhere in the novel does Nair mention Sudhakaran praying in front of the deity, Kashi Vishwanath. Religion is considered as "confluences of organic-cultural flows that intensify joy and confront suffering by drawing on human and superhuman forces to make homes and cross boundaries" (Oldmeadow, 2010, p. 54). In *Religion Without God*, Ronald Dworkin (2013) says that "religion is deeper than god. Religion is a deep, distinct, and comprehensive worldview... A belief in a god is only one possible manifestation or consequence of that deeper worldview" (p. 1). He draws on Albert Einstein and Spinoza. Einstein was an atheist but he was a deeply religious man. He says:

*To know that what is impenetrable to us really exists, manifesting itself as the highest wisdom and the most radiant beauty which our dull faculties can comprehend only in their most primitive forms—[which I would see in panchabhootha] this knowledge, this feeling, is at the centre of true religiousness. In this sense, and in this sense only, I belong in the ranks of devoutly religious men. (p. 3) (italics mine)*

And "for Spinoza, God was another name for Nature" (p. 38). The conceptual similarity in the ideas of the aforementioned scholars undergirds the connect-



edness of Nature (environment), religion and human life. Arne Naess' Deep ecology that states the intrinsic value of nature corroborates this reality without a doubt. The presence of Ganges water, fire burning in the pyre and other non-human elements are what make Varanasi inviting for the soul-searchers like Sudhakaran.

The fluidity of the concept of religion is important for eco-spirituality where religious space provides a suitable backdrop to develop this planet-saving consciousness to its fullest. It is also important for another reason. Many of the people (here the focus is on women) who visit these religious places are not keen or not in a physical or mental makeup to follow the rituals in the shrine. Sumita Nagapal, a cosmopolitan woman who is writing a book on Varanasi, visits the place many times. For her, it is a second home after being ditched by her lover. She follows her cosmopolitan lifestyle – drinking, smoking and having casual sex, even in Varanasi. As with Sudhakaran, it is the river of lights that lifts her spirit and not the deity. During her conversation with others, it is understood that she visits the temple to gather data for her upcoming book. Here, Varanasi and the river Ganges partake in the becoming of writer Sumita. "Others" are the integral element of one's successive becoming as put forth by Rose Braidotti in her Nomadic theory. It will work as a tool in the 'becoming' of marginalised Sumita in the 'space of faith'. This is because the minority is the dynamic or intensive principle of change in nomadic theory. The minorities – widows ostracised from their communities, women with failed love or marriage – in the process of becoming, have to disconnect themselves from the identity imposed by patriarchal religion to reassert as political subjects. "It is an act of self-legitimation whereby the "she-self" blends her ontological desire to be, with the conscious willful becoming of a collective political movement... The notion of the community is, therefore, central" (Braidotti, 1994, p. 200). This shows the importance of having to break down the secular/religious binary and nurture hybrid humanist spaces.

Sumita and Sudhakaran become close, though physically, and spend their evenings on the Dashashwamedh, on the bank of the Ganges. Sumita's betrothed groom, Salil who has a doctorate in Astrophysics had left her and married another woman. Her wounded heart was roaring silently in anger. For Sumita, the river is a fellow being, carrying the same emotion as her. "They stood above the Dasaswamedh Ghat listening to the suppressed roar of the river flowing in full flood" (Nair, 2013, p.74). It is the river and the crowded city (where nobody gets noticed) that beckons Sumita back apart from her writing assignment. She is a "rooted cosmopolitan" (Antony Appiah) attached to the fundamental elements at Varanasi while leading a nomad's life. In Nomadic theory, Rose Braidotti says:

*The singularity of this nomadic, floating subjectivity rests on the spatiotemporal coordinates that make it possible for him/her to coincide with nothing more than the degrees, levels, expansion, and extension of the head-on rush of the "outside" folding inward. What is mobilised is one's capacity to feel, sense, process, and sustain the impact with the complex materiality of the outside. (p. 152)*

The cosmopolitan woman, Sumita is engulfed in grief and shame because of her unrequited love.

The protagonist of the second text, Tulsi's story is also on a similar line. The novella, *The Poison of Love* by K R Meera (2017) is the English translation of her Malayalam work *Meera Sadhu*. The non-linear story follows Tulsi, an IIT graduate, on her journey from domestic space to the public space of Vrindavan after her unsuccessful married life with Madhav, a journalist. In this book, K R Meera shows how religious, domestic and political violence leave deep marks on the body and soul of women. Tulsi, the cuckquean adopts the life of a widow (Meera Sadhu) in Vrindavan to avenge the abusive relationship she had with her husband, within the patriarchal trap called home. She becomes a member of the community of Meeramaais and Radhamaais who are destined to live in the service of God but in a very dismal living condition. In the absence of financial independence (she did not pick up a job at the behest of her husband), Tulsi is devastated when she comes to know about the illicit relationships her hedonistic husband pursued without remorse. Being the financial supporter of the family, he enjoys authority at home. This overvaluation of material production done by men and the undervaluation of reproduction performed by women is criticised by socialist ecofeminists like Carolyn Merchant and Vandana Shiva. When ditched by her husband, she finds her second home in Vrindavan in the hope that 'Lord Krishna's playground would help her reclaim the lost subjectivity. She completely detaches herself from the maternal role that had always tied her down in the domestic space.

Religion is expected to consider a woman in her own right and not as a means of reproduction as propagated by the patriarchal society. Thus sacred spaces can become the vehicle of pleasure for women which Luce Irigaray says is not restricted to the sexual organ. Irigaray uses '*jouissance*' which according to her is the varied forms of pleasure a woman's sensuously responsive body can experience. She says: "The whole of my body is sexuate [sexed]. My sexuality isn't restricted to my sex [sexual organs] and to the sexual act in the narrow sense" (Joy M., 2013, p.11). These women bring joy to themselves and peace in the world by being interconnected with non-human elements such as rivers, trees, fire, sky etc. present in places like Vrindavan. Women

like Tulsican become “divine women” in the sense perpetuated by Irigaray by achieving “perfection of their subjectivity” (p. 25). The women in Vrindavan are of different types: Widows, aged, spinster, wives etc. But all are widowed in the gaze of the outsider as they are in Vrindavan. The presence of non-widowed women in the novel challenges the identification of Vrindavan with widows. Nonetheless, the myth of Vrindavan’s widows is crucial to the saga of Vrindavan.

It is the “sacred rage” experienced by Tulsi that speeds up her homecoming to the cosmic space of Vrindavan. According to Nicole Hemmer, sacred rage is the feminine key to transformation. “Sacred Rage is what will move us out of disillusionment, and birth us into the new Earth that is already existing in the templates of time. It is an awakener” (2017, para.10). A marginalised woman with her sacred rage can become a goddess Kali like entity called “Other goddess.” In the novel, *Varanasi*, Sumita tells Sudhakaran, “You can be a good sacrifice for Kali. Am I myself not Kali?” (Nair, 2003, p. 83). Marcella Althaus Reid defines Other Goddess as “the Goddess who reads *Capital* and understands the need for agrarian reform [who has weapons to fight the machinations of patriarchy]. We need female angels illuminating the paths against the politics of globalisation. We need divinities for our times.” (2005, p.268) Instead of facilitating the process of becoming ‘goddess’ — the ‘goddess’ who can restructure their lives to become an engineer, a writer and a wife again – these women are thrown into a pitiful condition. Vrindavan does not offer the pedestal for them to become ‘divine’. Meera writes:

*Old women with shaven heads, hobbling along slowly- walking stick in one hand and tiffin carrier in the other- through gullies reeking of manure and urine...Faces filled with pathos. Skinny bodies. Tarnished eyeglasses. The smell of soiled old clothes and sweat. The sound of broken hearts. (pp. 3-4).*

Before being killed by monkeys, while standing on the third storey of the Govind dev temple Tulsi says, “I saw Vrindavan beneath me. Dirty and desolate Vrindavan. Temples like graveyards. Monkeys like ants. The defiled Yamuna” (p. 100). As the Ganges is the *terra* in Varanasi, in Vrindavan it is the river Yamuna. The environmental degradation is vividly represented by K R Meera in the above-mentioned quote. It is not only the sacred space but the body of the helpless women who also bear the sign of wanting, in care and attention. Linda Nicolson’s “coat rack” view of the body where cultural artefacts of gender are hung as mentioned in *White Sarees, Sweet Mangoes* (Lamb, 2000, p. 11) comes alive in Vrindavan. The bodies of the widows have to follow religious dictates rather than their own minds. The bodies of the victims of patriarchy come under the religious codes of the sacred place

while constantly being supervised by the temple priests at Vrindavan who are in charge of the prescribed spatial practices within temple premises. The women have to get used to the newly prescribed bodily performance, most of the time, with utmost disinterest. K R Meera uses the symbol of ant profusely in her delineation of the 'environment' of Vrindavan. For Kristeva, it evokes 'abject' as a monstrous insect of horror (Braidotti, p. 113). Through this exposure of the marginality of religious space and women who dwell there, K R Meera seems to partake in the movement to save our 'environment' and women.

After exploring the marginality of those margins it is very important to re-imagine them simultaneously in an emancipatory framework as they have the potential to reconstruct as spaces of freedom and peace. It is relevant to look at Rob Shield's comments on this:

*Alternative geography begins to emerge from the 'margins' which challenges the self-definition of 'centres', deconstructing cultural sovereignty and remapping the universalised and homogeneous spatialisation of Western Modernity to reveal heterogeneous places, cartography of fractures which emphasises the relations between differently valorised sites and spaces sutured together under masks of unity. (2013, p. 278)*

The selected novels articulate the alternative imaginations of the *so-called pilgrims* to these cosmopolitan places who are distressed and want sustenance and autonomy in their lives. These cosmopolitan religious places have visitors from various cultures and countries who unconsciously mitigate the ecological crises by partaking in the human-nonhuman dialectics which crystallises the significance of these places. Judith Butler, in "Is Judaism, Zionism?" writes, "very often religion functions as a matrix of subject formation, an embedded framework for valuations, and a mode of belonging and embodied social practice" (J.et al., 2011, p.72) and therefore "we must actively seek to preserve "the non-chosen character of inclusive and plural *co-habitation*" (p. 9) in the "public sphere" (Habermas) of religion.

This study is an attempt to find a tool in the becoming of, not widows, but the other women who are the victims of patriarchy. The cosmopolitan women, the protagonists of these two fictions, embrace the sacred spaces to give root to their drifting existence. As Luce Irigaray explains in *Divine Women*, any kind of becoming to be a subject has to be set in the background of divinity. This study ascribes divinity to women in the sense of being instrumental for the wellbeing of humanity and planet Earth. This idea is similar to cultural ecofeminism where cultural ecofeminists resist patriarchal language, religion and culture for the sake of planetary survival and the empowerment of wom-

en, through an egalitarian transformation of culture, religion, language, idea, spirituality and human consciousness.

Religious places with their hybrid spaces have to offer paraphernalia to the distressed women for their own subject formation, like their own home which they desire to preserve at any cost. Otherwise, women like Sumita Nagpal, a writer and globetrotter who comes back to Varanasi every now and then with her foreign friends and Tulsi, an IIT graduate who migrates to Vrindavan after being ditched by her husband will be forced to lead a schizophrenic floating existence without an appropriate space to enroot themselves. In the essay, “Hinduism, Gurus and Globalization” ShandipSaha articulates the different interpretations of Hinduism – neo-Vedanta. “Hinduism was now presented as a religion that was rational and scientific in nature and could act as the perfect panacea to remedy the ills of a materially rich, but spiritually deprived, [world] (Beyer, P., & Beaman, 2007, p. 490). It is high time that religions should realise their true purpose and not be confined to sacred ritualistic spaces. They cannot shy away from supporting the distressed population while taking into consideration their emotional needs and everyday lived reality—adequate healthy food, clean clothes, and comfortable shelter. Redressal of the problem of degradation of the environment which is a global issue is of enormous significance to religion because only a pure ‘environment’ (space, culture, non-human entities) can provide the material condition needed to uphold the relevance of sacred places in the post-secular world today. These cultural hermeneutics of religion based on fictional narratives combine secular and traditional aspects of religion to invoke its reconfiguration. This research paper anticipates the creation of a new religion in the near future, which will be a ‘true religion’ with “representational spaces” that would empower the margins -‘environment’ and women and also the world at large

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# **RESEARCH ESSAY: THE TRAUMA OF COVID-19 AND ITS IMPACT ON SOCIETY**

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Covid-19 is a global epidemic that began in China's Wuhan region and has since spread worldwide. The whole world is experiencing this kind of pandemic for the first time, and the virus has wreaked havoc on social life. Every one of us has been affected by Covid-19, which influenced our social lives. In the twenty-first century, this pandemic is a big challenge. People have died from plagues, black-death, SARS, Ebola, H1N1, and horse flu in the past. A pandemic is a difficult time for humans to live through and endure. Every pandemic causes trauma and chaos in a well-organized society. Caruth argues that "trauma is an overwhelming experience of sudden or catastrophic events in which the response to the events occurred in the often delayed, uncontrolled repetitive appearance of hallucination and other intrusive phenomena" (Caruth, 1996, p. 5).

During Covid-19, most of us have had first-hand experience with the trauma of a pandemic. That is why facing it and controlling our emotions, feelings, and behaviours were challenging. It is for the first time something so serious has happened to us in our lives. Nothing has been spared in the viral storm: the global economy, intricate webs of international relations, individual mental health, and the pitter-patter of ordinary life (Prideaux, 2021).

## **Pandemic and Literature**

As the COVID-19 outbreak expanded over the world, many people looked back to see how the disease had affected us and how our forefathers had dealt with similar issues and challenges. In shaping our responses to the Covid-19 outbreak, literature plays a critical role. Writers and historians who have experienced pandemics throughout history have chronicled their effects and presented us with an important history lesson on how not to repeat past mistakes. Pandemic texts can also be used to analyse the trauma and chaos of



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the society. In his *De Rerum Natura*, Latin poet Lucretius (c. 99–55 BCE) described the public's uncontrollable fear of infection. *De Rerum Natura* is represented as a real event (the well-known Athenian plague during the Peloponnesian war) Lucretius describes in great detail and examines it in a metaphorical dimension, in the light of Epicurean thought.

Homer's *Iliad* and Boccaccio's *Decameron*, Stephen King's *The Stand* and Ling Ma's *Severance* provided a lot of catharsis, and political commentary on how people react to public health emergencies. The epic of Homer begins in the ninth century BCE with a plague devouring the Greek war camp at Troy. Giovanni Boccaccio's *Decameron* set during the Black Death demonstrates the importance of storytelling in a calamity. In the twentieth century, Albert Camus' 1942 novel *The Plague* and Stephen King's 1978 novel *The Stand* drew attention to the social consequences of plague-like pandemics, particularly isolation and the State's failure to either contain the epidemic or temper the resulting hysteria (Haith, 2020).

Human reactions to the epidemic are also key themes in historical works like Daniel Defoe's (1659–1731) *A Journal of the Plague Year*, a long, detailed account of events, anecdotes, and statistics surrounding the Great Plague of London of 1665. *The Last Man* (1826) by Mary Shelley depicts a future society destroyed by a plague, with only a few people appearing to be immune and avoiding touch with others. *The Scarlet Plague* (1912) novel by Jack London is set in America, and the story takes place in 2070, sixty years after the Red Death, an uncontrollable pandemic that depopulated and nearly devastated the globe in 2013. One of the few survivors, James Howard Smith, alias Granser, explains how the virus spread over the world and how people reacted to death and contagion to his astonished and near-savage grandkids. Even though the novel was published over a century ago still it invites modern readers to reflect on the international fear of pandemics, which is still very much alive (Augusto, 2014).

Trauma is a far more nuanced term than many of us are aware of. It is a common term for a tense situation, acute shocks such as vehicle accidents, terrorist assaults. The impact of events on the mind is what trauma is all about. For Freud, the central issues that constitute the area of trauma studies include psychological trauma, its representation in language, and the function of memory in defining personal and cultural identities. Trauma is widely considered a highly disruptive experience that significantly impacts the self's emotional organisation and perception of the external world. To build a trauma model based on Freudian theory, consider an extreme experience that pushes the boundaries of language and even breaks meaning. According to a plural-

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istic trauma model, the perceived unspeakability of trauma is one of many responses to an intense incident, rather than its defining trait. The study of shock and hysteria in the nineteenth century spawned psychoanalytic beliefs on the origins and effects of trauma. In his early work, *Studies in Hysteria*, Sigmund Freud argues that traumatic hysteria arises from a suppressed idea. Notably, the traumatic experience is only comprehended after a period of delayed action (Nachträglichkeit), which allows the impacts and significance of the past to be delayed. The act of remembering causes psychological distress, and gives worth to a previously suppressed experience in the unconscious mind (Mambrol, 2018).

### **Psychological Impacts**

Everyone's psyche is shattered and fragmented due to experiencing the Covid-19 pandemic for the first time in their lives. The psychological disorder neurosis has been developed and has generated trauma among people. They have anxiety, depression and fear during the pandemic. The most common disorder found by the psychiatrists is the Post Traumatic Stress Disorder which triggers the mind of the survivors.

### **Impact on Women and Children**

Women are more likely to be victims than men. In India, during Covid-19, the majority of women suffered significant challenges. The pregnant women were denied admission to the hospital to give birth to their children. Many of them perished as a result of ambulance inaccessibility and a lack of competent doctor treatment. During the pandemic and lockdown, they encountered numerous challenges.

### **Border and the Covid-19 Trauma**

One of the sources of trauma is the border. Border dwellers experience trauma due to the concerns and obstacles that exist on both sides of the border. They suffer from worry and fear, as well as tension and borderline personality disorder. Usually, there are various restrictions on the border side. At the time of Covid, these restrictions intensified during the lockdown period. Fence gates work as mending walls and these gates were locked for a few months. Entries for civilians were allowed from limited fence gates. Coolies were not allowed from army posts during the outbreak. During Covid-19, many of them lived at fence gates. They were not permitted to return to their separate homes in the villages. Coolies stayed for more than a year at army posts during the pandemic.

In the pandemic, urban areas were also more affected as compared to rural areas. Because urban areas are densely populated, and the spread of the corona

virus was more likely in urbanised areas. Villages are scattered and dispersed, so there is less chance of the spread of Covid in rural areas. The digital revolution has been ushered by Covid-19. Throughout Covid-19, there was less physical interaction among people. Mass gatherings were restricted, people were not allowed to gather at public places.

### **Impact on People's Behaviour and Attitudes**

Due to the loss of everything during Covid-19 pandemic, people have changed their behaviours and attitudes. Some people are more aggressive and rude as compared to their prior ways of behaving before the pandemic. The majority of the people are in grief for their loss, as well as sad and worried about their future. People will sometimes believe in rumours and share false information regarding corona- positive patients. During the epidemic, few people have a negative attitude toward corona- virus survivors.

### **Impact on Health**

During the Covid-19 pandemic, the key challenge was human health. Doctors believe that those with a strong immune system can survive during a pandemic. Many people's mental health might be significantly impacted by grief over the death of their loved ones. Everyone was tense and frightened about the Corona virus during the lockdown. Collective trauma occurs when a single event, or a set of events, traumatises a large number of people at the same time. With Covid-19, every individual was affected, and the entire society became a victim of the pandemic's suffering. Everyone was in psychological trauma and uncertain about their lives. According to WHO statistics, over five million people have died. People are constantly traumatised by death as a result of the death of a family member, therefore, they become survivors. The death of a loved one causes trauma in the family. Family members are heart-broken by the death of a loved one. People were unable to celebrate holidays with tremendous joy and happiness due to family tragedy.

Fear of Covid-19 transmission exists in everyone's thoughts. As a result, individuals are afraid to visit the Covid wards of hospitals. When they see the oxygen cylinder in the Covid wards, some patients become worried. People are also afraid of being tested. During the testing, they encountered numerous challenges. They are afraid of a positive test result. People were scared to travel during Covid-19 because they were afraid of being tested. For more than two years, the majority of the population attempted to avoid travelling. During the outbreak, even aeroplanes and international corridors were shut down. Everyone is in a dilemma.

## **The trauma of Covid-19 Waves**

Following the first wave in India March 2020, survivors of Covid-19 faced a second wave in March 2021, which traumatised the people and resulted in a double loss. The third wave of Covid-19 caused havoc in some areas, such as Kerala. Because of the fear of Covid waves, educational institutions have been closed for almost two and a half years, causing distress among students. Many new students enrolled in the new university, but little physical interaction was possible. A mask culture has developed. After the Covid-19 pandemic, everyone became accustomed to wearing masks, resulting in the emergence of a mask culture. Mask culture impacts an individual's identity; it can be challenging to recognise another person under a mask.

## **Impact on Students' education especially nursery and elementary level children education**

The Covid-19 pandemic is wreaking havoc on children's physical, social, and material well-being around the world. School closures, social isolation, and confinement raise children's risk of malnutrition, expose them to domestic abuse, increase their worry and stress, and limit their access to essential family and care services. Although widespread digitization reduces the impact of school closures on education, the poorest students are less likely to have access to good home-learning environments with internet access. Immediate government action is required to guarantee that children have access to nutritious food, are protected from child abuse and neglect, continue to have access to physical and mental health services, and can securely browse the internet (OECD).

The current moment presents an opportunity to think boldly and to imagine a better world beyond the tragedy of the COVID-19 pandemic. Due to the pandemic, many people became bankrupt, unemployed, and unskilled. University students are stocked at home. Covid-19 will undoubtedly disrupt economic systems and long-standing institutional processes, as evidenced by the shift toward remote learning in colleges around the world, to name just one example. Nothing can be uniform in a traumatic situation. Everything is fragmented and there is dissociation in thought. We will not find organic unity, everything is scattered.

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## **BOOK REVIEW:**

**BASU, R. (ED.). 2020. DEMOCRACY AND PUBLIC POLICY IN THE POST-COVID-19 WORLD: CHOICES AND OUTCOMES. ROUTLEDGE, TAYLOR & FRANCIS GROUP, PP 218**

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### **Purusharth Chawla**

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The pandemic brought forth the realities of the health systems across the globe. It certainly impacted the economic conditions in both developed and emerging economies. While some have the worst inflation in decades, there are others who are on the brink of bankruptcy or under heavy debt from countries and institutions. Another change that is currently happening on a global level is the paradigmatic shift in the world order. While the fragilities of the developed economies were revealed, the strengths (and already known fragilities) of the developing world were also discovered. For instance, India's performance on the global level as the 'Pharmacy of the World' and high rate of vaccination in India, Bhutan and other South-Asian countries can be well contrasted to vaccine hesitancy in the West. When the status quo is challenged, how societies function, global alliances are formed, public policies are prepared, all transform to make a new world order beginning with the minutest to entire structural changes across departments with a citizen-centric approach, especially in democracies.

*Democracy and Public Policy in the Post-Covid-19 World* edited by Rumki Basu seeks answers to the questions of this new global order and give insights into the way in which public policy formulations might transform in the new world with an emphasis on Indian democracy and its policies. Every nation faced challenges based on their demographics, available infrastructure, and most necessarily on the policies formulated to fight the virus. However, the text discusses the challenges that democracies across the globe faced, at the core of which lay the dilemma-'lives vs livelihood' with the implementation of stringent lockdowns. The essays analyse the policies of the Union Government in face of this challenge faced by India particularly as it was necessarily a central concern for the country with the need for a strict lockdown and easing of it later in a phased manner. Another important aspect discussed at length is the health policy of the country with its absolute

strengths, loopholes, abysmal failures, and all the other components such as ramping up of public health infrastructure, controlling the spread of the virus et al. Basu in the Introduction gives an insight into the issues analysed in the text with the emphasis not only on the health policy but also policy choices on food security, education, employment and incentives among others during the pandemic. Furthermore, the text deals with global comparison among democracies, models of India and China, the impact of the pandemic and current status of sustainable development goals, and global transformations in the backdrop of all of these changes.

The collection of essays lays down the base for the understanding of a definition of public policy and various models and nuances related to it. C. Sheela Reddy's essay 'Theoretical Framework and Dynamics of Public Policy Trajectories' describes the ways in which the economic, social, cultural, political and their intersections define public policy for any demographic. Reddy describes how policy formulation is a "complex and dynamic process" (Reddy, 2021, p.32) and explains how a policy can never be based only on empirical observations. A. Venkatraman analyses the challenges to multidisciplinary approaches in policymaking in his essay. He discusses the difference in the multidisciplinary and interdisciplinary approaches and how policy solutions need to view interdisciplinary and inter-sectoral solutions to issues; in order to make informed decisions with the knowledge of trade-offs between various sectors, alternative solutions, et al.

Kadloor and Joshi, in their respective chapters in the collection, try to grapple with the serious notion of human rights and ethics linking their impact to public policies and vice-versa. While Kadloor tries to understand the relationship between human rights and human security along with the impact of their interaction on public policy; Joshi tries to find the meaning of the otherwise "vague" term 'ethics', defining ethical/moral grounds as those justified in resource allocation. He further highlights key challenges in incorporating these ethics in policy formulations. Bhattacharya discusses the passage of certain policies in the Parliament, comparing the GST implementation in India to NAFTA of the US. In both cases, rare political alliances were seen with the BJP-led NDA able to garner regional support in Rajya Sabha for the GST Bill and support to Clinton Administration's NAFTA by like-minded Democrats and Republicans.

The chapters in the second section of the book deal with the policy choices of India on education, health, e-governance, and gender and their outcomes, followed by recommendations for various sectors discussed. Ivaturi and Chitrapu in their essay discuss a need for evidence-based policymaking in

India, laying out various reasons in its favour including improvements in the quality of policies formed due to evidence from the ground at its core. Balajit Mann in his essay “State and Public Policies in India- A Symbiotic Relationship”, traces the trajectory of policymaking in the country with the direct relationship with the postcolonial Indian State and the agenda of public welfare central to all policies. Kaur and Thadaboina study the impact of ICT on administrative reforms. Digitisation is believed to streamline the data and make service delivery more efficient. The essay critically analyses the hits and misses of the digitisation of land records. In order to achieve growth and development, any nation needs a strong framework of the education system. While providing literacy is one of the Sustainable Development Goals, the education system in our nation is decentralised to include the community in the framework. In light of this, Bandhopadhyya traces the history, role and current on-ground status of these decentralised bodies and their impact on children’s inclusion in the system.

The health realities of the country were laid bare during the pandemic with the infrastructure seemingly lacking in the handling of a health crisis. Siddhartha Mukerji in “Recent Transitions in India’s Public Health Policy” traces the bottlenecks in the health policy of the country and emphasises the need for rampant change. Furthermore, during the pandemic, the unemployment rate worsened in the country.

The need to provide temporary employment to lower-income, especially migrant labourers increased. One of the schemes that worked on the ground was MGNREGA. Moitri Dey in her chapter highlights the efficacy of the scheme and the working on the ground to achieve SDGs. Dr Basu in the last chapter of the collection presents a critique of the policies of the country during the pandemic and in relation to the ground realities of increase in poverty, gaps in education, health, reduction in income, unemployment, inflation, and many other issues concerning the public. Her analysis includes several sectors that present a broader picture of the Indian democracy at present and major challenges that it faces in the backdrop of the pandemic.

The work by some of the leading scholars of public policy and public administration paves the way for more relevant research in the field of policymaking in the post-pandemic world. The text answers several questions about public policies and becomes an important work to understand the changes in policymaking in the changing world order post-pandemic. The solutions provided to improve the situation on the ground with every sector discussed provides crucial insight on the way forward for the economy in the context of ground realities and includes social, political, cultural, economic



and other factors in formulating policy framework.

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Historians of global and transnational trends have often grappled with questions of language and metaphor. As they work to move beyond the limitations of the constraints of the nation-state construct, the question of what set of ideas best conveys the complex tangle of relationships and influences remains one that vexes writers. A linked question is the problem of describing the ideas in language that is easy to apprehend. What metaphor or imagery best captures the system that the historian is attempting to describe?

*Archipelago of Justice* offers up the ways in which Laurie M. Wood engages with these issues, providing a legal history of French imperial holdings across the long 18th century in the Atlantic and Indian Oceans. Wood examines the trajectories of subjects and colonial magistrates to highlight the ways in which France's possessions were bound together in a truly global framework that spanned both the Atlantic and the Indian Ocean (p. 6). The book goes on to argue that this global framework was bound together by a legal network, one that is the focus of her work. These regional law courts, known as *conseils*, stretched from the peripheries of France itself, all the way across the French holdings from Canada, down to the Caribbean and across to the Indian Ocean with their possessions in the Mascarenes and India (p. 3).

Wood's description and explanation of this network hinges upon her characterization of the *Conseils* as legal *entrepôts*, drawing on metaphors and language associated with networks of trade to highlight a global network of law. This network was staffed by, what she calls a, *themistocracy* of "mobile legal experts whose careers shaped, and ultimately braided Atlantic and Indian Ocean legal cultures together" (p. 6-7). In framing the global character of France's *Ancien Régime* empire, she builds on the work of scholars such as William Beik and Julie Hardwick, seeking to orient the focus of French legal history away from the "continental nation-state enterprise"

by demonstrating the “simultaneous emergence of state institutions” in overseas territories (p. 9). This further allows her to chart the feedback loop between new and old territories, while drawing attention to law and space together to explore the ways in which legal authority might be deployed (pp. 10-11). Wood acknowledges herself that she draws on the globally oriented scholarship of British imperial scholars, especially South Asianists, who have “long noted the connections between the British Atlantic and Indian Ocean during the long eighteenth century”. *Archipelago of Justice* aims to expand that discussion into the francophone sphere, which has for the most part, according to her, been slower to recognize these reverberations.

Each of her chapters breaks down the mechanics of this legal culture across the French empire. Her first one focuses on the local, social and geographic configurations and the intimate circulations of actors operating within the framework, “reinforcing institutional commonalities among legal *entrepôts*” (p. 58). In examining the personal networks of these elite actors, and the multifarious roles performed by the local officials beneath the elite legal experts, the groundwork is laid for the dissemination and conservation of an empire wide legal framework. Her second chapter dives deeper into the role of *Conseils* and the central position they occupied in colonial societies. The rituals of law common across wide regions, and the construction of sub-regional judicial structures flowing out of legal *entrepôts* were the mechanisms by which *conseils* “facilitated the feedback loops between colonial and metropolitan subjects.”

Having established the significance of these institutions and networks, the latter half of her work traces the ways in which distance and local pressures came to operate as the Empire was bound together by a tightening of its imperial connections, and as administrators and magistrates worked to resolve evolving tensions and localized concerns as the *Conseils* and the “full cast of legal personnel across the long eighteenth century” changed over time. The consolidation of the network accompanied a growing web of conflicts as well as regional clashes gave way to the significantly more global Seven Years’ War of the late 18th century, prompting changes to the postures of actors in relation to the metropole. Wood also highlights the need to maintain scholarly focus towards the regional dimension during this transition to a more overtly global phase of imperial connection (pp.168-169).

As she argues in her conclusion, “France’s global constellation of law courts” connected its disparate colonial spaces into a “coherent whole.” Wood seeks to push back against legal histories which have envisioned the Indian and Atlantic Oceans as separate “legal regions” or “regional regulatory spheres,” arguing instead for understandings based on

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more consolidated global networks and connections. (pp. 175-176).

Through her study of France's Ancien Régime empire, Wood paints a complex picture of legal networks that draws both on the binaries of a World System's approach of Metropole and colonial peripheries as well as more layered imaginations. Her descriptions of the legal networks for instance evoke an imagery of web-like constructions that historians such as Alison Games describes in *The Web of Empire*. Woods is particularly convincing in describing the *conseils* as *entrepôts*, describing their nodal functions in her own web of laws and networks and the lines of influence running along them. One question that does remain however is in the messy interstices of Global History and Imperial History. While Wood undoubtedly describes a genuinely trans-regional system of connections, what is less clear is whether this archipelago of justice is a global network or simply an imperial one. How does one move beyond the limitations of the imperial model in conceptualizing global legal connections? Is such a move even possible? Wood's work aims to describe a global legal history but ultimately leaves open these questions, and the nuanced problem of whether a global history beyond imperial histories is even possible.

*Archipelago of Justice* does however largely achieve what it sets out to do. As a text on global and legal histories, it should speak to the complex ways in which legal networks are embedded and negotiated across vast spaces. The ways in which France's civil law was disseminated through the institutions of the *conseils* offers valuable insight into the mechanics of France's legal empire. To a reader normally situated in the British Empire when exploring these topics, a survey of their traditional enemies makes for a refreshing change in perspective.

**Reviewer Bionote:** *TCA Achintya is a doctoral candidate at the University of Virginia. He specializes in the legal history of the British Empire, focusing on legal practitioners in British South Asia. His doctoral research traces the rise of Indian legal actors in British India over the course of the 19th century, looking at the ways in which Indians broke British exclusion over the legal system. Through the prism of the people who inhabited the legal systems of the Empire, his work tries to better understand what it meant to belong to, move across, and practice law in the British Empire over the 19th century.*

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