



Sovereignty and Literature: Post-colonial Reflections from India

A thesis submitted to the Department of English, University of Hyderabad in partial fulfillment
of the requirements for the award of Doctorate of Philosophy Degree

by

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DECLARATION

I, **Boniface Gaiguilung Kamei**, hereby declare that the work embodied in this thesis titled “**Sovereignty and Literature: Post-colonial Reflections from India**” carried out under the supervision of Dr. **Siddharth Satpathy** is an original and independent research work. I also declare that no part of this work has been submitted previously in part or in full in this university or any other institution for the reward of a degree or diploma.

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CERTIFICATE

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Chapter 1

Introduction

Introduction:

The nature of India's post-colonial sovereignty has been the subject of much interest to literary writers. Before India won its freedom, Indian novelists in the third and fourth decades of the twentieth-century began to work with Gandhian and Nehruvian ideas and reflected on the nature of an independent sovereign state. The former envisioned a nation-state based on a village economy and spiritual reworking of national cultures. The latter advocated a socialist state which envisaged development, modernity, and industrialization. After India won its freedom, creative writers continued to engage with the question of sovereignty and the ways in which the independent state deployed its sovereign power vis-à-vis its citizens. New issues such as the integration of the princely states into the nation, the outbreak of secessionist movements in the different parts of the country, the declaration of emergency, etc. drew their attention. Situated in this intellectual context, this dissertation has two broad aims. It seeks to study the concept and practice of sovereignty in post-colonial India. And, it intends to explore the interface between sovereignty and Indian literature in English.

Sovereignty can be defined as the power and authority of a state to govern its territory and population. This dissertation identifies and studies three specific kinds of discourses on sovereignty which are produced in post-colonial India. The first can be described as the nationalist discourse. I study the collected works of Vallabhbhai Patel—a set of his speeches, letters, and essays—and delineate how India's first Deputy Prime Minister and Home Minister conceptualized the post-colonial state's sovereignty. While M. K. Gandhi and J. L. Nehru and

their political imaginaries have received much critical attention, Patel and his views are relatively less discussed. The thesis will seek to address this gap. The second refers to the discourse of counter-sovereignty which contests the legitimacy of the post-colonial state. I study a select set of writings of prominent public figures—Phizo Angami, Sheikh Mohammad Abdullah, C. N. Annadurai, Laldenga, and Surjan Singh—who have offered sharp critiques of the post-colonial state. These figures have received varying degrees of critical attention in their specific constituencies. The thesis will bring them into the same field of analysis and will offer a comparative description of the project of counter-sovereignty. The third refers to the literary discourse which represents and interrogates the power the sovereign state deploys to counteract sub-national aspirations. I study a select set of autobiographical narratives by civil servants such as Lalkhama, Wajahat Habibullah, Avinash Dharmadhikari, Prakash Singh, V.R. Lakshminarayanan, and O.S. Kalkat. I also study a select set of relevant novels by writers such as Easterine Kire, Malsawmi Jacob, Shahnaz Bashir, Partap Sharma, and Manreet Sodhi Someshwar.

These discourses are important to understand the experience of sovereignty in post-colonial India. The present study seeks to offer close readings of these discourses and bring them into a dialogue with each other. Taking into account the ways in which the post-colonial experience of sovereignty in India is articulated across these diverse registers will help in strengthening India's exercise of sovereign power by making it more self-conscious and responsible. As it identifies and studies the first two kinds of discourses, the nationalist and the counter-sovereign, the thesis seeks to make a case for such narratives to be included in the broad corpus of Indian Writing in English. It brings such narratives into the same field of discursive analyses which also includes the more conventional literary works of relevant nature.

This introduction is divided into eight sections. The first section gives an overview of the concept of sovereignty as it evolved in European history. It delineates the different forms of sovereignty as they evolved. The second section gives an over view of sovereignty as it evolved in colonial India. The third delineates the ideologies of the post-colonial Indian state. Here I draw on the works of postcolonial thinkers such as Partha Chatterjee and Sudipta Kaviraj. The fourth section offers a review of Giorgio Agamben's theory of the state of exception. Some of the chapters will engage with this position. The fifth section gives a historical overview of the counter-sovereign movements in India. The origins of the counter-sovereign movements go back to the colonial times. Hence a short summary of these movements in colonial times serves as a useful background to study the post-colonial developments. The sixth section provides a review of the interface between literary studies and questions of political sovereignty. Here I rely on the works of Leela Gandhi, Andrew Hebard, Stephan Morton, Rajeswari Sunder Rajan, Ayelet Ben-Yishai, and Eitan Bar-Yosef. The seventh section provides an over view of the research method the thesis adopts. This dissertation attempts to write an intellectual history of the concept of sovereignty in post-colonial India, and broadly situates itself in the realm of postcolonial studies. The final section provides brief summaries of the chapters.

1. Sovereignty: A brief history in Europe

This section will furnish a short history of the concept of sovereignty in Europe. It will briefly introduce the major arguments about the practice of sovereignty that animated European scholars of the Enlightenment period. It will also describe how contemporary theorists assess the practice of sovereignty. The Age of Enlightenment had a profound impact on the evolution of the

idea of sovereign state.¹ The concept of sovereignty and sovereign state was discussed widely at the end of the sixteenth and the beginning of the seventeenth century. Europe as a society was in a transitional period from a feudal society to a sovereign state. With the weakening of the feudal system and papal power, kings in Europe began to wield more power to forge nations and empires. And the rise of nations and empires triggered debates on the question of *summa potestas* or highest authority and treaties on sovereignty. Niccollo Machiavelli's *The Prince* was one of the earliest political treatises on state, statehood and the power of the state that paved the way for discussions on who should wield the sovereign power, how to articulate and preserve the state (Skinner 27). These discussions entailed a comparative study of the various forms of sovereignty to determine which form of sovereignty is the best to preserve the political state from disintegration.

1.a Forms of Sovereignty in Europe

Quentin Skinner in a study of the genealogy of the sovereign state observes that the discourses on sovereignty and social contract developed in Europe during the Enlightenment Period. Political thinkers of the period engaged with the idea of *mantenere lo stato*, that is, to maintain and preserve the state and to avoid a *coup d'état*, or a strike against the state.² The legal theorists of the period broadly argued for two forms of sovereignty: absolute monarchy and popular sovereignty. In absolute monarchy, the sovereign power to govern the state is with the monarch. The people in the absolute state submit their sovereign power to the monarch and live

¹ Quentin Skinner. "The Sovereign State: A genealogy" in *Sovereignty in Fragments: The Past, Present and Future of a Contested Concept*. Eds. Kalmo, Hent and Skinner, Quentin. United Kingdom: Cambridge University Press, 2010, pp. 26-46.

² Ibid.

as passive and obedient subjects under the sovereign head who has prerogative rights. In popular sovereignty, the sovereign power lies with the people. The popular state is a free state in which the people live in self-governing republic (Skinner 28-32). The writings of the period reflect the debates on the superiority of one kind of sovereign rule over the other sovereign system to govern the territory and population.

1.b Absolute Monarchy

The prominent scholar who argued in favor of absolute monarchy was Jean Bodin (1530-96). Bodin's *The Six Bookes of a Common-Weale* was an influential work on sovereignty. In his work, he argued that the state or 'citie' is a union of people under a sovereign government and the sovereign power must be with the monarch. He preferred a monarchy because the state needs to establish a kind a public authority to whom all the people swear allegiance to as the head of the state. This absolutist theory was later articulated in other influential way and it became popular with the doctrine of the divine right of the kings. Sir John Hayward's *Answer* (1603) and Sir Robert Filmer's *Patriarcha* (1630) advanced the doctrine of the divine right of the kings. The doctrine prescribed to the logic that the rulers obtain their power and authority not from the people but they are directly ordained by God. Hayward was of the opinion that the people cannot be the original possessor of sovereignty as they are nothing more than a heedless and headless multitude. And for Filmer, he believed that the natural liberty of mankind was a dangerous heresy and so power must be invested in a sovereign (Skinner 29-30).

The most influential argument in favor of absolutist state came from Thomas Hobbes' *Leviathan* (1651). Hobbes theorized that man with its natural rights is susceptible to be reduced to the state of nature, a state of absolute civil anarchy. In order to avert this state of nature, he argued, people must by consent subject themselves to a sovereign power and continue to be the

authors of the actions performed by the sovereign head. Hobbes differed from previous advocates of absolute sovereignty in his refusal to treat the king as the representative of god. He described the people who are united as one person (state) and sovereign power as an artificial construct. The artificial person represents the commonwealth and the fundamental duty of the sovereign was to establish common equality, interest and good. Here, it is also important to note that Hobbes' absolute theory is different in the sense that the actions taken by a sovereign is legitimate because the artificial person is performing the will of the people, unlike the other absolute theories where an act is legitimate because it was performed by a recognized sovereign (Skinner 34-37).

1.c Popular Sovereignty

The doctrines of absolute monarchy were countered and critiqued by the doctrines of popular sovereignty which were based on the rationale to retain one's own natural liberty while submitting to a government. Francisco Suarez (1548-1617) countered the absolute sovereignty of the monarch by stating that the people are original bearer of sovereignty and the act of submitting to a sovereign involves an alienation of political rights. Likewise, Mathew Kellison's *Right and Jurisdiction of the Prelate, and the Prince* (1621), reiterated that as soon as people choose a king, the people loses their authority and subject themselves to the absolute rule of the monarch (Skinner 29). The doctrines of absolute monarch were in particular attacked by two groups: the political anatomists and the Huguenots. The attacks and challenges to the absolutist monarch by these groups eventually gave rise to populist theory of the state.

The political anatomists were a group of thinkers in the seventeenth century whose primary interest was to compare the various forms of government in Europe. This group was particularly inclined to make the distinction between monarchies and states, reserving the term

state for polities which had the people at the helm of the affairs and power through representation in the assembly. The submission of natural liberty to a monarch and the prerogatives rights of a monarch led the political anatomists to opine the superiority of the self-governing regimes. Another radical attack on the monarchial sovereignty was taken up by the Huguenots (a French Protestant group) who opined that no independent community can abdicate its original sovereignty. Theodore de Beze argued that popular sovereignty remains in greater authority over any ruler to whom the people submit the natural right of self-government. In England, Henry Parker in his work *Observations* (1642) argued that a king might be greater than the individual members of the state but the ultimate sovereign power must reside with the people (Skinner 31-33). These doctrines canvassed for a social contract in a free sovereign state where the rights of sovereignty remain with the people and where the possibility of despotism of a single ruler was ruled out.

1.d Later developments in the doctrine of sovereignty

Towards the end of the eighteenth century, Hobbes' fictional theory was attacked by the utilitarian philosophy. The first onslaught on the fictional theory came from Jeremy Bentham's utilitarian philosophy. He argued that season of the fictional theory is over and the time has come to ground legal arguments on facts about real individuals, their relation with political power, the pain for restraint and the pleasure of liberty. Utilitarianism viewed the state as an apparatus of government empowered to command the exclusive allegiance of those living under it. The approach to see the sovereign state just as government organization picked up again in the twentieth century and it became the norm and practice. Harold Laski in his work *Authority in the Modern State* declared that the state is merely a prevailing system of legal and executive power with bureaucratic and coercive power (Skinner 41- 43). And as the twentieth century wore on,

concepts such as ‘post-sovereignty’ or ‘late sovereignty’ developed with the rise of international organizations such as European Union because of “the changes in the internal and external constitutional powers and political capabilities of the member states in relation to the Union amount to abandonment of key attributes of sovereignty” (MacCormick 151).³ In other words, the European Union has the power to intervene in the affairs of the state members, thus reducing the sovereign status of the states.

2. Sovereignty and Colonialism: India

The concept of sovereignty in pre-colonial India was not the same as imagined and theorized in Europe. Sudipta Kaviraj argues that sovereignty in pre-colonial India deviated from the European concept of sovereignty because of the caste system and the intricate power structure in the caste order.⁴ He writes, “caste represents a peculiar structure of social power which tends to circumscribe the jurisdiction of political authority” (214). The asymmetric hierarchy of caste social order ritually separated the fields of intellectual authority, political and military supremacy, commercial wealth, and service provider. The divided social groups separated by birth could not seek any endeavor in another profession other than the one sanctioned to them. This authoritative allocation did not come from the political authority but from religious texts such as the *Vedas* and *Manusmriti*. Political rulers could not alter the rules of this social constitution, rather they were limited to executive functions to protect the constitution, punish infringements, and maintain order and normalcy. With regard to the lack of legislative power of the sovereign, Kaviraj writes, “political rulers did not have the ‘legislative’ authority to

³ Neil MacCormick, “Sovereignty and After,” *Sovereignty in Fragments: The Past, Present and Future of a Contested Concept* edited by Hent Kalmo and Quentin Skinner, Cambridge University Press, 2010, pp. 151-68.

⁴Sudipta Kaviraj, *The Imaginative Institution of India: Politics and Ideas*, Columbia University Press, 2010.

reconstitute this order, except in marginal ways. The idea of modern sovereignty therefore did not apply to the power of political authority in this society” (215).

This pre-colonial caste institution remained unchanged even after the Hindus were ruled by Islamic imperial power whose religious doctrine was fundamentally different from Hinduism. The Islamic rulers accepted the restrictions the caste system placed on the legislative functions of the rulers (216). Kaviraj argues that the transformation in terms of the principle of sovereignty happened with the modern state established by British colonialism. He writes, “the dominion established by British power occurred in the intellectual context which presupposed sovereignty as a definitional quality of state power. Thus, when the British eventually turned India into a crown colony in 1858, the colonial state explicitly assumed the rights of sovereignty as understood in European discourse of the nineteenth century” (217). The establishment of a new kind of sovereignty with formal claims of legislative power to judge and alter social institution by law reversed the logic of limited political authority in the hierarchal divided caste state (218).

After the Battle of Plassey (1757), a battle that marked the beginning of foreign rule in the Indian subcontinent, the British East India Company was beset with questions of how to govern India and more importantly how to justify imperial rule in India to the people back home in England that were growing more and more familiar with concepts of contractual state and individual liberty. Towards this, the British constructed a binary image of Indian society which stood in stark contrast to the English society and thereby sought to legitimize their rule in India. Thomas R. Metcalf argues that the Europeans influenced by notions of rationalism and secularism described themselves as enlightened and modern, and characterized the non-European

world as the zone of despotism, where the rule of law was absent (5-6).⁵ Metcalf writes that this enlightenment dichotomy between rational and despotic government had “enduring implication for the emerging Raj in India, for it carried with it the connotation that Asian countries had no laws or property, and hence its people no rights” (7). He further argues that the British conjured up two images of India to justify their rule in the subcontinent. Firstly, it projected India as the land of despotism, and secondly, as land where all its greatness was in antiquity (8-9).

2.a Anglicists and the Orientalists/Romantics Schools of Imperial Governance

The British desire to understand India’s civilization for governing necessitated the study of laws and institutions that existed in India. Lord Warren Hasting and Sir William Jones took the initiative to study the ancient texts of India and the Sanskrit language to master the Hindu laws to govern India successfully. Their endeavor led to the establishment of the Asiatic Society of Bengal. The study of Hindu texts created the impression that the texts embodied not only moral injunctions but also precise legal prescriptions and the social order which was accepted by all. Jones and Hasting conceded that the code of law in the religious texts if incorporated in the Raj could be an incentive to the British government to give the people of India a sense of security in their administration (Metcalf 10-13). Though both the eminent figures acknowledged the rich history of India, they maintained that India’s richness was in antiquity. The images of India as a land of despotism and existing antiquity helped the formulation of the fundamental ideology to govern the newly conquered territory. The fundamental ideology which the British enacted to sustain its rule in India were based on three principles: the rule of law, the security to private property and the idea of improvement (17).

⁵ Thomas R. Metcalf, *Ideologies of the Raj*, Cambridge University Press, 1995.

Sekhar Bandyopadhyay in his book *From Plassey to Partition* argues that the British interest in Indian laws (Islamic and Hindu laws) and judicial system, and its codification; was to assert the East India Company's sovereignty over the natives.⁶ To the British, the Indian judicial system under the Mughal was more on mutual resolution of conflict rather than punitive justice and punishment. And the judicial system was marked by laxity and manipulated by the *zamindars* and revenue farmers, the bearers of the laws. The company felt the need to retrieve the judicial system from the *zamindars* and revenue farmers, and reform the judicial system under the supervision of the British officials. In 1772, when Warren Hasting took over the governorship, he took full control of the judicial system, and eliminated Indian agents that asserted Mughal's sovereignty and the supremacy of Islamic laws. Hasting introduced a new judicial system which had two courts: a civil court and a criminal court. The civil courts were to be presided by the European district collectors, and they were to be assisted by *maulvis* and Brahman *pundits* for interpreting indigenous laws. And the criminal courts were to be under a *kazi* and a *mufti*, but they were to be supervised by the European collectors (97-98).

The Pitts' India Act 1784 transformed the East India Company into a governing body. The Crown and Parliament were to supervise the work of the company. A Board of Control subordinate to the parliament was created in London, and the role of the board was to supervise the activities of the company. And a governor-general appointed by the company was subject to recall by the crown. Metcalf terms this system as 'double government' (17). The proposed art to govern the people to make the foreign rule a benevolent one in the interest of the Indian people was to reinstate ancient establishments, and to incorporate new projects with the consideration that it would not jeopardize the old order of the society. Lord Cornwallis devised the Whig

⁶Sekhar Bandyopadhyay, *From Plassey to Partition: A History of Modern India*, Orient Blackswan, 2004.

political philosophy in the government by separating the powers of district judge and collector to secure property and order. The district judge was to be the central figure of the British administration with magisterial authority and control of police, and the collector endowed to collect public revenues. Cornwallis instituted these new changes with the *zamindari* system that was an integral part of the ancient establishments. The Permanent Land Settlement (1793) was conceived by Cornwallis to bring agrarian revolution as the propriety right entailed the power to purchase and improve land (Metcalf 21).

The ideas of Hasting and Cornwallis to govern India were not unanimously approved in the mother country. The Romantics with their concern for past glories and distrust uniformity, abstract learning, laws and limited government, did not approve the system formulated by Hasting and Cornwallis. Thomas Munro, John Malcolm, Mountstuart Elphinstone and Charles Metcalf were anxious to conserve the enduring Indian traditional institutions. Eric Stokes writes that their aim was “to take the peasant in all its simplicity, to secure him in the possession of his land, to rule him with a paternal and simple government, and so avoid all the artificialities of a sophisticated European form of rule” (as quoted in Metcalf 25). The Romantics were rooting for the *Ryotwari* system, in which the land ownership rights were handed to the peasants and the district collector to be a compassionate *ma-bap* (mother-father) figure. The romantics believed that the collector as the central figure of the administration without the landed intermediaries would bring an active government. And from the 1800 onwards, the collector came to embody the British vision of proper Indian governance.

2.b Direct rule and Indirect rule: Paradigms of imperial governance

The British governed India through direct and indirect rule. The direct rule worked in the framework of the bureaucracy. For the company and then subsequently for the crown to establish themselves on firmly, a strong administrative structure with competent bureaucrats became a necessity. The bureaucracy was responsible for the collection of revenue, execution of magisterial authority and judicial power. The relevance of the bureaucrats to the British can be summarized in Clive Dewey's words, "In their heyday they were the most powerful officials in the empire, if not the world." (as quoted in Bandyopadhyay 110). The indirect rule of the British which became a trend due to geographical inaccessibility or limited prospect of revenue was mediated by a British resident. The role of the resident was to handle political relations between the company and the Indian princes. The system of residency redefined the concept of sovereignty as the system required the native princes' acceptance of British Paramountcy. This meant the native princes were given domestic sovereignty, but the external sovereignty to engage with other states belonged to the company. The role of the resident was not a passive one which was to maintain diplomatic relations between the company and the princely states. Rather indirect rule was inscribed with aggressive expansionism imperial policies such as the Subsidiary Alliance and the Doctrine of Lapse (Bandyopadhyay 115). These policies reduced the sovereign power of the princely states under the suzerainty of the British East India Company. The doctrine of lapse which caused the Revolt of 1857 triggered the transferred of sovereign power from the English East India Company to the British Crown through Government of India Act 1858 (Bandyopadhyay 179).

2.c The unequal status of the colony

Partha Chatterjee in *The Black Hole of Empire* argues that the concept of sovereignty underwent a radical change in the nineteenth century. This was primarily due to the rise of legal positivism and the normative framework of comparative government. The period witnessed the shift to legal positivism from the universal natural law in the legal domain. The primary distinction between the two is that natural law was based on moral principles, and legal positivism on legal acts committed by sovereign state authorities. The change in legal regimes from natural law to positivism was primarily due to changing political relations between the European powers and Eastern rulers. The increase in the production capacity of the new industrial western states forced them to expand and acquire territories in Asia and Africa for raw materials and market. But this also created the need to develop of a legal system based on sovereign agreements to prevent the emergence of a single dominant power or coalition in Europe. The turn to legal positivism was also due to the rise of democratic and nationalistic movements in Central and Eastern Europe. The rise in legal positivism also meant the undervaluation of the universal natural law and the Westphalia treaty that ensured the sovereignty between European powers and non-European rulers (187-89). This change had immediate effect on the sovereign status of the nations in Asia and Africa because the rulers of these continents ruled with the laws shaped by religions and cultures. And since these nations did not value the underlying precepts that produced the law of western nations, they could not be regarded as subjects of international positivist law, thus making sovereignty solely a European concept according to the imperial jurists and theorists. But this became problematic because the denial of sovereignty to the non-Europeans would mean that treaties that the Europeans were

engaged with had no legal legitimacy (192). It is here the normative framework of comparative government came into play.

Using the scheme of normative comparative government for normalization, Europeans would make the distinction between civilized and uncivilized. The former consisted of the European nations and settler nations in the Americas, and they constitute the family of nations and the proper subjects of international law. The latter consisted of the rest of the world that did not have proper state formations or legal regimes, and the rulers ruled with the laws that were shaped by religions and cultures. And since the uncivilized nations have no understanding of the concept of civilized nations, they could not be regarded as subjects of international laws (191). The political strategies deployed to normalize vis-à-vis discipline the non-Europeans to the desired standard of governance were through the pedagogy of violence, and pedagogy for culture. The former refers to the use of imperial force, and the latter to institutions of education, ideological, legal, social and economic (187). And often the pedagogy of violence was used to create the condition for cultural pedagogy, as Chatterjee puts it, “the imperial prerogative lies in the claim to declare the colonial exception” (194). Through this scheme the non-European entities possessed some degree of sovereignty but they possessed it only “precisely in order to give it up through a valid legal agreement with a civilized European power” (192). In India the protectorate system illustrates the contingent and undefined nature of sovereignty of the non-European states which was conditional on imperial interest. The system of protectorate enabled a state to take control of another state without taking over the administration of the internal affairs, but the protecting power could take over internal administration citing a provision or clause in the treaty or the failure of the native rulers to provide proper governance. Thus the grounds for the imperial state to intervene were not defined and this favored the paramount power with the

strategic flexibility to frame its policies for the protected states (193). In most instances, the colonial state declared exception to intervene in the poorly administered or misgoverned territories. The pedagogical techniques of violence were used to take over the administration and the pedagogy of culture was as a supplement to civilize and develop the colonized to the desired normal standard.

3 The ideology of the post-colonial Indian state

Partha Chatterjee in *The Nation and its Fragment* writes that the rationality of the new state lies in the nationalists' critique of colonialism.⁷ The Indian National Congress which anticipated the state power worked on different ideologies during the anticolonial movement. Until the 1940s, the rhetoric used by the Congress against colonial rule was based on the Gandhian ideology that European colonialism and modern industrialization were the root cause of poverty in India (200-01). But the ideology of the state underwent a radical change towards the end of colonialism and with India's independence. The rationale of the new state could be located in the economic critique of colonialism. Chatterjee argues that the rhetoric of the nationalists against colonial rule was not on the grounds of primordial content such as race and religion. In other words, colonial rule was not illegitimate because an alien race politically dominated the natives. The dominant argument of the nationalists against the colonial state was that colonialism was delaying the development of India and colonial rule was a historical fetter that had to be removed before the nation could proceed to develop. Colonial rule had acquired illegitimacy because it stood as a force of exploitation. This economic critique of colonialism was also the foundation on which the rationality for the independent state was built. Self-rule

⁷Partha Chatterjee, *The Nation and its Fragments: Colonial and Postcolonial Histories*, Princeton University Press, 1993.

was legitimate because it stood for national development and modernization. This development teleology then became the universal rationality and constituent part of the self-definition of the post-colonial state (203). And this universal rationality or rather the development ideology of the state was to be executed by the state and its bureaucracy.

The transfer of power from the colonial state to the Indian state was paradoxical in the sense that the new state retained the basic structure of the civil service, the police administration, the judicial system, including the civil codes, and criminal law, and the armed forces that existed in the colonial period. The question that came up then was to how does the new state differ from the old colonial regime? The justification came from the nationalists' critique of colonial rule as an alien and unrepresented form of governance that was exploitative in nature. And the new state was a legitimate authority because it embodied within itself a new mechanism of developmental administration, something which the colonial state never possessed owing to its alien and exploitative character. It was in the universal function of development of national society that the bureaucracy of the post-colonial state was to assert itself as the universal class to work for the goals of the nation (205). But this act of adopting colonial civil and criminal administration by new state also construed the national state as a colonial force. For instance Laldenga the leader of Mizos' uprising writes, "following British pattern of colonial rule, the Indian Deputy Commissioners and not the elected representatives of the people run the colonial administration" (40-41).⁸

Likewise, Sudipta Kaviraj in *The Imaginative Institution of India* argues that the Indian state after independence was a contradictory inheritance of British colonial structure and the Indian nationalism because the legal institution and coercive apparatus of the new state remained

⁸Laldenga. *Mizoram Marches Towards Freedom*, Gilzom Offset, 2011.

similar to that of the colonial state.⁹ The national movement identified education, the police, and the bureaucracy as the three pillars of colonial domination and made repeated promises to introduce radical changes in their functioning. But these three apparatuses of persuasion and control remained entirely unchanged. However, the new state distinguished itself from the colonial state in the fields of constitution and ideology. The British introduced the partial representative institutions in India in the twentieth century; this system was overhauled by the new state as it introduced universal franchise in the constitution despite widespread illiteracy. The new state of India projected itself as a development oriented instrument in sharp contrast to the limited objectives of the colonial state, and it envisioned to play an enormous role in the ill-defined and constantly expanding field of development left by the colonial state. The new state also presented itself as rooted in maintaining law and order, and in proper distribution of wealth to reduce inequalities (Kaviraj 222).

4 The State of Exception

The preceding section alluded to the fact the new Indian state adopted the colonial administrative system without any alteration. Apart from the administrative framework, the state also adopted the imperial prerogative claim to declare colonial exception (Chatterjee 184).¹⁰ The proclamation of emergency like situation due to internal disturbance and the use of exceptional laws and power is a common feature in post-colonial India. Perhaps Indira Gandhi's declaration of emergency in 1975 is the most illustrative one. The state of exception as a theory of sovereignty was first developed by Carl Schmitt in *Political Theology* (1922). Schmitt's theory

⁹Sudipta Kaviraj, *The Imaginative Institution of India: Politics and Ideas*, Columbia University Press, 2010.

¹⁰Partha Chatterjee, *The Black Hole of Empire: History of a Global Practice of Power*, Princeton University Press, 2012.

of sovereignty in *Political Theology* describes a sovereign as someone who can decide on the exception (1).¹¹ Taking cue from Smith's theory of sovereignty, Giorgio Agamben theorizes the state of exception in public law. Giorgio Agamben in *State of Exception* (2005) theorizes the exception as the suspension of the judicial order, the extension of military authority wartime power into the civil space, and the removal of individual rights, liberties, and legal status.¹² The state practice of exception reduces the life of its citizen to what he terms it as 'bare life' because the citizens are stripped of their constitutional and legal rights. The individual becomes legally unnamable and unclassified being. According to Agamben, the state of exception is not a special kind of law as theorized by theorists as extra-judicial or constitutional in character, rather the practice of exceptional is a judicial void. The state of exception is a juridical void because the law is no longer able to perform its primary task that is to guarantee public welfare, and the acts committed during the exception are radically removed from any judicial determination. In other words, the state of exception is the threshold of law, a zone of indistinction and aporia, where public order and security and unconstitutional acts of the state remain in an irresolvable internal contradiction. Agamben likens the state of exception to a kenomatic state (where there is no distinction between legislative, executive and judiciary) and a state of nature (6).

Agamben posits that the suspension of judicial order is becoming the dominant paradigm of government in the world (2). The case of India is particularly revealing. The post-colonial history of India shows that the permanent suspension of order/rule of law runs parallel with the state democratic constitution. In fact, the state of exception has become the rule in some parts of

¹¹ Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, Translated by George Schwab, The MIT Press, 1985.

¹² Giorgio Agamben, *State of Exception*, translated by Kevin Attell, University of Chicago Press, 2005.

India where the nature of accession to the Indian union is contested. The Northeast states of India, Jammu and Kashmir, Punjab and Tamil Nadu have continuously challenged the sovereignty of the Indian state since the formation of the India in 1947. As strategies to suppress these counter sovereign forces, the Indian state passed laws such as the Disturbed Areas Acts, National Security Act and Armed Forces Special Power Act. These acts extended the executive power into the legislative and judiciary spheres, and introduced a military rule in these regions. And these laws in a democracy reduce the life of its citizen to 'bare life' in a juridical void.

5 Counter sovereignty: A short history of discourses of dissent

The previous sections provided a summary of the pre-colonial, colonial, and post-colonial notions of sovereignty. This section will provide a short history of counter sovereignty movements in post-colonial India that have their origins in colonial India. The dissertation will focus on counter sovereign movements in Northeast India, Kashmir, Punjab, and Tamil Nadu.

5.a Nagaland

The British first encountered the Nagas after the first Anglo-Burmese war (1824-26). Following the war, the British felt the need to protect its protectorate princely states of Assam and Manipur from Burmese invasion. To protect the northeast frontier states, the British decided to build a road that connects Assam and Manipur. And the proposed road was to pass through the Naga Hills. This led to several military expeditions in the 1830s and 1840s to survey the Naga Hills (Erdican 67-68).¹³ However, the expeditions were less than favorable due to the relentless resistance of the Nagas and the hostile terrain. In 1854, Lord Dalhousie proposed a policy of non-interference with the Nagas. Dalhousie stated that the Nagas who were to be the

¹³Achilla Imlong Erdican, *Tribal Transformation: The Early History of the Naga Hills*, Prestige Book International, 2013.

beneficiaries of British legal principles had no understanding of British laws, the concepts of social contract and legal obligation; and the possession of the hills would not bring any profit (131-132). This policy was revoked in 1866 when the British decided to turn Naga Hills into a district to stop the feuds and raids between the Nagas and the protectorate states. In 1873 the Naga Hills came under the Bengal Eastern Frontier Regulation Act 1873. The Regulation included the Inner Line Regulations which prohibited British subjects from entering the Naga Hills without a permit issued by the Deputy Commissioner, who arbitrated the relationships between the Nagas and British. The first sign of formal annexation of the Naga Hills was in 1874 when three Naga villages agreed to take British protection and pay revenue to the British government. But it was only after the British occupation of Kohima and Khonama in 1778 and 1780 that colonization in the rest of the Naga Hills progressed (Venuh 39-41).¹⁴

In 1881, the Naga Hills became a district of British India under the province of Assam. But the British continued the administrative policy of non-interference in the Naga Hills. For instance, the Indian Penal Code and Codes of Civil Procedure were not enforced in the Naga Hills. Instead the hill district continued to be governed by the indigenous traditional institutions. And again the Government of India Act 1919 categorized the Naga Hills as backward tract and kept the district outside the purview of the British India constitution (Venuh 39-47). The Naga Club, the first organized civil body, submitted a memorandum to the Simon Commission in 1929 wherein the club stated that the Nagas did not wish to be included in the constitutional reforms scheme of India owing to lack of historical, political, social and cultural affinity with the latter. The Government of India Act 1935 renamed the category of backward area and placed the Naga Hills district under the category of excluded area. Under the new constitutional arrangement, the

¹⁴Neivetso Venuh, *British Colonization and Restructuring of Naga Polity*, Mittal Publication, 2005.

hill district was to be governed separately by the Governor of Assam and it was kept outside the purview of British India legislations (Aosenba 40).¹⁵ This constitutional arrangement became problematic at the lapse of British paramountcy in India.

On 20th February 1947, the Naga National Council (NNC), the first political body of the Nagas, submitted a memorandum to the British government stating that the Nagas were neither subjugated by the Ahom kings of Assam nor were part of India before the advent of colonialism. And the NNC appealed the British to setup an interim government for a period of ten years under India after which the Nagas would decide their political future. The British in response suggested the Nagas to consult the matter with the Advisory Committee on Aboriginal Tribes set up by the Constituent Assembly of India. The committee visited Kohima on 20th May 1947 but the committee could not agree to the demand of independence made by the NNC. To break the impasse, Sir Akbar Hydari, Governor of Assam, and Sir Charles Pawsey, Deputy Commissioner of Naga Hills, drafted an interim government agreement known as Hydari Agreement. The 9th point of the agreement was controversial as the Nagas considered that after the interim period of ten years they would be free to become a sovereign nation. But on the contrary, the Indian government interpreted that Naga Hills would continue to be a protected state of India. And in defiance of India, the radicals in the NNC led AngamiZapuPhizo declared Naga independence on 14th August 1947 (Aosenba 46-55).

5.b Mizoram

The Mizos had little contact with the British in the Anglo-Burmese War (1824-26). After the war, the Mizos were left to themselves until the second half of the nineteenth century which

¹⁵Aosenba. *The Naga Resistance Movement: Prospects of Peace and Armed Conflict*, Regency Publications, 2002.

witnessed increasing economic prospect in the British territories of Assam, Tripura, Sylhet and Manipur (Lalchungnunga 31).¹⁶ The expansion of tea plantations in the foothills of the Lushai Hills forced the Mizos to conduct raids in British territories in the 1860s. The British counteracted through military expeditions. And in 1896 the Lushai Hills was brought under the province of Assam under British India. The British followed the policy of non-interference with the Mizos and a political officer designated as superintendent was dispatched to mediate the relationship between the British subjects and the Mizos. The Lushai Hills was brought under the Bengal Frontier Regulation, 1873 and Chin Hills Regulation, 1896 which prevented British subjects from entering the hills without a travel permit. And like the frontier Naga Hills, the Lushai Hills district was also categorized as a backward area in the Government of India Act 1919 and as an excluded area in the Government of India Act 1935 under the governorship of Assam.

The insulation from British India through the travel permit and exclusion system kept the Mizos away Indian politics and nationalism. On 9th April 1946 the first political body of the Mizos called the Mizo Union was formed. At the transfer of power in independent India, the Mizo Union submitted a memorandum to the British government and the Indian government demanding regional autonomy in terms of legislation and administration under the province of Assam. The union also included a clause to exit from India after a period of ten year (Lalchungnunga 73-78). This clause was not only accepted by the Indian government and the sense of frustration with India grew with poor economic development and linguistic imperialism from Assam. But what triggered was the counter-sovereignty movement was the famine

¹⁶Lalchungnunga, *Mizoram Politics of Regionalism and National Integration*, Reliance Publication House, 1994.

mautumin 1959 (Mukherjee 49-52).¹⁷ The government of Assam was apathetic to the plight of the Mizos. During the famine a front called Mizo National Famine Front was formed to provide relief to the people. In 1961, the front changed its name to Mizo National Front (MNF) and joined politics to mobilize the people to join the freedom movement. On 30th of October 1965, the MNF submitted a memorandum to the prime minister of India seeking Mizos' independence.

5.c Kashmir

The people of Kashmir quest for self-determination is a result of centuries of oppression. Until the fifteenth century, Kashmir was a relatively peaceful society. It was home to many religions such as Islam, Buddhism and Hinduism and inhabited by people of various race and ethnicity (Wani, 12-13).¹⁸ In the sixteenth century, the power of the Kashmiri ruling families such as the Chaks, Magres and Rainas waned due to internal dissension. In 1556, the Mughal Emperor Akbar invaded Kashmir and annexed it into Mughal territory. Akbar's rule restored law and order, and secularism in Kashmir. But the Mughal rule turned treacherous when Aurangzeb became the emperor. He deprived the Kashmiris economically by denying them recruitment in the army and by taking over the ownership of the land from Kashmiris. As a reaction the Kashmiri nobles invited the Durrannies of Afghanistan to invade Kashmir. The Durrannies successfully overthrew the Mughals but they did not take any interest in the welfare of the people. They subjected the Hindu population to forceful conversion to Islam and discharged the Kashmiris soldiers from the army. This forced Birbal Dhar, a revenue officer, to invite Maharaja Ranjit Singh of the Sikh empire to invade Kashmir. Under the Sikhs, the Kashmiri Muslims

¹⁷ J.R. Mukherjee, *An Insider's Experience of Insurgency in India's North-East*, Anthem Press, 2005.

¹⁸ Gul Mohd Wani, *Kashmir Politics: Problems and Prospects*, Ashish Publishing House, 1993.

suffered as they were persecuted for the suffering endured by the Sikhs at the hands of Aurangzeb (14-16).

The First Anglo-Sikh war in 1846 ended the Sikh's rule in Kashmir. The British acquired Kashmir as an indemnity from the Sikh and sold the territory to Gulab Singh of Jammu through the Treaty of Amritsar 1846, thus entrenching the Dogra rule. Under the Dogras, Kashmiris Muslims were forced to pay Dharmarth, a religious tax which was used for the repairs of old temples and welfare of the Hindus (Wani17-20). Apart from that they were forced into unpaid labour to transport supplies for the maharaja's army (Lone 861).¹⁹ The Dogras were also indifferent towards the education of the Muslims. In 1916, the Sharp Commission highlighting the poor economic condition of the Muslims recommended grants, scholarships and establishment of schools and other educational institutions. But the recommendations were not implemented (Kotay 109).²⁰ In the 1920s, there emerged the embryonic development of political consciousness among the Muslims. The open defiance against the Dogra started with the Muhammadan Youngmen's Association pressing demand for an official inquiry into the grievances of the Muslim. The state prohibition on public meeting and arrest of people who attended the meeting led to the Kashmir revolt in July 1931. It was around this time; Sheikh Mohammad Abdullah appeared in the scene as an organizer and orator of the Youngmen's

¹⁹Suhail-ul-Rehman Lone, "Begar (Forced Labour) In Kashmir During the Dogra Period," *Proceedings of the Indian History Congress*, vol. 73, 2012, pp.861-871.

²⁰Fayaz Ahmad Kotay, "Educational Backwardness of Muslims in Princely Kashmir: An Inferential Analysis of the Legacy of Dogra Raj," *Asian Journal of Research in Social Sciences and Humanities*, vol.5, no. 4, 2015, pp. 106-119.

activities (Copland 231-35).²¹ To pacify the Muslims, the Glancy Commission was instituted and the commission recommended the employment of educated Muslims in state services and the establishment of a legislative assembly on restricted franchise. This ultimately led to the formation of the Muslim Conference in 1932 and the appointment of Sheikh Abdullah as the president. In 1939, the conference changed its name into National Conference to give the organization a secular look that was open to the people of all race and religion (Wani 23-30).

In 1944, the National Conference submitted the Naya Kashmir memorandum to the Government of Kashmir under British India demanding economic, political, social and cultural reconstruction in the state. And in 1946, the National Conference launched the Quit Kashmir movement demanding the 'Autocratic Dogra House' to surrender the sovereignty to people (Wani 33-36). After the partition of India, Jammu and Kashmir provisionally acceded to India following the tribal invasion backed by Pakistan. The accession signed by Maharaja Hari Singh was a conditional one as the political future of the state should be decided by a plebiscite as suggested by the United Nations. However this never happened as both India and Pakistan refused to withdraw their military troops from Kashmir to conduct the plebiscite. And this would become the rallying point for self-determination in Kashmir led by Sheikh Abdullah.

5.d Punjab

After the Second Anglo-Sikh War 1849 that virtually ended the Sikh empire started by Ranjit Singh in 1799, the Sikh identity which the Sikhs were preserving since the time of their tenth guru, Gobind Singh, came under threat. With the loss of political power there was apprehension that Sikhism that was developed in the tradition of Khalsa under the Tenth Guru

²¹ Ian Copland, "Islam and Political Mobilization in Kashmir, 1931-34," *Pacific Affairs*, vol. 54, no. 2, 1981, pp. 228-259.

would disappear (Dhillon 362).²² One of the reasons was the absorption attitude of the Arya Samaj that viewed Sikhism was one of the cults of Hinduism. The proselytization started with the Aryas identification with Sikhism to appropriate the Sikh past and then make them their own (Jones 459).²³ As counter reactions, the Sikhs organized the Kuka movement and the Singh Sabha movement in the 1870s. The movements sought to preserve the distinct and separate identity of the Sikhs through vigorous efforts to de-Hinduize the community. The Gurmukhi language and texts were written in Gurmukhi were produced to assert the difference. At the turn of the century the Shiromani Akali Dal (SAD) worked for the Sikhs detachment with the Hindus which materialized in Gurudwara Reform Bill 1925. The bill removed the Hindu priests as the managers of Gurudwaras. It also removed Hindu idols and elements of worship from Sikh shrines. Following this the Akali Dal stressed on the need of the Sikhs to act as a unified and separate political group. This move was further consolidated by the Government of India Act 1935, which ensured representation on religious grounds (Chauhan 135-41).²⁴

In the national political scene, the Arya Samaj was politically inspired by the Indian National Congress, and the Akali Dal cooperated with the latter on communal interest only until the eve of partition. The Muslim community of Punjab was wooed by Muslim League which perceived the importance of Punjab for the creation of Pakistan. The league's vision of a sovereign Muslim state of Pakistan was countered by the Akali Dal's demand for Azad Punjab in which none of the three communities- Sikhs, Hindu and Muslims would constitute a majority. This position changed in 1946 when it became clear that Punjab will be divided into Muslim-majority and Hindu-majority areas. The Sikh leaders then demanded an independent and

²²Gurdarshan Singh Dhillon, "Evolution of the Demand for a Sikh Homeland," *Indian Journal of Political Science*, vol. 35, no. 4, 1974, pp. 362-373.

²³ Kenneth W. Jones, "Hum Hindu Nahin: Arya-Sikh Relations, 1877-1905," *Journal of Asian Studies*, vol.32, no.2, 1973, pp. 457-475.

²⁴ Ramesh K Chauhan, *Punjab and the Nationality Question in India*, Deep and Deep Publications, 1995.

sovereign Sikh nation. The Sikhs felt that in secular India where there was no separate communal representation, they would have no political leverage. And with no special political safeguards, the Sikhs might disappear as a separate entity. To preserve the Sikh identity, the Akali Dal demanded for the creation of a Sikh majority state within India. On the contrary, the Arya Samaj, the RSS and the Jan Sangh, started a campaign to persuade Punjabi-speaking Hindus to disown Punjabi as their mother tongue and adopt Hindi. The demand for Punjabi speaking state was raised by Master Tara Singh in August 1948 but the State Reorganization Commission dismissed it (Chauhan 152-59).

In 1966, the state of Punjab was trifurcated. The Hindi-speaking plain districts was drawn as the new state of Haryana, the hill districts as Himachal Pradesh and the remaining Punjabi speaking areas as Punjabi Suba. Though the Sikhs became the majority in new Punjab, the Akali Dal could not win the state election of 1967 with a majority as the people did not vote on communal lines. This led the Akalis to demand for greater autonomy through the Anandpur Sahib Resolution (1973) citing the distinct identity of the Sikhs as a nation. The resolution was rejected by the union government of India for its secessionist intention. But the Akali Dal continued the demand for greater autonomy, and their demand got wider support from the leader of Damdami Taskal, Jarnail Bhindranwale, a fundamentalist. The two groups launched 'Dharam Yudh Morcha' against the Indian state demanding for autonomy. The agitation caught the attention of the government but the negotiation happened sporadically, which pushed the fundamentalist militants led by Bhindranwale to wage a war for a separate sovereign nation for Khalistan (Chauhan 161-65).

5.e Tamil Nadu

The demand for Dravida Nadu had its origin in the anti-Brahminical movement in Tamil Nadu during the nineteenth century. The nineteenth century witnessed the revival of ancient Tamil language, epics, and religious texts with the arrival of print culture. The access to ancient Tamil history by the educated non-Brahmins led to the denouncement of Brahmin hegemony. The Brahmins as embodiments of the Aryan race were then seen not only as invaders and oppressors of Tamil society but also as an external force that introduced caste practice in a casteless society. The Brahmin hegemony was not only in caste practice but also in Sanskrit language and culture which were dominating and eclipsing the Tamil ancient language and culture. The Dravidian movement sought to revitalize Tamil language and culture, and remove the hegemony of the Aryan race (Pandian 60-61).²⁵

At the turn of the twentieth century, a political party called the South Indian Liberation Federation was formed in 1916, which was later renamed as the Justice Party. The Justice Party opposed the Brahmins' dominance in politics and economics, and blamed the latter for the inequalities in the society. The party also asserted that the Brahmin priesthood and the Sanskrit scriptural hegemony were responsible for the decay of the Dravidian-Tamil culture. These drew the politically and economically powerful non-Brahmins to leave national politics in order to establish a separate political Dravidian state. But the political reach of the Justice Party was limited only to the wealthy and educated section of the society. The mass mobilization for Dravida Nadu started with Periyar E.V. Ramaswamy who formed the Self-Respect Union that attracted the semi-literate and poorer sections of the society. Periyar opined that Brahmanism had

²⁵ Pandian J. *Caste, Nationalism and Ethnicity: An interpretation of Tamil Cultural History and Social order*, Popular Prakashan, 1987.

debased the Dravidian culture, and to restore Tamil society, the Brahmin religious practitioners must be expelled from the society. His Self-Respect movement denounced the Sanskrit scriptural authority and the service of Brahmin priests to officiate rites. He reintroduced the old Dravidian practice which sanctioned the community elders to officiate rites (Pandian 62-63). In 1937, the Indian National Congress government led by C. Rajagopalachari introduced Hindi as compulsory subject to be taught in the schools in Madras. The imposition of Hindi language inflamed the non-Brahmins and they began to rally behind Periyar who had organized an anti-Hindi campaign waving black flags. The following year Periyar was elected as the president of the Justice Party and in 1944 the party was renamed as Dravida Kazagham or Dravidian Federation. The objective of Dravida Kazagham was to establish a federal Dravidian Republic consisting of Madras, Kerala, Mysore and Andhra (Hardgrave 398-99).²⁶

The Dravida movement met a deadlock in 1949. Periyar's dictatorial habits failed to democratize the party and his marriage to a woman who just twenty eight years against his age of seventy two, created unrest in the party. C.N. Annadurai, a close associate of Periyar, formed the Dravida Munnetra Kazagham (DMK) in September 1949 (Nathan 2133).²⁷ The DMK members presented themselves as the custodians of Tamil cultural heritage, and identified the Brahmins as the custodians of Sanskrit heritage. The DMK published pamphlets, literary works and produced cinemas that extolled the glorious past of Tamil society. The works attracted young men and women to join the movement regardless of their social class or group (Pandian 64-69). The use of print and visual media transformed the DMK into a powerful political party in the 1950s and

²⁶ Robert L. Hardgrave Jr, "The DMK and the Politics of Tamil Nationalism," *Pacific Affairs*, vol. 37, no. 44, 1964-65, pp. 396-411.

²⁷ S.K.S Nathan, "The DMK and the Politics of Tamilnad," *Economic and Political Weekly*, vol. 2, no. 48, 1967, pp. 2133-2135.

1960s. The rise in the political arena of the state also gave rise to the vocal demand for a separate sovereign state for Dravidians by their leader Annadurai.

6 Sovereignty and Literature

The preceding sections have discussed the theories of colonial and post-colonial sovereignty. And also a short history of counter sovereign movements in India has been furnished. Now I turn to discuss the relationship between sovereignty and literature. Sovereignty and literature converges in more ways than one. Language, law, and themes are some of the keys that unlock the relationship between two discourses that are considered as separate. Often literature is seen as the expression of arts and aesthetics, and sovereign law as the mechanism of governance and regulation. But what connects them is language, as Weisberg and Barricelli put it, “Law is associated with Literature from its inception as a formalized attempt to structure reality through language” (as quoted in Dolin 8).²⁸ In addition, both literature and law use narrative as the means for world making and for embodying and understanding the *nomos* (11). Since literature engages with ideas and social issues, law regulates literature under the rubrics such as copyright infringement, defamation, and obscenity (Posner 504).²⁹ The third point of convergence is sovereignty as a theme of literature. For instance William Wordsworth’s autobiographical poem *The Prelude* engages with French Revolution, a revolution based on the ideals of popular sovereignty of equality, liberty and fraternity. Likewise, W. B Yeats engaged with the question of Irish sovereignty against British rule in the poem *Easter, 1916*. In what follows will be a review on critical works in the discourse of sovereignty and literature. Here, the

²⁸Kieran Dolin, *A Critical Introduction to Law and Literature*, Cambridge University Press, 2007.

²⁹ Richard A. Posner, *Law and Literature*, Harvard University Press, 2009.

review will begin with works on American Indian context, the colonial context and conclude with a look at the Indian context.

6.a American Indian Literature

Literary artists have also considered sovereignty and literature as two incompatible subjects. This perception of incompatibility between the two subjects is evident in American cultural and literary history. Andrew Hebard's *The Poetics of Sovereignty in American Literature, 1885-1910* (2013) gives a historical analysis of the relation between sovereignty and literature in America.³⁰ During the nineteenth and early twentieth century, the relationship between sovereignty and literature in the American cultural and literary studies was considered incompatible. Hebard cites an example of Henry James to illustrate the assumed incompatibility. Henry James wrote that America's capital Washington has two distinct faces. One, the official public image of the American federal state, and two, the city of conversation and everyday discourse that make the social identity of the city. The official Washington state always hanged like an unfinished painting in the back of the narrative scene. And the city of conversation formed the space where every day texture of the city was explored in the same way landscapes were in novels. Hebard counters James' argument by saying sovereign power of the state is rendered intelligible through the literary conventions of the period which produce various dispositives to govern the people in a society. This is evident from James' writing on the Native Americans in the *American Scene*. The travel book shows "a history of race regulation that hinged on constructions of sovereignty as an absolute and exceptional power of the American state" (2).

³⁰ Andrew Hebard, *The Poetics of Sovereignty in American Literature, 1885-1910*, Cambridge University Press, 2013.

Hebard situates his study during the Progressive Era of United States history and analyses the regulation of Native Americans, immigration populations and overseas colonies. The nonwhite population was regulated using the plenary power legal framework that had no juridical oversight. A common trope in the novels produced during this period is that one form of sovereignty is replacing another form. Literary works of the period also helped in the production of US sovereignty and also articulated situations of intelligibility for plenary administration. Hebard cites the example of novel *The Virginian* by Owen Wister set in Wyoming, a reservation for Native American. Through the character such as Judge Henry the novel justifies “lynching as an act in the service of law and order” in Wyoming, “a place where the legal institutions do not yet function properly and where lynching is therefore not only permissible, but also necessary” (116). The novel thus justifies the use of absolute power in the production of US sovereignty. On the contrary, literature also critiqued the sovereign power of the state. Here Hebard cites the works of Zitkala-Sa, a Native American. Through her works Zitkala-Sa condemned the policies of Bureau of Indian Affairs as hindrances to their development as democratic citizens. And the disciplinary institutions in the reservation alienated the Native Americans from their heritage and from a white culture that won’t fully accept them. Zitkala-Sa advocated for a Native American sovereignty different from the one that governed the natives at the turn of the century (131). In other words, literature helps in the production, critique and transformation of sovereignty.

6.b Colonial Literature

Stephan Morton in *States of Emergency: Colonialism, Literature and Law* traces the use of emergency law and the mobilization of counter insurgency discourse during anti-colonial resistance in a range of literary narratives produced in different colonial contexts.³¹ Morton argues that the state of emergency was proclaimed to assert colonial sovereignty and it “operated

³¹Stephan Morton, *States of Emergency: Colonialism, Literature and Law*, Liverpool University Press, 2013.

as a travelling concept that was part of a global imperial network of counter-insurgency, negotiated between the metropolitan legal institutions of particular European empires and their colonial governments, military and police forces, and re-iterated in different colonial spaces” (9). And “the literature of empire tended to aid and abet such a rhetorical justification of repressive measures in the European colony, particularly in its representation of political opposition to colonial sovereignty, such as violent acts of anti-colonial insurgency” (10). One of the ways in which colonial narrative does it is by representing the insurgent as a terrorist to displace the political and social causes of insurgency in the colony. And on the contrary, the nationalist and post-colonial writings have countered the colonial narratives that justified the declaration of emergency by highlighting that the colonial civilizing mission underpinned on violence.

Morton traces the increasing use of emergency law in colonial India to the partition of Bengal in 1905 and the subsequent increase in political assassinations and bombings in Bengal, Maharashtra and Punjab. These incidents provided the ground to implement martial law, and in 1915 the police were given special power to search and arrest under the Defense of India Act. And in 1919 the Rowlatt Act was passed that enable the use of extra-legal measure not only during war but in any state of emergency (63). Morton posits that in this political atmosphere, two narrative tropes dominated the literary scene. One, the Anglo-Indian fictions were “precisely concerned with the threat of sedition and revolutionary acts of violent anti-colonial insurgency from the standpoint of the colonial state” (72). And two, Indian literature produced by the national intellectuals and writers that used seditious legislation as “a powerful rhetorical tool to criticize and contest the legitimacy of the British colonial government, and the violence upon which that government was based” (84). The former sought to legitimize violent techniques of power in colonial rule, and the latter countered colonial rule by illustrating the irony in the liberal

conceptualization of colonialism as civilizing mission that perpetually used violent techniques to subdue and govern the natives.

6.c Indian Literature Context

The discourse of sovereignty has also interested various Indian writers. Leela Gandhi writes “the novelist of the 1930s and 1940s owed their inspiration and the conditions for their emergence to two contexts: the social and political upheavals of the ‘Gandhian whirlwind’ and the era of late-modernism in Europe” (168).³² Gandhi posits that the novels of the two decades were thematically occupied with the forms of sovereign state that free India should embody as the anti-colonial nationalism gained momentum. The Gandhian fiction propagated the limits of western intellectualism and civilization and advanced a state based on village economy and spiritual reworking of caste, gender and peasants. Contrary to the Gandhian fiction, were the novels that advocated Nehruvian socialism which envisaged development, modernity and industrialization. Novels like K.S. Venkataramani’s *Kandan, The Patriot: A Novel of New India in the Making* (1932) and Bhabani Bhattacharya’s *So Many Hungers* (1947) belong to the former. And the novels Raja Rao’s *Kanthapura* and Mulk Raj Anand’s *The Big Heart* (1945), although sympathetic to Gandhism, are inclined to the Nehruvian state that promised the benefits of industrialization and equal distribution under socialist democracy. Commenting of the rift between Gandhi and Nehru’s vision of the new state, Leela Gandhi writes, “most novelists attempt an uneasy synthesis of both views. While the bulk of Gandhi novels faithfully narrate the conversion of Westernized ‘foreign educated’ protagonists to simple rural ideals, in reality these

³² Leela Gandhi, “Novelists of the 1930s and 1940s,” in *A History of Indian Literature in English* edited by Arvind Krishna Mehrotra, Columbia University Press, 2003.

stories are often unable to entirely eschew the cosmopolitanism of the Nehruvian alternative” (171).

Indian postcolonial scholars have also engaged with the discourse of India’s sovereignty in the last few decades. Rajeswari Sunder Rajan in “After ‘Midnight’s Children’: Some notes on the New Indian Novel in English” argues that there is a preoccupation with the nation-thematic among post-colonial writers.³³ Rajan posits that Salman Rushdie’s *Midnight Children* and its successor novels “ostentatiously bore the burden of the nation” (203). The characteristic feature of these novels is that they are not particularly patriotic. The reason was “an exhaustion with nationalist sentiments ... as the first exaltation of freedom subsided and the post-colonial nation settled into the bad habits of nationhood” (205). The Nehruvian state which sought to deploy the sovereign power towards the development ideology of the nation has not only become “corrupted as an ideal, but also because the nation-state has become a repressive structure” (209). And this trajectory of the state “contributes a rich vein of satire and angst to Indian literatures (in all languages)” (ibid.). Rajan cites Salman Rushdie’s *Midnight Children* which is a critique of the sovereign exceptional power of Indira Gandhi’s regime to locate the position of Indian novelists. She writes Rushdie “was able to position himself as a writer in an adversarial relationship to the state, and to stage his protagonist as the *bête noire* of the dictator herself. No longer was the post-colonial writer limited to anti-colonial resistance- he was not an adversary of his own government, no less” (210). In other words, Rajan posits that the post-colonial writers in their engagement with the corruption and excesses of the state position themselves as political

³³ Rajeswari Sunder Rajan, “After ‘Midnight’s Children’: Some notes on the New Indian Novel in English,” *Social Research*, vol. 78, no. 1, 2011, pp. 203-230.

dissents. The writers' connection with the nation-state is in the sense of 'versus,' but they do not exhibit anti-establishment or anti-state imagination.

Ayelet Ben-Yishai and Eitan Bar-Yosef in "Emergency Novels" looked at the forms of narrative that inform the masses about the emergency that happened in 1975-77 in India.³⁴ Yishai and Yosef build on the work of the anthropologist, Emma Taylor, who posited that the understanding of the Emergency has been propagated by two forms of narrative: the official state narrative, and the narrative of authoritarian and anti-democratic means. They argue that "despite their many differences, both narratives were predicated on a similar discourse tension between crisis and continuity, a tension constitutive of the ongoing struggle for India's political future" (165). They illustrate their claim by analyzing the narrative tropes in the fictional works of Nayantra Sahgal. Yishai and Yosef posit that Sahgal's *The Day in Shadow*, a novel that prefigures the emergency, narrates the trajectory of India's sovereignty in two ways. They write, "On the one hand, by tracing a wide retreat from Gandhian values in the elite public and private spheres and the subsequent rise of a new, corrupt, self-serving elite that would later lead to authoritarianism of the Emergency... On the other hand, the novel employs character of Raj to establish counter-narrative, the road of continuity not taken" (169) with regards to Gandhian values and Nehruvian politics based on development. Yishai and Yosef argue that the two narratives exist side by side and constitute the struggle for the path in which India's sovereign power should be invested. Similarly in Sahgal's *Rich Like Us*, there are two narratives in the novel. One is the narrative of the Emergency officials and ministers who superficially speaks of the undimmed glory of India's heritage, the reverence for selflessness and sacrifice in the

³⁴Ayelet Ben-Yishai and Eitan Bar-Yosef, "Emergency Novels," *A History of the Indian Novel in English* edited by UlkaAnjaria, Cambridge University Press, 2015.

tradition, and the bright future assured by the emergency. And the other narrative is of the two protagonists: Rose and Sonali, who investigate the true authentic history of India and the various kinds of oppression that people are subjected to. Yishai and Yoself contend that the two narratives in these literary works make explicit that India's future political sovereignty depended on the legacy that it would choose.

Ananya Jahanara Kabir's *Territory of Desire: Representing the Valley of Kashmir* explores the relation between state, territory and literature.³⁵ Drawing on Jacques Derrida's concepts of forum and cryptic enclave,³⁶ Kabir likens the relationship between the two concepts to sovereignty and literature. The forum refers to the democratic open space where ideologies and interest groups jockey for power. Within this forum, there is a cryptic enclave like a rostrum or speaker's box that is sealed as a secret interior within the public sphere, inhabited by the traumatized, the excluded, the censored, and the silenced. They have encrypted their untold traumas in the crypts and this enclave can be decoded and restored through language as a system of expression. This cryptic enclave opens a cleft on the issue of the marginalized in the supposedly open space of the democratic forum (135-37). Kabir situates literature in the cryptic enclave in the democratic forum.

Kabir argues that the conflict in Kashmir has serious repercussions on traditional arts and literature. The conflict has pushed the traditional theatre *Bhand Pather* to the cryptic enclave because of the laws that prohibited public gathering. The banning of *Bhand Pather* had a psychosomatic effect on the people who identify the traditional theater to their Kashmiri identity.

³⁵Kabir Jahanara Ananya, *Territory of Desire: Representing the Valley of Kashmir*, University of Minnesota Press, 2009.

³⁶ Jacques Derrida, "Fors," *The Georgian Review*, vol. 31, no. 1, 1997, pp-64-116.

This resulted in the production of a cleft when people started writing plays about the ban on *Bhand Pather* and started performing it outside Kashmir (141-42). Kabir argues that literary works from Kashmir reflects the predominant presence of cryptopolitics and necropower. The cryptopolitics is the language of the people who are dismayed by the ways they have been governed. The necropower is the political technique of the government to subjugate the people through suspension of life. Kabir traces an antagonistic relationship between literature and sovereignty. In the narratives, the Kashmiris relationship with the state is distinguished by the invisible forms of state power that can create uncertain states of being. Kabir writes that literary texts vent out a world in which the people's aspiration for sovereignty is forever thwarted by the purveyors of authority (148-53). The world in these texts is chaotic by political indecision, lack of consolidated resistance and the wanton exercise of violence by those for and against the state.

7 Research Methodology

This dissertation attempts to write an intellectual history of the concept of sovereignty in post-colonial India. Anthony Grafton in his essay "History of Ideas: Precept and Practice" writes that the practice of intellectual history or history of ideas can be traced back to classical Greece.³⁷ As a modern discipline, intellectual history became popular in the post-World War American academia. Courses on intellectual history were offered in the universities to study western civilization and to understand the existing order in society and the state (12). The discipline witnessed intense debates about the fundamental method to interpret a text. The text oriented and context oriented approaches clashed with each other. Quentin Skinner's foundational essay "Meaning and Understanding in the History of Ideas" argues that the two

³⁷ Grafton Anthony, "History of Ideas: Precept and Practice," *Journal of the History of Ideas*, vol. 67, no. 1, 2006, pp. 1-32.

orthodox methods which are contextual and textual used in the study of historical ideas are inadequate.³⁸ Skinner states that both the methodologies commit philosophical mistakes in the assumptions they make about the conditions necessary for the understanding a text.

Skinner posits the historians that adopt the textual method are susceptible to various mythologies. The first kind of mythology of doctrines is to mistaken some scattered or incidental remarks by one of the classic theorists for his "doctrine". The second kind of the mythology is the converse of the first mistake. Here a classic theorist who fails to come up with a recognizable doctrine is then criticized for his failure to do. Another mythology which typically arises in the textual method is the methodology of coherence. Here it is assumed that the thoughts of various classic writers have a coherence, which they may never have attained. This practice overlooks the possibility of contradiction in literature and generates historical inaccuracies (7-18). The textual method also suffers from literal meanings as key terms change over time. In this case, what a writer wrote in a period may be quite different in sense and reference to the readers situated in a different period (31-32). Skinner also highlights some fundamental mistakes in contextual method which works on the philosophical relation between antecedent causal conditions (context of the work/action) and their results (the work/action itself). The first fundamental mistake in contextual method is that since the context determines the meaning of the text, it undervalues the intention of the author. But the intention of the author itself is a cause in the antecedent and action grid. The second mistake of this method rests on the assumption that 'meaning' and 'understanding' are correlative terms. In other words, the study of context may reveal the meaning of the text but not the intended illocutionary force of the author (42-47).

³⁸Skinner Quentin, "Meaning and Understanding in the History of Ideas," *History and Theory*, vol. 8, no. 1, 1969, pp. 3-53.

My research methodology for the thesis draws on Skinner's alternative method to the textual and contextual methods of reading the texts. Skinner's alternate method emphasizes on linguistic attention to historical context to avoid anachronism and to understand the original author's intention and meaning. The essential aim, in any attempt to understand the utterances themselves, must be to recover the complex intention on the part of the author and then to trace the relations between the given utterance and the wider linguistic context as a means of decoding the actual intention of the given writer. Here the context will not be treated as the determinant of what is said. Rather it serves as a framework for helping to decide the conventionally recognizable meanings in a society and the author's intended meaning to be communicated (49).

The study of post-colonial sovereignty in India needs the analysis of both authorial individual texts and the context in which they unfolds. The individual author could be a statesman, bureaucrat or a dissenting rebel who either conforms or does not conform to the dominant ideology of Indian state. As a multiethnic society, the idea of a free sovereign state entailed freedom from subjugation. However, this is not entirely guaranteed to the people as the real liberation is either deferred or denied in the new post-colonial state. This brings us to the central question of the idea of a sovereign state and the nature of sovereignty in India. The narratives about the exercise of sovereignty by the authorial subjects may not be in synchrony with the people who form the society at large and who may understand sovereignty in different ways. Therefore, an attempt needs to be made to re-read individual narratives along with the context/social history in which they were written to find the different sense in which sovereignty was imagined, understood and exercised. The project situates itself in the subfield of English studies known as Indian literature in English.

The counter sovereign movements in post-colonial India will be analyzed through analytic of protests adopting the Foucauldian approach of counter-conduct. Michel Foucault posits that in the field of power there is resistance which he terms it as counter-conduct. The practice of counter-conduct is to resist the way people have been governed and its discourse seeks another form of governance. A counter-conduct approach “analyzes the components in the way in which someone actually acts in the very general field of politics or in the general field of power relation” (202).³⁹ The rationale and techniques of resistance would be deduced from the writings and anthologized speeches of the leaders of the various counter sovereign movements. Some of the texts such as Phizo’s Plebiscite Speech, Laldenga’s *Mizoram Marches Towards Freedom*, C.N Annadurai’s *Anna Speaks at the Rajya Sabha* and Surjan Singh’s *Case for Republic Khalistan* are not conventional forms of literature. But to give these texts a literary character, the study uses Hayden White’s theorization of historiography as a form of storytelling or literary writing. Drawing from White’s *Metahistory: The Historical Imagination in Nineteenth-Century Europe* and *The Content of the Form: Narrative Discourse and Historical Representation* this study approaches the aforementioned texts as historical texts that narrate the history of nations in the forms of storytelling. By analyzing the rationale and methods used to counter India’s sovereignty through these texts, the study will engage in how alternate forms of sovereignty are imagined and mobilized.

As a part of post-colonial studies, this study will analyze the texts produced by the subjects of the law (bureaucrats, police and military) under the rubric of what Ranajit Guha calls

³⁹Michel Foucault, *Security, Territory, and Population: Lecture at the College De France 1977-198*, edited by Michel Senellart, Palgrave Macmillan, 2009.

‘prose of counter insurgency.’⁴⁰ This form of writing refers to the literature by the colonizers that dramatized the violent conduct of the insurgents against the colonial state to legitimize the use of violence to rule the natives. This study draws parallel between literature of empire and literature by subjects of Indian law, and highlights the historical representation of counter sovereignty movement by the subjects of the law as lacking political and social legitimacy. To analyze the literature produced by civil society, this study subscribes to Amanda Anderson’s method of analyzing character through ruminative thinking.⁴¹ Anderson argues that the interior monologue or speech is often triggered by moral shock or tragic occurrence, and this form of thinking reveals the characters’ inner thought process and critique of the society they live in. Through this method, the study seeks to understand the experience of post-colonial sovereignty in the disturbed areas of India.

8 Chapter Layout

This thesis has five main chapters including an introduction and conclusion. The first chapter constitutes the introductory chapter. The second chapter analyzes how the sovereign state of India was conceptualized by Sardar Vallabhbhai Patel. The third analyzes how the discourse of counter sovereignty movement is narrated in post-colonial India. And the fourth analyzes the concept of state of exception and the reflections on the practice of exception in the literary works from disturbed areas and the accounts of Indian bureaucrats, police and army.

⁴⁰Guha, Ranajit. “The Prose of Counterinsurgency.” *Subaltern Studies*, vol. 2, edited by Ranajit Guha and Gayatri Spivak, Oxford University Press, 1983, pp. 1–42.

⁴¹Amanda Anderson, Rita Felski and Tori Moi, *Character: Three Inquiries in Literary Studies*, University of Chicago Press, 2019.

The second chapter **“Fashioning a Post-colonial Sovereignty: The Political Imagination of Sardar Vallabhbhai Patel”** looks at how Sardar Patel, as an anti-colonial thinker and a nationalist, distinguished the post-colonial state from the colonial rulers, the grounds on which he established the legitimacy for self-rule, and the way he constructed the ideology of the new Indian state. This chapter particularly studies Patel’s conceptualization of *Ram Rajya* and a centralized state government as the two forms of sovereign state through which the new Indian state would govern its citizens. The theoretical works of Partha Chatterjee and Michel Foucault are used to understand the nature of sovereignty in India.

The third chapter **“Narratives of Counter-Sovereignty in Post-colonial India”** looks at the discourse of various counter sovereignty movements in post-colonial India. It engages with the autobiography, letters, speeches and tracts of Conjeevaram Natarajan Annadurai from Tamil Nadu, Sheikh Abdullah from Kashmir, Laldenga from Mizoram, Phizo Angami from Nagaland, and Surjan Singh from Punjab. Through these works, the chapter reflects on how these movements used the art of storytelling to narrativize, rationalize and legitimize the movements against India. This chapter draws on Foucault’s concept of conduct and counter-conduct to understand the correlation of sovereignty and counter sovereignty in post-colonial India.

The fourth chapter **“The States of Exception: The Suspension of Law and the Creation of Bare life in Indian Literature”** focuses on practice of state of exception in post-colonial India as a form of sovereignty. Drawing on the theoretical conceptualization of state of exception by Giorgio Agamben, it engages with the life narratives and novels on the practice of sovereign exception. It analyzes how the autobiographical subject of the state constructs itself as the legal subject of post-colonial India, how the state subject as the embodiment of law reacts to the laws governing the disturbed regions and how the autobiographical subject both inscribes

and resists ideology of the state. It also looks at how the civil society seeks to narrate the way in which the people are actually governed and highlight the plight of the people in the state of exception in post-colonial India.

The conclusion provides a summation on the key ideas that have been worked throughout the thesis. It also highlights the areas that the study could not engage in and lay out potential future areas of study that can build on from this study.

Chapter 2

Fashioning the Post-colonial Indian State:

The Political Imagination of Sardar Vallabhbhai Patel

Introduction

The British colonial rule in India, through its modern state making mechanisms such as survey, mapping, classification, census, and uniform governance, transformed the subcontinent into one governable entity. The colonized subjects' common experience of exploitation and aspiration for self-rule gave rise to the national movement against the colonial rule. It was a mass movement that involved both peasants and upper echelons of the Indian society. In due course, this movement transformed the colonized territory into an independent sovereign nation state. The transition period between the demand for independence and its actual realization was marked by many imaginings of the new post-colonial nation-state of India that was to be fashioned into existence. One such imagination was that of Vallabhbhai Patel. An important leader of the anti-colonial national movement, Patel went on to serve as a member of the Constituent Assembly, and later on as the Deputy Prime Minister, and Minister of Home Affairs.

This chapter seeks to study Patel's political imagination as it was represented in his letters and speeches delivered during the period of 1947-1950. The letters and speeches are anthologized in *The Collected Works of Sardar Vallabhbhai Patel*. The chapter explores how Patel imagined a new post-colonial sovereignty for India. Patel offers an interesting opportunity for such a study. He was instrumental in the political integration of various princely states and frontier territories into the Indian Union following the lapse of British paramountcy. He was also the principal figure who constituted the All India Services (AIS), the bureaucratic institution that

is responsible for the administration of India. In addition to this, he was a member of the drafting committee of the Indian constitution.

This chapter argues that Patel envisioned the post-colonial state in two ways. The first refers to the general concept of the *Ram Rajya*, and the second refers to a strong centralized state with an elaborate bureaucracy and formidable army. Both these modes of imagining the state were interrelated. Patel saw these as fit modes for governing the independent people of India. The chapter will analyze how Patel formulated the *Ram Rajya* and the strong centralized state. In the process, it will study the construction of a binary distinction between the colonial state and the new independent state, the ideology of the new state, the nature and machineries of sovereign power, and the propagation of a new model of political conduct as part of the nation building project.

1. *Ram Rajya*: A short discursive history

Ram Rajya was a popular concept at work during the anti-colonial national movement. In general it stood for an ideal form of government. However, though it was widely eulogized as the ideal form of rule and was given a utopian visualization, the concept of *Ram Rajya* lacked a comprehensive formulation. It did not receive an elaborate self-conscious treatment like Thomas More's *Utopia*. More's *Utopia* offers the portrait of an elaborate world order. It has multiple cities—each one has a Prince and magistrate to govern over the people. The territory and population are thoroughly mapped. People are given uniform education especially in agriculture and other constructive works such as masonry and carpentry. There is no sense of private property and resources are shared communally based on needs. It also has elaborate laws and customs for deliberating war, for punishing the deviants or criminals, and for the slaves to

redeem themselves.⁴² Unlike More's *Utopia*, *Ram Rajya* has not received a self-conscious elaborate treatment. In the absence of such a definitive treatment, the concept has remained an abstract if not a vague and capacious category. Various kinds of political ideologies have mobilized it for their particular purposes. This section will offer a short account of the various ways in which the concept has been mobilized over the centuries.

The concept of *Ram Rajya* is derived from the ancient Indian Hindu epic *Ramayana*. It refers to the glorious rule under the kingship of Rama. The rule is characterized by peace, prosperity, equality, justice and security of life. Though a system of governance of ancient antiquity, it had and continues to provide a framework for the articulation of political discourses in India. Sheldon Pollock dates the practice to encode historical political events within the framework of *Ramayana* narrative to the twelfth century.⁴³ This period witnessed a remarkable effort for building temples dedicated to Rama. It corresponded with the practice of describing the local historical king in the likeness or image of Rama. Pollock posits that the *Ramayana* became a framework to interpret political discourses due to two features: the ideology of kingship, and the demonization of the others. Unlike the epic *Mahabharata* that revolved around fraternal struggle for political power, the *Ramayana* offers a divinized solution to the problem of sovereign legitimacy. The *Ramayana* enables a new mediation of the religious and the political as the order of the everyday governed by a divinized king Lord Rama. This divinized king formulated a new social and political theology where divisive fraternal political interests were missing and unthinkable. The second feature is the demonization of the others that are outside

⁴² Thomas More, *Utopia*, Penguin Classics, 2012.

⁴³ Sheldon Pollock, "Ramayana and Political Imagination in India," *The Journal of Asian Studies*, vol. 52, no. 2, 1993, pp. 261-297.

the theologically sanctioned polity as deitetically, politically and sexually deviant. The inscription that explicitly illustrates the divinization of the king and the demonization of the other is dated around 1168 and was found at Hansi (now in Haryana), a town of strategic importance to check the invading force of the Muslim Turks to Delhi. The inscription records King Prthviraja's and his maternal uncle Kilhana's actions to check the Turk invaders. In the inscription, Kilhana is praised thus: "Having soundly defeated the Turuska, He built a tower of gold, like a crown of the dwelling of Someśa. And that Rama has without doubt become Prthviraja the great king, and certainly Hanuman has become you, great hero, a man of miraculous deeds" (273). Pollock suggests that this narrative framework subsequently became a common frame to record historical encounters with the Ghaznavids, Ghurids, and Khiljis, and the identification of the sultanate and Muslims as the demonized others. This narrative trope of the invader as demon and the defender as the divine king Rama of premodern India is also used to frame the political and historical experience in modern India although with some alterations with regard to the sovereign.

Unlike the attitude towards the Muslims, the nineteenth century saw the British rule as benevolent. The British colonial rule in the long nineteenth century was at times conceptualized as *Ram Rajya*. Sudhir Chandra argues that this period of colonialism has been eulogized in Hindi literature of the nineteenth century as *Ram Rajya*.⁴⁴ This praise comes mostly in the context of the development and liberation that the colonial rule brought to the Hindus from the Muslims. Thus, Premghān wrote a play *Bharat Saubhagya* that praised the British colonial state's art of governance as *Ram Rajya*.⁴⁵ The play is set in the background of the Revolt of 1857 which was

⁴⁴ Sudhir Chandra, *The Oppressive Present: Literature and Social Consciousness in Colonial India*, Oxford University Press, 1992.

⁴⁵ Premghān, *Bharat Saubhagya*, Mirzapur, 1889.

seen as a disturbance to the peaceful colonial rule. The main characters are Bharat and British Nation. The latter governs the country with the help of his three agents: British Policy, Education and Freedom. The colonial rule through the character of British Nation is portrayed as the rule of law that ensured security to life after long period of exploitation and oppression under the Muslim rule. Overwhelmed by the British liberal virtues and sense of justice, Bharat praised the Viceroy Lord Ripon, “By giving us surfeit Joy, you have given us dyspepsia” (as quoted in Chandra 35). Likewise, Pratapnarayan Mishra in his poem serialized in *Brahman* described the British government as the savior of the Hindus who had been subjected to exploitation under Muslim tyranny. The British rule is again described as *Ram Rajya* in which people “experience joys and sorrows in accordance to their Karmas” (as quoted in Chandra 43). The conceptualization of the British rule as *Ram Rajya* was also a popular trend among the Indian historians of the period. Indian history was divided into Hindu, Muslim and British periods. The periodization was based on the religious orientation of the rulers. This schema was developed by the colonial state in their historical accounts of India. Indian historians also followed it. The early period, referred to as the Hindu period, was seen as a period of prosperity and cultural growth. This was followed by the period of Muslim rulers, which saw the growth of mercantile trade accompanied by tyranny and cultural decay. The notable exception in this was the reign of Akbar. Maganlal Vakhatchand (1830-68), a Jain historian, in his historical account *Amdavadno Ithihas (History of Ahmadabad, 1851)* described the British rule as *Ram Rajya* which brought safety, justice, education, prosperity, and infrastructural development to India (Isaka 2002).⁴⁶ A common thread we notice in these texts by the colonial and Indian historians is the emphasis on

⁴⁶RihoIsaka, “Gujarati Intellectuals and History Writing in the Colonial Period,” *Economic and Political Weekly*, vol. 37, no. 48, 2002, pp. 4867-4872.

the decadence of India's glorious ancient culture under the Muslim rule, and the restoration of this culture to its glorious past heights by the British. However, it needs to be noted that the eulogization of the British rule as *Ram Rajya* was not echoed by many Muslim writers who wrote in Urdu. The writings of such authors of the period were keyed around the theme of 'Islam is Dying' (Lehman 125-31).⁴⁷

The eulogization of the British rule as *Ram Rajya* took a sharp turn in the twentieth century as the anticolonial nationalist movement began to shape popular consciousness. British rule began to be characterized as despotic and exploitative. Nationalist thinkers offered critiques of the British liberal democracy and economic exploitation. Mahatma Gandhi re-conceptualized *Ram Rajya* as the ideal form of Swaraj or freedom from colonial subjugation. Gandhi asserted that *Ram Rajya* should not be "an imitation of the British House of commons or, the soviet rule of Russia or the fascist rule of Italy or the Nazi rule of Germany. They have systems suited to their genius. We must have ours suited to ours" (as quoted in Prabhu and Rao 326).⁴⁸ Gandhi's *Ram Rajya* was a secular one as he stated that *Ram Rajya* does not mean Hindu Raj and the Ram he referred to was not the epic hero but an individual soul (Atma-Ram) whose moral authority on truth and righteousness would be the basic foundation of sovereignty of the people (Rothermund 315).⁴⁹ Gandhi described *Ram Rajya* as the kingdom of righteousness and truth. The divine Ram and Rahim are one. Additionally, the golden rule of Rama serves as a modular form "of true democracy in which the meanest citizen could be sure of swift justice without an

⁴⁷ Fritz Lehmann, "Urdu Literature and Mughal Decline," *Mahfil*, vol. 6, no. 2/3, 1970, pp. 125-131.

⁴⁸ Ramchandra Krishna Prabhu and Udupi Ramachandra Rao, editors, *The Mind of Mahatma Gandhi*, Navajivan Publishing, 2007.

⁴⁹ Indira Rothermund, "The Individual and Society in Gandhi's Political Thought," *The Journal of Asian Studies*, vol. 28, no. 2, 1969, pp. 313-320.

elaborate and costly procedure” (as quoted in Prabhu and Rao, 326). Gandhi’s version of *Ram Rajya* is secular. It is based upon the principle of equality among citizens without a distinction between a prince and a pauper.

The novel *Narata-Ramayanam* (1955) is a modern retelling of the Ramayana written by C. Virudhachalam under the pen name Pudumaippittan. The text has two fragments or parts: one, set in ancient period of Ayodhya; and two, set in the anti-colonial movement in the 1920s. Pudumaippittan described Rama as a zealous adventurer, but, a less zealous king unable to adjust to courtly life, “For Lord Rama, who was always performing heroic deeds in war, from destruction of the Tataka to the battle with Ravana, living in this very peaceful place made time hang heavy on his hands” (quoted in Richman 2007, 47).⁵⁰ Rama moves back to the forest for a second stint after fulfilling his son’s matrimonial duties. There he is disillusioned with the lack of adventure. After the failed second stint he returns home, and “he had no work in life-not even listening to the senseless speeches of his court ministers or sitting on the Lion Throne that jabbed him in the back. He kept pondering what had changed the string of days into a wasted emptiness spreading before him” (quoted in Richman 2007, 48). The narrative then reveals that it was at the lowest moment of Rama’s life that the recitation of Ramkatha started along with Hanuman, “At first, to make time pass, they began to speak of old stories. Then as time went by, they made this task their work and conducted old battles with their words, regaining happiness from it” (quoted in Richman 2007, 48). Here the moral of the epic narrative is completely reversed as the ideal rule is portrayed as idle. In the context of anti-colonial nationalism, Pudumaippittan belittles

⁵⁰Paula Richman, “A Tamil Modernist’s Account of India’s past: Ram Raj, Merchant Raj, and British Raj,” *The Journal of Asian Studies*, vol. 66, no. 1, 2007, pp. 35-62.

Ram Rajya through a caricature of the Gandhi's Swadeshi movement to show its sporadic success. The protagonist Bharati closely resembles Gandhi and the critique of the *swadeshi* movement is done through the protagonist's trade of making local snacks: *dosai* and *idli*. The narrative describes "At first the price was amounted to one gold sovereign per item. Nevertheless Bharati insisted that they should eat these snacks for the sake of the poor people. People laughed at him. Some people bought them. After ten years passed, he was able to produce a *dosai* that wasn't too bad. And the price decreased a little" (quoted in Richman, 56).⁵¹ This is an economic critique of the *swadeshi* movement that attempted to develop a self-dependent economy and attain *swaraj* or *Ram Rajya*. But the movement falteringly failed to provide good quality clothes at cheaper prices compared to foreign goods let alone develop an independent domestic economy. And as a result only few rich Indians could afford the clothes and support the movement which was the opposite of the mass mobilization that it aimed to achieve.

Another modern retelling of Ramayana is the play *Rama's Kingdom of Justice: Sacrifice of Shambook Muni Balidan* (1964) by Swami Acchutanand. The play highlights the unjust aspects of Ram's rule through the character Shambook, a Shudra who is accused of performing a ritual reserved for the higher caste Brahmins. In the play, Ram executes Shambook for violating dharma without valid proof and as a penance sacrifice for a drought in his kingdom, on the advice of a Brahmin priest. The play exposes the prerogative rights of the higher caste and also provides an alternate historical account. Shambook is portrayed as the original inhabitants (non-

⁵¹Paula Richman, "A Tamil Modernist's Account of India's past: Ram Raj, Merchant Raj, and British Raj," *Journal of Asian Studies*, vol. 66, no. 1, 2007, pp. 35-62.

Aryan) of the land before the arrival of the Aryans that constitute the higher castes (Amardeep 1079-80).⁵²

Contemporary interpretations of *Ram Rajya* lean more towards criticism for its allegedly discriminatory aspects. They seldom see it as a model of perfect rule. Ramakrishna Bhattacharya argues that *Ram Rajya* is not a utopia as imagined or theorized. Rather, it is a class utopia that favors certain class or caste. Though it has some features of utopia such as the rule of law and peaceful coexistence, all the citizens do not enjoy equal rights and privileges as it adheres to the four-Varna (caste) system in which the Brahmins and Kshatriyas are the chief beneficiaries (22-27).⁵³ The hierarchy establishes it as a class utopia that perpetuates structural inequality among the citizens. This conceptualization of *Ram Rajya* as a class utopia is also evident in the political discourse of India. In post-colonial India, one of the earliest attempts to form a *Ram Rajya* was initiated by the Ram Rajya Parishad (RRP) in Gujarat around 1947. A feudal conservative political party, the RRP wanted to revive a *Ram Rajya* in which the concept of Dharma was predominant with no reform in the caste system except for providing the lower caste with jobs in the sanitary department (Upadhyakumar 19).⁵⁴

The concept of *Ram Rajya* continues to capture popular political imagination in India. It is a malleable category, which is capable of several meanings. This short overview has been

⁵²Amardeep, "Re- Reading of Hindu Texts and the Dalit Awareness in the United Provinces," *Proceedings of the Indian History Congress*, vol. 77, 2016, pp. 1078-1082.

⁵³Ramakrishna Bhattacharya, "Utopia and Ram Rajya in Ancient India: A Comparative Study of Uttarakuru and Ram Rajya," *Psyche and Society*, 22-28.

⁵⁴S.P.Udayakumar, "Historicizing Myth and Mythologizing History: The 'Ram Temple' Drama," *Social Scientist*, vol. 25, no.7/8, 1997, pp. 11-26.

aimed at describing some of the ways in which the concept has been mobilized by various agents over the centuries. Its reference to an ideal rule of righteousness and prosperity continues to be one of its principal meanings. It is this meaning that continues to connect with the people. The next section will analyze Vallabhbhai Patel's formulation of *Ram Rajya*, and describe how Patel mobilized the category to imagine a new post-colonial Indian state.

2. Patel's *Ram Rajya*: Education, History, Caste, *Panchayati raj*

One of the political dilemmas among the nationalists concerned the form of the state government in independent India. Sardar Patel viewed the state as a trustee. To quote Patel, "If we cannot act as trustees to the entire population irrespective of caste, creed or religion, we do not deserve to be where we are" (1948, 45).⁵⁵ He opined that people should not blindly follow western methods of administration. Instead, people should work for a responsible state that can ensure stable economy, local governance and communal harmony. As mentioned earlier Patel envisioned two forms of government: *Ram Rajya* and a strong centralized state. His *Ram Rajya* is modular form of self-sufficient village, and a decentralized form of government rooted in indigenous culture and traditional practices. And, the strong centralised state is modeled after western art of modern statecraft with elaborate machineries of power. This section will look at Patel's conceptualization of *Ram Rajya* as a form of government to suit the genius of the Indian masses. It argues that Patel's conceptualization of *Ram Rajya* works in the spiritual domain where the nation is re-conceptualized with a new modular form different from the modular of national society provided by the west. It also looks at the institutions of power in *Ram Rajya* to govern the people in certain aspects of their conduct. According to Patel, *Ram Rajya* can be

⁵⁵P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

established if the nation-state can institute a national education program, bring about Hindu-Muslim unity and abolition of the caste system, and form a self-sufficient economy and *Panchayat Raj*. In other words, the establishment of *Ram Rajya* requires the reworking of the spiritual domain especially in areas such as language, history, the treatment of the outcaste and revival of traditional practices. But before we delve into details of Patel's *Ram Rajya*, a conceptual understanding of the two domains: material and spiritual in the discourse of anti-colonial nationalism would be insightful.

2.a Anti-colonial Cultural Nationalism

Postcolonial writers have focused on the fact that not all forms of nationalisms found in different parts of the world are the same. Partha Chatterjee in *The Nation and Its Fragments* argues that nationalisms in Africa and Asia are not mere imitations of certain imagined communities and modular forms of state provided by Europe and America. Quite contrarily, he asserts, the most creative results of the nationalist imagination in Asian and African anti-colonial movements rely on the assertion of difference. That is, difference from the modular forms of the national society imagined and propagated by the modern West. In addition, Chatterjee states that the conventional understanding of nationalism is limited to its explicitly political aspect—it is thus a movement that starts with the struggle for power and ends with the attainment of sovereign power. According to him, anti-colonial nationalism creates its domain of sovereignty before it begins its political battle for power, and it does so by dividing the social institutions and practices into two domains: the material and the spiritual. The material refers to the outside world, the domain of statecraft, science and technology, modern arts and economics, in which the western world is dominant and the East is subordinated by the imperial powers. The spiritual refers to the inner domain constituted by markers of cultural identity. Chatterjee argues that it is

in the inner spiritual cultural domain that the imagined community of a nation is brought into being. This necessitated the nationalist urgency to articulate the distinctiveness of the spiritual culture. The nationalists believed that “as long as India took care to retain the spiritual distinctiveness of its culture, it could make all the compromises and adjustments necessary to adapt itself to the requirement of a modern material world without losing its identity” (Chatterjee 120).⁵⁶ The spiritual domain becomes the sovereign territory of the nationalists. It is the domain which is superior to the West, and must be kept away from the colonial intervention. It is also in the spiritual domain that the nationalist launches the most powerful, creative and historically significant project that is to fashion a modern national culture for the Indian state that was essentially different from the West.

Chatterjee asserts that the historical project to refashion a modern national culture took shape in several areas of the spiritual domain. The nationalists’ interventions were to counter European criticisms of India as backward and barbaric, which, in turn, justified colonial dominance to train the natives in the art of modern state governance. The specific aspects of the spiritual-cultural domain that the nationalists intervened in so as to refashion a national culture which would be suitable to the modern state included language, school education, family, national history etc. Contrary to Benedict Anderson’s theorization of print capitalism as the catalyst for the growth of modern national languages and imagined communities in Europe, Chatterjee argues that this national trajectory was quite different in the Indian case. The British East India Company and the missionaries introduced print capitalism but it only established a pedestal position for English over the native languages, and English became the language of

⁵⁶Partha Chatterjee, *The Nation and its Fragments: Colonial and Postcolonial Histories*, Oxford University Press, 1993.

bureaucracy and intellectuals. The crucial moment in the development of modern native language came “when this bilingual elite makes it a cultural project to provide its mother tongue with the necessary linguistic equipment to enable it to become an adequate language for modern culture” (Chatterjee 7). Language for the bilingual nationalist elites belong to the “inner domain of cultural identity, from which the colonial intruder had to be kept out; language therefore became a zone over which the nation first had to declare its sovereignty and then had to transform in order to make it adequate for the modern world” (Chatterjee 7). Towards achieving this end, a new network of printing presses, publishing houses, news papers, magazines, and literary societies were created.

The proposition to develop modern native language was coupled with the plan to mobilize national school education with a suitable educational literature that will provide the space where native language and literature can be normalized. This educational space also provided the room to improve the spiritual domain of the family especially the condition of the women who represented the home in the larger dichotomy of the material and the spiritual, the outer and the inner, the public and the private, and the world and the home. To ameliorate the condition of the women, the nationalists adopted selective apparatuses of western modernity. Schools were opened for women where educative literature and teaching materials were circulated in their mother tongue. The aim was not to develop cultural affinities with the ideal of the *memsahib*, and the luxury and comfort that western education stood for. Rather, “the nationalist construct of new women derived its ideological strength from making the goal of cultural refinement through education” (Chatterjee 128) compatible with the ideals of domesticity. The nationalists’ aim was to limit the influences of the colonial state and the missionaries upon the national culture.

Chatterjee conceptualized nationalism as a mediating process in which the principal agents were the educated middle class. The role of this middle class that constituted the nationalists was not just to guide and lead the masses but also to mediate the national ideologies and politics, and the dominant national culture and social institutions to transform the spiritual cultural domain. Integral to this task of mediation to reformulate a national culture adequate for the modernizing world was the construction of a national history that was suitable to the new forms of public discourse and cultural modernity. The task of the nationalist was to rewrite a national history different from the account of colonial historians such as Vincent Smith who described India as a “battleground of races and religions since time immemorial” (quoted in Chatterjee 16). To counter this colonial narrative, the nationalist constructed a rich classical past. This construction was a kind of classicization of history that “could comfortably incorporate as particulars the diverse identities in ‘Indian tradition’, including such overtly anti-Brahmanical movements such as Buddhism, Jainism, and the various deviant sects” (Chatterjee 73). The national history that was constructed was overtly Hindu but it could accommodate Islam in the history of nation as foreign element “domesticated by shearing its own lineages of a classical past” (Chatterjee 74).

Another area of the spiritual domain which the nationalists had to reformulate in their cultural project of modernity was the institution of caste system. The colonial state looked at the caste system as the primary reason why the Indian society could not acquire virtues of modernity and nationhood. Chatterjee puts forth that the nationalists deployed two strategies to this end. One group of nationalists denied caste as an essential characteristic of Indian society. This group of nationalists influenced by the bourgeois-liberal-legal political principles of liberty, equality and justice, condemned “caste as an oppressive and antiquated institution inconsistent with a

modern society” (Chatterjee 174). Contrary to this strategy was the construction of a synthetic theory of caste. According to this theory, caste is an essential element of Indian society and it “makes India essentially different from the Western. What is denied, however, in this nationalist argument is the charge that caste is necessarily contradictory to, and incompatible with, a modern and just society” (Chatterjee 74). This approach looked at the caste system in its ideality and argued that “the four varna scheme was meant to be a noncompetitive functional division of labor and division of labour and did not imply a hierarchical privilege” (174). And what holds together the four varna is the ideological force of Dharma. This force assigned each *jati* or caste a position in the system based on “simultaneous unity of mutual separateness and mutual dependence” (175). This was despite the evident caste identity practice based on the distinction between pollution and purity. Drawing from Chatterjee, the following sections will analyze Patel’s *Ram Rajya* as a spiritual reworking of Indian national culture and traditions for a modern nation-state.

2.b A National History

The nationalist project to formulate a national culture and ideology suitable for a modern state required the construction of a classical historical past which was accommodative. This was essential to wield sovereign power in the spiritual domain before the nationalist could stake claims in the material domain. Patel underlined the importance of Hindu and Muslim unity for the establishment of *Ram Rajya*. Drawing from Gandhi’s constructive programme, Patel asserted that to establish *Ram Rajya*, “The first thing to do is to achieve Hindu-Muslim unity” (55).⁵⁷ This

⁵⁷P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

required for what Partha Chatterjee calls the classicization of history (95)⁵⁸ or rather the construction of a history that put emphasis on the two religious communities and the other diverse identities for the governance machinery to work. Patel's account of the national past draws on two cultural-spiritual areas: religion and philosophy. He constructs an ideological framework, which enables one to view India's historical past as characterized by the fusion of civilizations and socio-cultural development. Patel described India as "a land of varieties-varieties of religion, culture, traditions, habits, and languages. Yet throughout history it has evolved a synthesis, harmony and oneness which has been the admiration of the world and the secret of its preservation" (255).⁵⁹ This pluralistic character of the society rendered India a home for many diverse peoples. As Patel puts it, "many people have come to this land, persecuted for the sake of religion. Jews have come. Parsees have come. They have settled down and made India their home" (156).⁶⁰ And of the many other races that have come to this country,

Some have become conquerors, some became our own and some against us; but India goes on her own way. She has never had and will never have any aggressive intention or design on any country. She will never conquer any country except by the spread of culture and civilization. In the past too, if she has ever spread her culture, she has never done so by force. Right up to Japan, Buddhism had it sway and in Afghanistan and over

⁵⁸Partha Chatterjee, *The Nation and its Fragments: Colonial and Postcolonial Histories*, Oxford University Press, 1993.

⁵⁹ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

⁶⁰ P.N Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV (1 January 1950-15 December 1950)*, Konark Publishers, 1999.

the border of Afghanistan, Indian civilization spread. But India has never taken the sword beyond her borders. (139)⁶¹

And contrary to common historical narrative of Muslims as invaders and whose loyalty to the nation was always doubtful, Patel domesticated Islam in India history. In the speech “In Tunes with Millions,” Patel asserted that, “India is one and indivisible... The Muslims have their roots in India. Their sacred places and their cultural centers are located in India” (153).⁶² He cited the Jumma mosque, Taj Mahal, and Aligarh University as some of the sites of historical and cultural roots of the Muslim in India.⁶³ All this was possible because, India is a land of tolerance where every religion has prospered. This was possible because “the Hindu society has always adjusted itself to changing conditions” and it has treated the persecuted and foreign communities “as their own, as their welcome guests” (156).⁶⁴ Patel thus articulates a national history that offers a counter-narrative to the colonial state’s narrative about India as a battleground of religions. In contrast, Patel portrays India as a land of flourishing civilizations, resolute in its adoption of the non-violent ethic, and protective and nurturing of a multiplicity of faiths.

Patel’s construction of India’s syncretic past is part of his nationalist project. His selective popular description of India as a land of syncretism reflects a particular aspect of the

⁶¹ Ibid.

⁶² P.N Chopra and Prabha Chopra Prabha, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

⁶³ Ibid.

⁶⁴ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel (Volume XV, 1 January 1950-15 December 1950)*, Konark Publishers, 1999.

modernizing project that the nationalist elites espoused. Chatterjee draws attention to this aspect—namely that, this project was “an exercise of self-discipline” (Chatterjee 36).⁶⁵ The popular qualities of unity, tolerance and non-violence that Patel mobilized as the timeless quintessential characters of the national culture serve a disciplinary function and purpose to erase “all marks of vulgarity, coarseness, localism, and sectarian identity. The very timelessness of its ‘structure’ opens itself to normalization” (Chatterjee 73). Patel’s repeated assertions of non-violence and tolerance make them the dominant virtues for the people to adopt. These are the cardinal virtues that the people are expected to conduct themselves by. These would help people to discipline themselves, and mitigate communal violence between the Hindus and Muslims. These would ensure the permanence of the national spiritual culture to lay claim over the material domain of statecraft.

2.c Education for a New India

Sardar Patel opined that freedom from foreign rule brought a greater and heavier responsibility of constructing a social and administrative structure wherein everybody would enjoy the benefits of goodwill, peace and harmony. As Patel puts it, “Freedom from foreign domination is the beginning for greater and heavier responsibility of constructing a structure of system in a manner we like. It would be our aim to build our society in such a manner that everybody will be happy.” (156).⁶⁶ The establishment of *Ram Rajya* as a form of government for the new state also emphasizes on the spiritual-cultural arena of language and education. Patel

⁶⁵Partha Chatterjee, *The Nation and Its Fragments: Colonial and Post Colonial Histories*, Princeton University Press, 1993.

⁶⁶P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV (1 January 1950- 15 December 1950)*, Konark Publishers, 1999.

underlined the need to develop a model national education in order to experience a unique form of independence. To achieve this, he emphasized the necessity to revolutionize the existing education system, especially in the areas of language and education materials. He advocated the use of Indian vernacular languages as the medium of instruction, and wanted Hindi to be the national language. Here, a quotation from Patel's foreword to a book on the history of Gujarat Vidyapith will be insightful. He writes:

...one should not forget that medium of education should be a student's own language. We are faced with that problem. We have to educate the students and make them competent for running the country. For that a medium of foreign language is a burden. Along with that one should not forget the national language. It should be taught as a compulsory language. (288)⁶⁷

For Patel, education and administration of the country were closely inter-linked. Education aimed to make students adequately competent to run the country. For the cultivation of administrative competence, in Patel's understanding, a non-native language like English is more of a hindrance. Hence, he put an emphasis on vernacular language. The emphasis on the idea of a "student's own language" is balanced off by an equal emphasis on "the national language," the language which was supposed to serve as a link language. The idea and necessity of the national language is reiterated in another significant context. Addressing the armed forces, Patel said, "we have won the freedom after a hard struggle after many years of slavery and bondage. If we do not talk in our language the remnants of slavery may grow into a tree. At least

⁶⁷ Ibid.

the armed forces should learn to speak in national language” (210).⁶⁸ Using Quentin Skinner’s analytical framework to understand the intention of the utterance in relation to the wider linguistic and historical context,⁶⁹ what is discernable in Patel’s words is his desire to retain or rather to reclaim the spiritual cultural distinctness of India that includes the native language. The native language is the sovereign domain of the people, the repository of their true identity and also a vital source to forge an imagined community. His authorial intent in the wider linguistic context of the importance of mother tongue is to make people use their own language, which suits their genius better. Owing to its foreignness, English is a burden for cognitive understanding. It stunted the natives’ intellectual growth. If other tongue could be used as a medium of instruction in the schools, and as a language of command in the armed forces, it would benefit not only the civil governance of the country but also the independent spirit of the armed forces. Given the context of building a new nation, Patel’s assertions mount a linguistic decolonization process by which the colonized become independent and free themselves from colonial influences.

The nationalists’ cultural modernity project was to develop educative literature and teaching materials in Indian languages. With regard to the body of literature taught in school, Patel endorsed Gandhi’s view that the British education system was not leading Indians to the right path because it encouraged the development of foreign culture and taste. For Patel, this

⁶⁸P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

⁶⁹Quentin Skinner, “Meaning and Understanding in the History of Ideas,” *History and Theory*, vol. 8, no.1, 1969, pp. 3-53.

alien feature and the industrial scale in which colleges functioned in multiple shifts, were making young Indians desert their villages and flock to cities. Thus, they were diverting people from the path of real *swaraj* which lay in the villages. He also doubted whether healthy education could be imparted in the condition in which educational institutions worked. His approach to improve the condition of the nation and lead it towards prosperity underlined the necessity to reform education that would transform Indian villages. In a speech delivered at Indore in 1950, Patel asserts

the present system of education does not equip young men to stand on their feet in the world. After getting degrees, students go out in search of jobs, which do not exist. Frustration at not getting jobs often makes them join extreme parties. The education system should be so re-oriented that young men were taught to do things with their own hands in the agricultural and industrial fields. (219)⁷⁰

Patel thus aspired for a skill-based education which enabled the youth to work in the agricultural and industrial sectors that would transform the village, the space where *Ram Rajya* is envisioned. It did not produce a population that aspired towards salaried employment. Patel alludes to the “extreme parties” which gain out of the “frustration” of the educated youth. He seeks to create a space for a contented and gainfully self-employed youth who avoid various forms of political extremism. Patel thus advocated a form of education that would improve the technical and agricultural skills of young Indians, and promote economic self-sufficiency. And, with regard to the cultural domain of the home, especially the condition of woman, Patel

⁷⁰P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV (1 January 1950- 15 December 1950)*, Konark Publishers, 1999.

subscribed to the nationalist concept of the “new women.” He advocated that the *purdah* system be discarded. As he puts it, “You must discard the *purdah*. You must allow your women to see the world so that women may also realize their duties to the motherland” (15-16).⁷¹ In the final analysis, then, Patel sought to reformulate the education system by creating more space within it for Indian languages and materials, and by freeing it from the remnants of the hegemonic colonial tastes and priorities. The colonial education system was designed to create salaried clerks who would mediate between the rulers and the ruled. Patel’s nationalist education system leaned towards the villages, towards the domain of true culture and swaraj.

2.d The Problem of Untouchability

Another aspect of the spiritual nationalism that Patel sought to mobilize via the concept of the *Ram Rajya* concerned the reform of the caste system. Patel’s approaches to the problem of caste were based both on western liberal virtues and spiritualism. Trained as a barrister in the English legal culture and acquainted with the work of liberal democracy in the course of his participation in the nationalist movement, Patel viewed India’s independence as incomplete without the Harijans’ rights to complete equality. As he puts it, “India’s independence would be incomplete until every Harijan can claim and obtain complete equality with the most highly placed persons in the country” (146).⁷² He regarded the cause of the Harijans as a “sacred obligation of every Indian” and the deliberation of which would inculcate in people the “spirit of spiritual challenge and responsible thinking which alone can help you in tracing the right path

⁷¹P.N Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (1 January 1949- 31 December 1949)*, Konark Publishers, 1998.

⁷² P.N Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (1 January 1949- 31 December 1949)*, Konark Publishers, 1998.

and evolving right conduct” (ibid). Patel viewed caste boundaries as hampering India’s growth. The institution of caste, he felt, was exploited by the British to endorse their theory about Indian society as a caste-ridden society, and for the ideological justification of colonial rule. As he puts it, “Formerly there used to be elaborate caste tables which were required in India partly to satisfy the theory that it was a caste-ridden country and partly to meet the needs of administrative measures dependent on caste divisions” (58).⁷³ Addressing the Harijans, Patel assured them of an honorable place in independent India. He said:

I will be highly pleased if Harijans are given their quota in administration. I will be most happy if they are put in safe charge of administration. The state cannot abandon the responsibility of state administration. Sometimes laws enacted by the state remain on paper. Anti-untouchability laws have been passed but not properly implemented. Society is also to be blamed for such state of affairs. State should cancel the licenses to run buses, and hotels which do not allow Harijan the right to travel or eat. We should be impatient to eradicate untouchability. (49)⁷⁴

Patel’s proposal was to create a space at the heart of state-bureaucracy for the downtrodden. Once the downtrodden are “given their quota in administration” and are put in “safe charge of administration,” implementation of progressive laws would not be difficult. Moreover, according to Patel, the legislative and legal methods should be supplemented by self-

⁷³P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV (1 January 1950-15 December 1950)*, Konark Publishers, 1999.

⁷⁴ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

discipline and spiritual examination to overcome these naturalized or normalized caste identities. Patel said,

You have the problem of Brahmin, non-Brahmin, Lingayats, non-Lingayats. But these small differences must be forgotten and we should all think we are all Indian. We must look after the poorest first and then ourselves. The differences between high and low must disappear. Opening of temples by itself will not solve the problem of untouchability. Legislation will not mend society. (69)⁷⁵

Patel thus put an emphasis on the erasure of the “small differences” and the espousal of a warm fellow feeling of being “all Indians.” In the linguistic context of caste, Patel was mindful of the language used to distinguish certain group from others, and he advocated against the usage of terminologies that carry beliefs, prejudices, and religious strictures of high and low or purity and pollution. And in the social context of rising demand of right of equality and rights against exploitation, Patel’s reformulation of national culture prescribed that people undergo a process of spiritual self-disciplining, and develop a new subjecthood, an Indian identity that is impervious to the caste system.

2.e Panchayati Raj: Village Self Governance

Patel’s *Ram Rajya* also incorporates the material domain of governance within the framework of the spiritual domain. The material domain that Patel sought to revive was the traditional system of village governance. In his speech on higher status and position of teachers,

⁷⁵ P.N. Chopra and Chopra Prabha, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (1 January 1949- 31 December 1949)*, Konark Publishers, 1998.

Patel articulated that, “If we want real Swaraj it must not be of the English type but of our old *Panchayat* type” (21).⁷⁶ Patel believed that true sovereignty/swaraj lies in the traditional *Panchayati Raj* and the body of *Panchayat* committee would consist of elderly persons of the village where every community has representative and without rivalry (34).⁷⁷ And this body would be responsible for the administration of the village and also for the administration of justice. The *Panchayat* system is accessible by any person either to hold office or appeal for justice. This makes it an ideal form of swaraj. Patel said, “if you settle your dispute through *panchayats*, everybody big or small and poor will be able to get the benefit. Our concept of swaraj is that even the poorest people should be served” (29).⁷⁸ This scheme of self-sufficient village under the *Panchayat* system serves two purposes. One, the self-sufficient village model as a decentralized form of government stands in stark contrast to the British form of centralised statecraft with its elaborate power mechanisms such as bureaucracy, the police, the military, and the judicial legal system. The *panchayat*, as a self-sufficient local unit for governance, refers to the possibilities of a form of decentralized state, a non-police, non-military and non-bureaucratic state. Two, the *panchayat*, as the governing body presiding over the affairs and disputes of villages, offers a critique the British administrative system. Patel believed that if the villages are developed as self-sufficient units, every village *panchayat* would amicably settle its disputes.

⁷⁶ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

⁷⁷ Ibid.

⁷⁸ Ibid.

And the villagers would be saved from the extravagant and unnecessary expenditure involved in the British system of administration (5).⁷⁹

2.f Guidance of People's Conduct

Ram Rajya thus refers to an ideal national culture around which the sovereign post-colonial state had to be built. It refers to a certain set of ethical ideals, social principles, historical myths and institutional praxis. This set of cultural ideals and practices served to conduct the people of a newly independent India into a certain form of post-colonial subjectivity. This form of subjectivity was conducive to the proper functioning of the state and society. In this sense, *Ram Rajya* refers to a framework of what has been termed governmentality. It put an emphasis on governing the conduct of the independent people. As is well known, Michel Foucault conceptualized power as “a network of relations, constantly in tension, in activity, rather than a privilege that one might possess; that one should take as its model a perpetual battle rather than a contract regulating a transaction on conquest of a territory... power is not exercised simply as obligation or a prohibition on those who do not have it” (26-27).⁸⁰ And also, “Power should not be understood as an oppressive system bearing down on individual from above, smiting them with prohibition of this or that” (Bess, 2).⁸¹ Power “is a total structure of actions brought to bear upon possible actions; it incites, it induces, it seduces, it makes easier or more difficult; in the extreme it constrains or forbid absolutely; it is nevertheless a way of acting upon an action

⁷⁹ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31December 1948)*, Konark Publishers, 1998.

⁸⁰ Michel Foucault, *Discipline and Punish: The Birth of Prison*, translated by Alan Sheridan, Vintage Books, 1995.

⁸¹ Michael Bess, “Power, Moral Values and the Intellectual: Discussion with Michel Foucault,” *History of the Present*, vol. 4, no. 1-2, 1988, pp. 11-13.

subject or acting subjects... The exercise of power consists in guiding the possibility of conduct and putting in order the possible” (Foucault, 189).⁸² To put it in a nutshell, Foucault conceptualized power as regulatory force to shape one’s conduct by certain means. Conduct which is the object of power can be understood as how to conduct someone, how to be conducted by someone, how to let oneself be conducted, and how to behave under the influence of conduct (Foucault, 193).⁸³

If we draw upon Foucault’s understanding of power, it helps us to read Patel’s *Ram Rajya* as a form of governmentality. It aims at governing the conduct of a newly independent people without resorting to discredited colonial methods such as coercion. The means through which conduct is shaped vary from disciplinary institutions such as school to political institutions and ideology. Patel’s emphasis on reformulating the national model of education, especially the medium of instruction and the body of literature, can be seen as his intervention to shape the conduct of the people. The choice to use various vernacular languages including Hindi over hegemonic languages like English as mediums of instruction has two purposes. One, it is a case of linguistic decolonization. It helps to conduct oneself as a free subject of a sovereign state. Two, it is also an attempt to reorient one’s relationship with the home and the world, to improve native’s literature, culture and philosophy. In addition, the deployment of technical education as part of the curriculum also aims at intervening in the body of the individual to increase its skill or utility. Likewise, the attempt to reinstate *Panchayat* Raj is an attempt towards adopting a system of governance that is different from colonial institutions. It seeks to realign the people to their

⁸² Michel Foucault, “The Subject and Power,” *Critical Inquiry*, vol.8, no. 4, 1982, pp. 777-795.

⁸³ Michel Foucault, *Security, Territory, Population: Lecture at the College De France 1977-78*, Palgrave Macmillan, 2009.

traditional lifestyle and encourage them to abandon “modern” forms of state-craft. The ideal of *Ram Rajya* also encouraged conduct that sought to do away with caste, creed and religion based distinctions, and encouraged spiritual self-examination and introspection. The latter enabled the post-colonial Indian to conduct himself above particular identities in the sphere of politics and other social discourses. And, through strategic allusions to a history of tolerance, it sought to present non-violence as the proper form and violence as the improper form of political conduct for the people in the post-colonial period. This distinction between proper and improper political conduct has significant consequences in Patel’s political imagination. His *Ram Rajya* also has in its own share of Ravana. Here the characteristics of Ravana are not attributed to a particular community or person. Rather, it is attributed based on the political conduct of people. *Ram Rajya*, based on the moral philosophy of non-violence and good conduct, considers the rule of anger and violence as the manifestations of Ravana. In this political framework, the Communists, Rashtriya Swayamsevak Sangh (RSS), and Muslim National Guards who used violence as a method to propagate their ideologies are condemned as the demons or Ravana. As Patel puts it, “Those who believe in that principle (violence) can never succeed in ruling over India... those who wish to rule by anger must go the way Ravana went (324).⁸⁴

Patel’s version of *Ram Rajya* is a striking contrast to the other versions developed on the narrow ideology of caste and religious affiliation. Deeply rooted in India’s traditions, he attempted to formulate a national culture and model of governance to govern a staggeringly diverse India at a time when colonial rule had just ended and the newly formed nation faced the threat of disintegration. Unlike the other renditions of *Ram Rajya*, Patel’s version is without self-

⁸⁴P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

contradiction. The other visualizations of *Ram Rajya* as the ideal and righteous rule suffer from their practices of exclusion and othering. In the versions of *Ram Rajya* where it is envisioned as Hindu Raj, the normalized others are the Muslim. And in the *Ram Rajya* that works on the lines of caste, the higher caste socially excluded the lower caste. Patel's *Ram Rajya* does not suffer from such contradictions as his nationalistic project of building a nation accommodated the outcastes, and the deviant Muslims through legislation and constructions of a national history that emphasized tolerance. This rendition of the *Ram Rajya*, despite its conservatism, sought to uphold Indian consciousness and traditions through Patel's method of selective modernization, and acquired the popular, liberal and secular outlook that suits a modern state.

2.g Limitations

Perhaps what is left to dwell on is why Patel's *Ram Rajya* despite its structural and conceptual soundness did it not translate into the system of governance? The idealized and romantic vision of *Ram Rajya* did not catch up with the citizenry in the formative years of India's independence so much so that people have expressed dismay over its absence in the political domain. Intellectuals of the period like Bodh Raj Sharma lamented the failure of Indians to view *Ram Rajya* as India's original contribution to political philosophy that deserved academic attention.⁸⁵ The failure to institutionalize *Ram Rajya* deserves a comment. Chatterjee posits that the nationalists cultivated the techniques of western modern statecraft while they sought to preserve India's distinct spiritual culture from the influence of the colonial state. Could this cultivation of western form of governance be the reason why *Ram Rajya* could not be institutionalized? Patel himself was aware of the limitations of the concept. He reasoned that the

⁸⁵Bodh Raj Sharma, "Reflection on Parliamentary Democracy in India," *Indian Journal of Political Science*, vol. 15, no.1, 1954, pp. 1-18.

scheme of self-sufficient village would be difficult to implement owing to the then existing global and regional conditions. The Indian nation faced the immediate threat of balkanization. The threat posed by Pakistan was also present. Such threats mandated the need for a form of strong centralized state to preserve its territorial integrity (71).⁸⁶ Patel was also aware of the presence of aggressive foreign political ideologies which demanded industrialization. There was also the need for modern army and armaments, failing which the nation could become a dependent of and come under the influence of a foreign ideological bloc. Patel felt that if the world succeeded in bringing about conditions in which no country would require an army, then the scheme of self-sufficiency in village would be the ideal form of governance (128).⁸⁷

This section looked at how Sardar Patel's formulation of *Ram Rajya* aimed at producing a national culture fit for a modern state. Though he asserted that the establishment of *Ram Rajya* should be ultimate end of freedom, Patel falls short in illustrating the proper channel through which this rule can be translated into reality. We now turn to the other major component of his political imagination, the strong centralized state.

3. The Strong State

After the transfer of power from the colonial state, the nationalist leadership faced the challenge and responsibility of establishing a modern state. The enormous task of governance could not be carried out within the framework of the traditional village administrative system.

⁸⁶P.N. Chopra P.N and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel* Volume XIV (1 January 1949- 31 December 1949), Konark Publishers, 1998.

⁸⁷P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel* Volume XV (1 January 1950- 15 December 1950), Konark Publishers, 1999.

Patel remarked, “If we do not know how to run the government in Indian style, we must have capacity to govern in foreign style (3).⁸⁸ The “foreign style” that Patel referred to was a centralized state system.

The establishment of a strong centralized state required an adequate institutionalization of various forms of power. Patel underlined the need to form two kinds of institutions: the civil bureaucracy and the army. Both are required to make India a powerful and prosperous state. The following sections will study his reflections on the bureaucracy and army. In the process, it will also analyze Patel’s views on the nature of the sovereign power of the state.

3.a Bureaucracy: Modern Philosophical Reflections

The nature and function of bureaucracy has engaged the attention of diverse modern thinkers. This section will briefly summarize the views of two of them, Friedrich Hegel and Max Weber. Hegel conceptualized bureaucracy as the universal class in his formulation of the executive powers of the state.⁸⁹ He wrote, “the maintenance of the state’s universal interest, and of legality, in this sphere of particular rights, and the work of bringing these rights back to the universal, require to be superintended by delegates of the executive power, by (a) the executive civil servants and (b) the higher advisory” (278). In other words, the primary role of the executives was the objective execution of state’s interests. Though Hegel conceptualized the bureaucracy in the context of an absolute monarchical sovereign state, the office of the bureaucracy was not a traditional hereditary one. Hegel’s bureaucracy was modern in its outlook,

⁸⁸P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

⁸⁹ G.W.F. Hegel, *Outlines of the Philosophy of Right*, Translated by T.M. Knox, Oxford University Press, 1952.

composition, recruitment, stratification and work culture. The officials were to be appointed based on their knowledge and ability and not on the account of nobility of their birth. For Hegel this universal class belonged to the middle class that was politically conscious and educationally advanced (278-84).

Hegel conceptualized the bureaucracy as the enforcing agency between the sovereign's "decisions and the continued execution or maintenance of past decisions, existing laws, regulation, organization for the securing of common ends" (277-78). The bureaucracy has "a more immediate bearing on particular concerns of civil society and assert the universal interest" (278). In other words, the bureaucracy functions as an advisory body to the monarch who would make the ultimate decisions. As intermediaries, the bureaucrats would act as mediators between the private individual and the corporation interests and affairs. This function of the bureaucracy makes the office "the pillar of the state so far as integrity and intelligence are concerned. A state without a middle class must therefore remain on a low level" (284). Hegel elaborates that, "it is on the conduct of officials that there depend not only the contentment of citizens and their trust in government, but also the execution- or alternatively the distortion and frustration- of state projects" (283).

Max Weber conceptualized the bureaucracy as a modern profession that emerged with the rise of developed political and ecclesiastical communities, and the advanced institutions of capitalism (196).⁹⁰ This process of bureaucratization of state' administration was parallel to the phenomenon of democracy (225). Weber conceived the bureaucracy as a vocation that was extremely or radically different from the feudal system or any traditional office of the Middle Age. He formulated three types of legitimate authority: rational, traditional and charismatic. He linked the rational legal authority to the normatively established impersonal office, the traditional

⁹⁰ H.H. Gerth, and C. Wright Mills, editors, *From Max Weber: Essays in Sociology*, Oxford University Press, 1946.

authority to the authority bounded by tradition and not impersonal order (aristocracy), and the charisma authority to charismatically qualified leader of the ecclesiastic order. Weber developed his concept of modern bureaucracy on the principles of the rational legal authority that stressed on rational values and abstract laws and rules. He regarded the bureaucratic administration as the “purest type of exercise of legal authority” (328-33).⁹¹

The impersonal office functioned on the behavioral patterns that Weber has classified as instrumentally rational or *zweckrational*. He described the instrumentally rational action as something in which “the end, the means, and the secondary results are all rationally taken into account and weighed. This involves rational consideration of alternative means to the end, of the relations of the end to the secondary consequences, and finally of the relative importance of different possible end” (26).⁹² This institution “is the means of carrying action over into rationally ordered societal action”, “an instrument for societalizing relations of power”, and “a power instrument of the first order” (228).⁹³ Weber also distinguished the modern bureaucracy from its previous status as the personal servant of the ruler. He characterized the bureaucrats as public officials in service of impersonal and functional purposes unlike the vassal in feudal system that was considered a source to be exploited for rent or emoluments. The bureaucracy was a permanent public office with service tenure and legal guarantees against arbitrary dismissal or transfer which also serve to guarantee objective discharge of office duties. These

⁹¹A.M. Henderson and Talcott Parsons, *Max Weber: The Theory of Social and Economic Organization*, Oxford University Press, 1947.

⁹²Max Weber, *Economy and society: An Outline of Interpretive Sociology*, Translated by Guenther Roth and Claus Wittich, University of California Press, 1978.

⁹³H.H. Gerth, and C. Wright Mills, editors, *From Max Weber: Essays in Sociology*, Oxford University Press, 1946.

features were not entailed in any political structure of ancient Orient, Germanic and Mongolian empires or even in feudal structures (196-200).

This section looked at how the bureaucracy was conceptualized as an impersonal modern institution whose legitimacy as the state's rational instrument rested on its superior technical knowledge to execute the universal interests of the state. The following section will look at how this institution was institutionalized in the administration of the state.

3.b Modern Bureaucracy in Europe: A Short History

The emergence of modern bureaucracy in Europe has been located in the sixteenth century. Tom Burns argues that the doctrine of divine right enabled the establishment of monarchical absolutism.⁹⁴ This form of sovereignty enabled the monarch to wield sovereign power and ended the feudal sharing of power between the monarch, lords, serfs, and the church. Under the new system, the sovereign power was exercised through the bureaucracy, "a great chain of command (not of duties, the social cement of the feudal system), originating in the sovereign and extending downwards and outwards through ministers and officers" (494). Burns articulates three historical moments or processes that created the bureaucracy and the bureaucratization of the state. The first moment of bureaucratic creation is when sovereignty is asserted or reasserted. This manifest in the creation and promotion of commissaries and intendants to monitor, subvert and supplant the control exercised by the court nobility landowners. The move denied the aristocracy to access any direct political patronage and established the sovereignty of the state as monarchical or centralized government (496).

⁹⁴Tom Burns, "Sovereignty, Interests and Bureaucracy in the Modern State," *The British Journal of Sociology*, vol. 31, no. 4, 1980, pp. 491-506.

The creation of bureaucracy had a counter effect which created the second moment of the bureaucratization of the state. The reliance on the bureaucracy led to further extension of the apparatus of power controlled by officials, and the depletion of sovereign power of monarchs, parliaments and people. As Burns puts it, “absolutism, the creator of modern bureaucracy, became its victim” (497) and the “government through appointed officials become, in practice, government by officials” (498).

The third moment was the politicization of bureaucracy which happened in three stages. One, the growth in the enterprises of the government and public affairs led people to think and seek more changes in the economic and social policies of nations. This made the bureaucracy an essential system to be maintained for information and knowledge. Two, the dependence on the bureaucrats by the politicians for expert knowledge and technical skills to make decisions. The decisions would become the political goals and also serve the legitimacy of the instituted political institution. Three, the role of the bureaucrats to adjudicate between competing proposals, and the office of the bureaucracy as a court of appeal led to the bureaucratization of the state (502-4).

The emergence of bureaucracy was not uniform among the European states. Pierre Birnbaum provides a study on the development of bureaucracy in England and France.⁹⁵ Though both the nations were feudal in character in the medieval period, they were distinguished by the fact that England was under a centralized feudal and France under a decentralized feudal system. This had a strong bearing on the formation of a centralized strong state and the development of bureaucracy. In France, the centre vis-à-vis the monarch was weak as the feudal lords had the autonomy to levy taxes, maintain armies, and administer justice with their own laws. The

⁹⁵Pierre Birnbaum, “State, Centre and Bureaucracy,” *Government and Opposition*, vol.16, no.1, 1991, pp. 58-77.

emergence of the modern state started in the sixteenth century with the assertion of absolute sovereignty over the provinces and peripheries. This absolutism set up a national bureaucracy and army to centralize power. This was followed with the implementation of the Roman law *iuspublicum* and *iusprivatum*, the former to protect the interest of the state and the latter to protect private individuals. The new administrative law made the state more distinct and independent from the civil society, and the feudal provinces were dismantled and replaced by *generalites* and later as *departments* that were under the supervision of *intendants* and *prefets* (administrators), thus consolidating the territories under one rule (59-62). The exercise of sovereignty through the bureaucracy made the state more impersonal and institutionalized, and the monarch eventually became its first servant. This transformation was achieved during the Ancien Regime before the French Revolution of 1789. And in the nineteenth century the growth of the administrative state became a permanent feature as the state intervened for complete economic industrialization and the plans drawn up by the administrative experts became the *grande affaire* of France (63-7).

Unlike the decentralized feudal system of France, the political system of England was unified through the unification of the English by the Normans in 1066. The Normans set up a strong centralized and well administered state, and divided England into 5000 fiefs under William the Conqueror. The Normans strengthened the governmental system of the outlying areas that prevented the formation of subsystems which might attempt to become independent. And unlike in France where the centre deployed *intendants* or *prefets* to control the periphery, the centre made use of the voluntary and unpaid service of non-professional agents (72). The early institutionalization of the parliament in 1215 that instituted the representative system gradually turned into an instrument which facilitated the conciliation of differences and the

coordination of activities between the king, the church, the barons and other gentries. This parliament also prevented the development of an absolute monarchy and delayed the development of a bureaucracy. The strategic location of the England also slowed the process of militarization except for the naval force for national defense and the social cohesion even though partially brought by the representation system also prevented the centralization of the police. Furthermore, in England, there was no distinct administrative law like the Roman laws that distinguished the civil society from the political system. The society functioned on common laws with no distinction of private and public law, and thus the public authority has no prerogative. In other words, the center did not institute apparatuses which transformed it into a state, and it was the social classes which governed the nation and also its economic mercantile policy through the application of laissez-faire. For such reasons, the bureaucracy did not develop in Great Britain until the nineteenth century (73-6).

3.c Bureaucracy in Colonial India

The institutionalization of modern bureaucracy in India was part of the British colonial discourse to oversee the governmental activities in its colonies. The Indian Civil Service (ICS) often regarded as the steel frame of administration was the British imperial bureaucratic institution. The ICS was the result of the Northcote-Trevelyan Commission (1853) report published in 1854 which recommended the development of the British civil service. The ICS was the dominant feature of British administration and the political power was highly centralized within the bureaucracy as the bureaucrats were both the policy makers and the executives. The bureaucracy also served as important instrument of integration of territories of British India (Jain

19-22).⁹⁶ Though the recruitment process was an open exam, the elite civil service was a European body both in composition and function. Though the Charter Act of 1833 recommended racial equality for employment in India, the natives were considered to lack political reliability and personal morality along with their unfamiliarity of western principles of juridical administration. In addition to these reasons, caste orientation, expensive trip to England and uncertain standards of examination held in England also discouraged the Indians. The Indians subsequently began to demand for examination to be held in India and it soon became a political cry to conduct the exam in the principles of right and justice. This demand was only realized in 1922 when the Indian civil service examination began to be held in India (Campton, 99-103).⁹⁷

The nationalist's vision to develop every village into a self-sufficient republic suffered from the lack of a robust administrative system. The attempt to revive the Panchayat system towards the end of British rule through the legislation of the Panchayat Bills sought to empower the traditional system for the administration of village roads, water supply, primary education, and sanitation and health service. To make the village a self-efficient unit, the Panchayat should have administrative power to collect land revenue, competent body to try and judge civil and criminal cases, and police for the maintenance of peace and order. For the Panchayat to perform these duties it needed to be provided with an effective administrative assistance which was not found in the village. The village required a superior kind of administrative system and officials, apart from the traditional officials the *Munsiff* (headman), *Karnam* (accountant), *Talyari*

⁹⁶R.B. Jain, "The Role of Bureaucracy in Policy Development and Implementation in India," *Southeast Asian Journal of Social Science*, vol.15, no. 2, 1987, pp. 20-39.

⁹⁷ J.M. Campton, "Indians and the Indian Civil Service, 1853-1879: A study in National Agitation and Imperial Embarrassment," *The Journal of the Royal Asiatic Society of Great Britain and Ireland*, no.3/4, 1967, pp. 99-113.

(watchman) and the *Nirganti* (irrigation canal-controller). The superior system was the centralized British administrative system whose officials virtually controlled the administration of land revenue, executed the law and administered justice, and also regulated the works of all the branches of public services (Ruthnaswamy (30-1)).⁹⁸

4 Patel's Bureaucracy: National integration and development of biopolitical state

Sardar Patel posited that “an efficient and disciplined and contented service ... is a *sine qua non* of sound administration under a democratic regime even more than under an authoritarian rule” (115).⁹⁹ Patel's bureaucracy mirror Weberian bureaucracy as it is based on rational values and impersonal rules. He envisioned the bureaucratic institution as a rational institution that has a set of rules of recruitment, and training school where the recruited individuals would be trained to have specialized and technical knowledge to execute office duties. This bureaucracy is to be recruited, disciplined and controlled uniformly and under the directions of the Central Government, the recruiting agency. This is to ensure that that the bureaucracy should be above the influences of political parties, and political considerations in recruitment would altogether be reduced to the minimum or eliminated. And the bureaucracy would be subjected to control and discipline by the ministry, both provincial and central, but not regulated by either of them. Rather the bureaucracy would have constitutional guarantees and safeguard that would secure the office of the service and also free them from interferences by the central and provincial legislation. (ibid.). In other words, Patel envisioned a bureaucracy that is

⁹⁸M. Ruthnaswamy, “The Indian Administrative System It Present Position and Problems,” *India Quarterly*, vol. 6, no. 1, 1950, pp. 30-37.

⁹⁹P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Vol. XIII (1January 1948- 31December 1948)*, Konark Publishers, 1998.

free from traditional privileges or political influences, and safeguarded by constitutional guarantees against arbitrary dismissal. And the legitimacy of this rational intuition as the instrument of power of the state lies in individual's merits and specialized technical knowledge to carry out duties.

Patel modeled the Indian Administrative Service after the ICS. Although the latter along with police and education were considered as the three pillars of colonial domination during the nationalist agitations, the three apparatuses were retained unaltered to face the emergency situation following the partition of India (Kaviraj 222).¹⁰⁰ Patel retained the officers in the ICS in the transition period of India independence on the grounds of their patriotism, loyalty, sincerity and ability. In what follows, the role of the bureaucracy in the creation of a strong state and the deployment of the development ideology of the new state as a biopolitical state would be analyzed.

4.a Integrations of states and uniform governance

Taking a cue from Pierre Birnbaum, a centralized bureaucracy plays two important roles in the creation of a strong state. One, the bureaucrats are important for the integration of the provinces and peripheries that the state has acquired through alliance or conquest. The bureaucrats are delegated to these provinces and peripheries with extraordinary or temporary duties to centralize the power of the state thus curbing the sovereign independence and autonomy of the local traditional authorities. Two, bureaucracy institutionalizes a uniform administration by executing state policies, generating taxes, enforcing laws, and administering justice, thus institutionalizing the state. This constant reinforcement of the bureaucracy helped by the police

¹⁰⁰Sudipta Kaviraj, *The Imaginative Institution of India: Politics and Ideas*, Columbia University Press, 2010.

to reduce the interventionist policies shortcomings ensured the permanence of a strong state that dominates and manages the nation and civil society (60-3).¹⁰¹ Patel conceptualized the bureaucracy in India on similar lines. At the dawn of India's independence, the primary objective of was to institute a strong central state and this was achieved through the bureaucracy. The Indian Administrative Service was formed through an agreement between Patel and the prime ministers of provinces of British India on 10th October 1946. Patel reasoned the need of the bureaucracy in the following words:

It is not only advisable, but essential, if you want to have an efficient service, to have a central administrative service, in which, we fix the strength as the Provinces would require them and we draw a certain number of officers at the centre, as we are doing at present. This will give experience to the personal at the centre leading to efficiency and administrative experience of the district, which will give them an opportunity to contact with the people. They will thus keep themselves in touch with the situation in the country and their practical experience will be most useful to them... They will also serve as liaison between the Provinces and the Government and introduce certain amount of freshness and vigor in the administration, both at the centre and in the Provinces.¹⁰²

Patel's rationale is to develop a bureaucracy that would serve as the intermediary between the center and local provinces within the state. This bureaucracy would provide a uniform

¹⁰¹Pierre Birnbaum, "State, Centre and Bureaucracy," *Government and Opposition*, vol.16, no.1, 1991, pp. 58-77.

¹⁰²Latasinha. "Sardar's views on the issue of All India Service." *Latasinha's Weblog*, 24 October 2020,

<https://latasinha.blog/2020/05/30/sardars-views-on-the-issue-of-all-india-services/>

administration and law that would forge a strong and united nation-state. But more than just uniform administration, it is also instituted to overcome regional loyalties that could produce separatist tendencies should the administration be decentralized given that India consisted of many nationalities and systems of governance. This is particularly echoed by Lallan Prasad Singh, an ICS, “The Sardar had a deep understanding of the lessons of Indian history. Regional and other narrow loyalties, leading to chronic divisiveness, had had free play in periods of absence of a central authority or its weakness. He was convinced that all-India service for general and law and order administration would be valuable adjuncts of a strong constitutional authority at the centre.”¹⁰³ Through the bureaucratization of the affairs of the center and states under the directive of the central government, Patel envisioned to institute a strong state.

The role of the bureaucracy in the integration of India was commended by Patel in his dedication speech for a strong and prosperous India. He said, “The steel frame on which India relied so far is broken now... When we took over the reins of government, the frame was split up. Fifty-five percent of it which was foreign went across the seas. Partition further weakened it” (253).¹⁰⁴ He further added, “We have only a small number of civil servants... working with us day and night. All we have been able to achieve whether be it in the sphere of states or in Kashmir or in other theaters has been possible only because of their loyalty and wholehearted support” (ibid.). To integrate the various Indian states, the States Department was instituted with Sardar Patel as the minister of states and V.P. Menon (ICS) as the secretary. Patel in addressing the policy of States Department offered a critique of British colonial rule. He critiqued the

¹⁰³L.P. Singh, *Sardar Patel and the Indian Administration*, Uppal Publishing House. 1987.

¹⁰⁴P.N.Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII(1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

Doctrine of Paramount of the colonial state for territorial annexation and juxtaposed it with his policy of accession into the Indian Union. Patel said, “when the British established their rule in India, they evolved the doctrine of Paramountcy which established the supremacy of British interests. The doctrine has remained undefined to this day, but in its exercise there has undoubtedly been more of subordination than co-operation” (121).¹⁰⁵ He also stated that the doctrine “embodied the submission of states to a foreign will” (ibid) and whereas the States Department conducted the affairs of states without favoring the domination of one over the other (122). Patel’s critique makes two assertions: one, that the colonial state worked on the logic of subordination of the states; and two, the relationship of the new state with its subjects rested on the principle of mutual beneficial relationship. Patel’s critique reinforces the nationalist critique of the colonial government as characteristically exploitative (Chatterjee 203).¹⁰⁶

The bureaucracy as the instrument tool for the political integration of the nation can be seen in the relationship between Patel and V. P. Menon. Here the bureaucrats did not merely play the role of interlocutor but rather a dynamic one in the sense they provided the method for accession, political observation, and even executed sovereign power in the territories that the state desired to exercise its sovereignty. Menon in his letter to Patel, following the meeting with His Majesty’s Government and Jawaharlal Nehru on the fate of North-West Frontier Province (NWFP) wrote, “the proposal I put forward was that the decision whether NWFP should join the Indian dominion or joined the proposed Pakistan should be left to... a referendum of the existing

¹⁰⁵P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

¹⁰⁶Partha Chatterjee, *The Nation and Its Fragments: Colonial and Post Colonial Histories*, Princeton University Press, 1993.

electors to the Provincial Legislative Assembly in the NWFP” (88).¹⁰⁷ In Kashmir, Menon played a tactical role in advising Hari Singh, the Maharaja of Kashmir, to move to Jammu when Kashmir was under the invasion of tribal forces backed by Pakistan. The tact behind this was to move the maharaja to Jammu which was closer to India as Indian military reinforcement was negotiated between Sheikh Abdullah, Patel and Nehru. Once the provisional agreement was reached, Menon returned to Jammu to secure the signature of the maharaja in the provisional Instrument of Accession (Gandhi, 442-3).¹⁰⁸ And in the case of princely states in Orissa, Patel and Menon provided an economic framework to the rulers for accession and merger into Eastern States Union within Indian Union. The framework agreement guaranteed privy purses to rulers and right to contest elections. The rulers of the small Orissa states acceded to this framework but the rulers of bigger states did not (Gandhi 453-54).

Patel romanticized the unification of all the states and frontiers as a “bloodless revolution” (76),¹⁰⁹ but the unification process was not without force. For instance, in Baudh, Kalahandi and Patna, Menon resorted to using sovereign power to declare exception to occupy the states using the police citing the threat posed to maintain law and order by the Prajamandal agitation. Although there was no apparent danger to the states, Menon could coerce the rulers to accede and this ingenuity was backed by Patel (Gandhi 453-54). Such nature of accession has led Partha Chatterjee to conclude that Patel’s cajoling and coercion to persuade the hundreds of India

¹⁰⁷P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

¹⁰⁸Rajmohan Gandhi, *Patel: A Life*. Ahmadabad, Navjivan Trust, 1990.

¹⁰⁹P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

princes to join India through treaties of accession were no less than imperialistic from the point of view of the law of nations (196).¹¹⁰ This controversial aspect of accession to the Indian Union will be explored in the third chapter of the thesis.

4.b Bureaucracy and the Developmental ideology

The legitimacy of the nationalists' claim for self-rule and institutional choice lay in the ideology of the new state. Partha Chatterjee writes that the dominant argument of the nationalist was that colonial rule was delaying the development of India and that colonial rule was a "historical fetter that had to be removed before the nation could proceed to develop" (203).¹¹¹ In other words, colonialism was an "exploitative force creating and perpetuating a backward economy" (ibid.). This economic critique of colonialism was fundamental in the critique of colonial rule as illegitimate "because it stood for a form of exploitation of the nation" (ibid). And self-rule was "legitimate because it represented the historically necessary form of national development" (ibid.). The economic critique of colonialism was fundamental in formulating the development ideology of the new state. This development ideology became "a constituent part of self-definition of the postcolonial state" (ibid.) and the new state as the developmental force would fulfill the necessary condition for the economic growth of nation that was erstwhile backward and underdeveloped under the colonial rule. This historical mission to implement the state developmental interests required new mechanisms especially the civil service. The new state adopted the imperial civil service and legitimized the colonial state apparatus also through its developmental ideology and its critique of the colonial state. As Chatterjee puts it, "It was in

¹¹⁰Partha Chatterjee, *The Black Hole of Empire: History of a Global Practice of Power*, Princeton University Press, 2012.

¹¹¹Partha Chatterjee, *The Nation and Its Fragments: Colonial and Post Colonial Histories*, Princeton University Press, 1993.

the universal function of ‘development’ of national society as a whole that the postcolonial state would find its distinctive content. This was to be concretized by the embodiment within itself of a new mechanism of developmental administration, something the colonial state, because of its alien and extractive character, had never possessed” (205). Drawing on Chatterjee, this section will look at the deployment of developmental ideology and the bureaucracy as the instrument of development.

Perhaps Patel’s assertion while laying the foundation of an agricultural college best embodies the development ideology of the new state. He said, “We do not want power for the sake of power. We want power for reconstruction” (126).¹¹² Patel viewed the British colonial rule as “one chapter of exploitation” (61)¹¹³ and the exploitative foreign rule of two hundred years had rendered the country practically “blood white” (ibid.). The developmental ideology asserted by Patel serves two purposes: one, as economic critique of colonialism; and two, development as the ideological force for national integration. Here some illustrations will be useful to grasp Patel’s perspective of colonialism as exploitative rule that was hindering the development of India. On the eve of India’s independence, Patel reflected on the economy of the country, “Economically India is in a sad plight. The war resulted in making India a creditor nation but that does not mean much. United Kingdom is our debtor and owes us a huge amount but she does not appear to have anything to pay us now. In fact the big powers have so arranged

¹¹²P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel* Volume XII (1 January 1947- 31 December 1947), Konark Publishers, 1998.

¹¹³P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel* Volume XIV (1 January 1949- 31 December 1949), Konark Publishers, 1998.

their economies that smaller and poorer countries remain at a disadvantage” (153).¹¹⁴ Patel also asserted that the colonial government was delaying the development of India. This case was made while addressing the launch of a steamship at Vizagapatam. Recollecting the history of Indian shipping industry, Patel remarked, “it is only a matter of recent history how our efforts to secure a place in the shipping world were sought to be smothered by every conceivable device available to foreign vested interests supported by an entrenched foreign government” (287).¹¹⁵ Here Patel was referring to the case of V.O. Chidambaram,¹¹⁶ who was harassed by the British government to prevent him from entering the industry in which the colonial state enjoyed the monopoly.

More than just providing the critique of colonialism and the legitimacy for self-rule, the development ideology also served to legitimize the consolidation of various territories in the Indian Union. This development ideology became a thematic feature in the political rhetoric for integration as evident in Patel’s speeches. Patel said, “Smaller units unable to support themselves according to modern requirements cannot afford to remain in precarious isolation. The history of the world in the last two centuries amply demonstrates that it is only by coming together that smaller states can retain their distinctive culture, safeguard their economic interests and take their

¹¹⁴ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

¹¹⁵ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

¹¹⁶ V.O. Chidambaram was the pioneer of Indian shipping industry. He started the Swadeshi Steam Navigation Company in 1906 to compete against the monopoly of British Indian Steam Navigation Company (BISNC).

due share in the political life of the country” (102).¹¹⁷ This developmental ideology was also used to transform the underprivileged and minority communities into governmental subjects. This is evident in the case of the tribals. Patel identified the problems of the tribals as economic in character calling it a sacred duty of the state to develop the tribes. His approach was to develop the tribals by giving them the advantages of the civilization and transforming them into good citizens (5).¹¹⁸ This development plan was to be enhanced by improving the living condition and protecting the territories of the tribes from exploitation arising from provincial territorial disputes (131).¹¹⁹ These national interests of the state were to be carried out by the bureaucracy.

4.c Development of the Biopolitical state

The bureaucracy as the Weberian “power instrument of the first order” to execute the state’s interest i.e. development ideology of the state can be analyzed in tandem with the Foucauldian concept of biopower/biopolitics. This is to understand the nature of the state sovereign power and the roles of the state apparatuses. Biopower can be understood as the techniques of power through which the individual body and social body are disciplined into certain subjectivity or regulated into certain way to optimize life. Foucault developed his concept

¹¹⁷P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

¹¹⁸P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

¹¹⁹P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (January 1949- December 1949)*, Konark Publishers, 1998.

of biopower in his book *The History of Sexuality: The Will to Knowledge*.¹²⁰ Foucault posits that prior to the seventeenth century the sovereign was founded on the right to decide life and death. The foundation of sovereign power is derived “from the ancient *patria potestas* that granted the father of the Roman family the right to ‘dispose’ of the life of his children and his slaves; just as he had given them life, so he could take it away” (135). Foucault further posits that this sovereign “power was exercised mainly as a means of deduction (prelevement), a subtraction mechanism, a right to appropriate a portion of the wealth, a tax of products, goods and services, labor and blood, levied on the subjects. Power in this instance was essentially a right of seizure: of things, time, bodies and ultimately life itself” (137).

Foucault asserts that with the turn of the seventeenth century, there were profound changes in the concept of power. Sovereign power did not function exclusively in deductive form, rather it became one of the many modes of power that “incite, reinforce, control, monitor, optimize, and organize” (137). The sovereign power over life and death changed as power develops the “tendency to align itself with the exigencies of a life-administering power” (ibid.) and “exerts a positive influence on life, that endeavors to administer, optimize, and multiply it, subjecting it to precise controls and comprehensive regulations” (138). This form of power as Foucault terms it biopower or biopolitics operates in two forms: *anatomo-politics of the human body* and *biopolitics of the population*. The *anatomo-politics* is “centered on the body as a machine: its disciplining, the optimization of its capabilities, the extortion of its forces, the parallel increase of its usefulness and its docility, its integration into systems of efficient and economic controls” (139). The biopolitics aimed at regulating the population is performed by controlling the “biological process: propagation, births and mortality, the level of health, life

¹²⁰ Michel Foucault, *The History of Sexuality: An Introduction*, translated by Robert Hurley, Pantheon Books, 1978.

expectancy and longevity, with all the conditions that can cause these to vary” (139). Through the procedures, power is exercised for the positive expansion of human life.

Foucault’s biopower or biopolitics is essentially administrative or life-administrating power. As Johanna Oksala puts it, Foucault’s biopolitics “treats the law as one administrative technique among others that can be utilized to regulate and improve the life of population. Biopolitical techniques do not typically result from sovereign parliamentary decisions, but are part of the administrative and managerial procedures legitimized by expert knowledge. Urban planning, and campaigns to improve health of the population and the regulation of hospitals, schools, and prisons, are biopolitical techniques” (322).¹²¹ India’s sovereign powers, in the form of biopower or biopolitics, take into account both human and natural resources by manifesting them in the schemes of planning commission in India. Partha Chatterjee argues that the National Planning Committee (1938) was the first body through which the Indian National Congress developed the idea of national planning to pursue the developmental ideology of the new state.¹²² This committee served two purposes: one, to determine the state policies especially the economic; and two, the form in which the power would be exercised within a national state. The Congress delineated industrialization of its agriculture and industries as the national goal of the new state (200-02). This modality of power makes the new state a biopolitical state that seeks to administer life or to put in Foucault’s words “to invest life through and through” (139).¹²³

¹²¹Johanna Oksala, “From Biopower to Governmentality,” *A Companion to Foucault* edited by Christopher Falzon, Timothy O’Leary and Jana Sawicki. Blackwell, 2013, pp.320-6.

¹²²Partha Chatterjee, *The Nation and Its Fragments: Colonial and Post Colonial Histories*, Princeton University Press, 1993.

¹²³Michel Foucault. *The History of Sexuality: An Introduction*, translated by Robert Hurley, Pantheon Books, 1978.

Biopolitics took form with the Planning Commission¹²⁴ that was instituted in March 1950. The commission was tasked with responsibility to evaluate available resources, to formulate plans for the utilization of resources, to prioritize programme of development, to appraise the progress of the project and also to decide on the machinery for implementation. The commission in its First Five-Year Plan committed itself to the development of various agricultural plans and irrigation projects (Goodall 111).¹²⁵ Although Patel did not live to see the implementation of the first Five Year Plan which was commissioned in 1951, he did advance the biopolitical vision and techniques for the state to optimize life.

In his inaugural address at the annual meeting of the Central Board of Irrigation, Patel enumerated the way in which power should be exercised. In the address, Patel outlined the red tape of princely rule, the significance of planning, and the mechanism for administering planning. With regard to planning, Patel said

My view is- for whatever it may be worth- that a greater attention needs to be paid to scientific planning of crops and industrial enterprises” and “it is in these regions- veritable new colonies- that we can strike out new path and explore fresh fields. We can shake off the deadweight of custom and evolve new ways and methods of living and occupation which can go to solve some of the economic problems which affect our very existence. (252).¹²⁶

¹²⁴ The Planning Commission was replaced by NITI Aayog in 2015 as the planning body.

¹²⁵ Merrill R. Goodall, “Planning in India: Research and administration,” *Public Administration Review*, vol. 7, no.2, 1957, pp. 111-16.

¹²⁶ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV (1 January 1950- 15 December 1950)*, Konark Publishers, 1999.

Patel also opined that the power of the state should be invested in irrigation and river valley projects. Such investments would serve three purposes. One, investment in national building activities would reduce the colossal drain of financial resources incurred from food import and ensure the growth of capital goods and services necessary for planning and execution of schemes. Two, these investments would enable one hundred and thirty-four million acres of cultivable land, that remains to be cultivated, be brought under agricultural planning that would solve the food problems for decades to come. Three, these investments would result in flood control which would prevent not only extensive damage to life, property and crops but also prevent valuable silt being drained away into the sea (249).¹²⁷ Here we see a vivid example of how Patel envisioned the power of the state to be invested in biopolitical projects to administer life.

As for the implementation of these development/biopolitical projects, Patel said, “It is obvious that a great national undertaking of such vast dimensions stretched over dispersed areas and embracing so many autonomous administrative units require largest possible measure of co-ordination and central directions’ and “such co-ordination and direction can much better be achieved by helpful and benevolent advice than by authoritarian directives” (250).¹²⁸ He added, “the functioning of democracy is threatened by the existence of a thoroughly unconstitutional position in which the red tape is the king and the sealing wax the minister: its extension to the realm of technical affairs would, I have no doubt, be fraught with delays” (ibid.). Patel’s critique of princely rule can be read in two senses. One, the princely order has no modern administration

¹²⁷ Ibid.

¹²⁸ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV* (1 January 1950- 15 December 1950), Konark Publishers, 1999.

to run the vast state; and two, the small princely states are incapable of providing modern requirements to safeguard the economy of the country. In other words, the princely order can be regarded as the deadweight of custom or in the Foucauldian sense the princely power works as a deductive subtraction mechanism which must be overcome for the positive expansion of human and natural resources. The technical and administrative concerns of these projects should be executed by the centrally instituted administrative body which is the All India Service. To bolster the bureaucracy, Patel also vowed to reconstitute the Indian Service of Engineers (now Indian Engineering Services (IES)) into the secretaryship of the state to provide scientific, technical and administrative assistance in the development projects to optimize the resources of the nation (250).

Sardar Patel's idea of a strong state is a highly bureaucratized one in which the bureaucracy is the primary machinery for the execution of sovereign power. Through the bureaucracy, Patel envisioned to establish uniform administration over the state's territories and also exercise a power that exerts positive impact on life. The developmental ideology of the state to administer and optimize life becomes a part of biopolitical techniques to conduct, control and regulate the people's lives. This biopolitical state aims to invest in life and regulate the social body through its development ideology that gives legitimacy to the rule and also form the kind of power used in executing the sovereignty of the state. The following section will look at the role of the army for the formation of a strong state.

5 The Army and the Strong State

Patel envisioned the army to be a body that represents the secular Indian subjectivity, and that serve to integrate national territories for the execution of its developmental teleology. This

section analyzes Patel's view of the state prerogative to use force, a form of sovereign power that is distinct at least in execution from biopower. Before the engagement with the role of the army in post-colonial India, a brief historical reflection on the army would be insightful.

5.a The Army and European States

The first permanent army was institutionalized in France by Charles VII during the Hundred Years' War (1337-1453) between the English and French for the sovereign power of France. And as France transitioned into absolute monarchy in the seventeenth century, a new permanent army was created in 1626 by the French monarch to monopolize power and to put an end to the personal armies of the peripheral feudal lords (Pierre 60-62).¹²⁹ In England, the New Model Army was created by the Parliament in 1645 during the English Civil War to combat the royalist forces of Charles I (Kishlansky 28).¹³⁰ The formation of this army was a step forward to modernize and professionalize the army. The office consisted of full-time personnel and it was a highly organized into foot regiment, dragoon and horse unit. Recruitment and promotion based on merit and seniority rather patronage and privilege were the chief features in the procedure of the New Model Army (Kishlansky 64-66). This army was dissolved and the English Army was instituted after the restoration of King Charles II to the throne in 1660. The English Army was renamed into British Army with the Acts of Union between England and Scotland in 1707. The establishment of professional armies also set the path for England and France to struggle for global supremacy in eighteenth century. Max Weber writes that the reason why the French and

¹²⁹Pierre Birnbaum, "State, Centre and Bureaucracy," *Government and Opposition*, vol.16, no.1, 1991, pp. 58-77.

¹³⁰Mark A. Kishlansky, *The Rise of New Model Army*, Cambridge University Press, 1979

British troops colonized India in the late 1700s was not because of superior fire power but their organizational excellence, methods of drill, and battlefield discipline (Collins 92).¹³¹

5.b British Indian Army

The British East India Company which started the British rule in India also laid the foundation of British Indian Army. When the Company started trading in 1608 at Surat, it was predominantly engaged in commercial activities and it continued to confine itself to trade maintaining only a small army to guard its warehouses and convoys for the next one hundred and forty years. Roughneck Europeans, half-castes (mixed race) and Indians formed the military crew equipped with obsolete weapons, rudimentary arms drills, and little unit organization (Bryant, 5).¹³² But the demand for military manpower increased in the middle of the eighteenth century because of European rivalries in India. The challenged posed by the French to British interests in India in the 1740s conditioned the need for more political and military involvement (Gilbert 89-90).¹³³ After the first Carnatic War (1746-48), the Company built its army to pursue the forward policy and in 1749 it launched its first ever extended field operations in the Carnatic region of India. It had the military strength of 3000 European soldiers and 3400 Indian auxiliaries and they were distributed among Madras, Bengal and Bombay presidencies. In the next thirty-five years, the Company army expanded with the help of the British Army and Royal Navy, and by 1782-23 the military had the strength of 113000 men. Parallel to the growth and

¹³¹Collins Randall, *Weberian Sociology Theory*, Cambridge University press, 1986.

¹³² G.J. Bryant, "The Cavalry Problem in the Early British Indian Army, 1750-1785," *War in History*, vol. 2, no. 1, 1995, pp. 1-21.

¹³³Arthur N. Gilbert, "Recruitment and Reform in the East India Company Army, 1760-1800," *Journal of British Studies*, vol. 15, no. 1, 1975, pp. 89-111.

expansion of the East India Company was the interference of the home British government in the political administrative affairs in India. This ended with the Parliament succeeding in bringing the company under the control of the government through the Pitt's India Act 1784. The Act established a Board of Control that supervised the Company's non-commercial activities and also the recruitment policy of the army (Gilbert 100).

The recruitment procedure of the Company army underwent a radical change following the Mutiny of 1857. After the mutiny was suppressed, the Company was dissolved and the British Crown took over the reins of government in India. The British avoided recruiting soldiers from Bengal as the presidency native infantry was involved in the rebellion. The recruitment focused in regions like Punjab that remained loyal the British during the mutiny (Barany, 247-48).¹³⁴ In 1882, Lord Roberts' martial race theory naturalized race regulation in the military. This theory was developed based on geography, climate, and food habits. Roberts' theory categorized the people of west and south as inferior in physique and chivalry for the military and it characterized the Sikhs, Gurkhas, Dogras and Pathans as martial races. Such recruitment trajectory based on the mutiny and theoretical valorization of certain communities made the military institution the monopoly of select few social groups (Roy 1311-12).¹³⁵ And in 1879, the Viceroy of India, Lord Lytton, set up the Eden Commission to look at the organization and administration of the army in India. Lytton's motive behind this was to abolish the practice of maintaining separate presidencies and their armies. The commission published its finding in

¹³⁴Zoltan Barany, *The Soldier and the Changing State: Building Democratic Armies in Africa, Asia, Europe, and the Americas*, Princeton University Press, 2012.

¹³⁵Kaushik Roy, "Race and Recruitment in the Indian Army: 1880– 1918," *Modern Asian Studies*, vol. 47, no. 4, 2013, pp. 1910-1947.

November 1879 and it suggested the abolition for the presidency armies and offered a scheme of centralization to produce a unitary Indian Army. In 1895, the presidency armies were dissolved to form a unified Indian Army under the British government (Robson 4-13).¹³⁶ The British Indian Army played an important role during the anti-colonial movement to suppress civil unrest and noncooperation resistance of Mahatma Gandhi and the Congress. The Indian officers and non-commissioned officers in the army did not participate in the freedom struggle and this put them in a scornful position after India achieved independence (Barany 248).¹³⁷

6. Patel's Army: Post-colonial Nation-states and the armed forces

Nation-building is a tasking process in newly independent states. Nation building consists of four major tasks: to demarcate the geographical territory of the state, to draft a constitution, to form the system of governance, and to develop an economy that can sustain the state (Rivkin 12-13).¹³⁸ In a case study of liberated countries in Asia and Africa, Georgy I. Mirsky puts forth that the army's participation in political affairs is normal.¹³⁹ Mirsky states that this is primarily because the newly liberated states have adopted the systems of the parent states which are capitalism and socialism without developing the necessary conditions to sustain the systems. The new state industrial bourgeois are financially weak and lack maturity in modern enterprise, and

¹³⁶Brian, Robson, "The Eden Commission and the Reform of the Indian Army-1879-1895," *Journal of the Society for Army Historical Research*, vol. 60, no. 241, 1982, pp. 4-13.

¹³⁷Zoltan Barany, *The Soldier and the Changing State: Building Democratic Armies in Africa, Asia, Europe, and the Americas*, Princeton University Press, 2012.

¹³⁸ Arnold Rivkin, *Nation-building in Africa: Problems and Prospect*, Rutgers University Press, 1960.

¹³⁹ Georgy I. Mirsky, "The Role of the Army in the Sociopolitical Development of Asian and African Countries," *International Political Science Review*, vol. 2, no.3, 1981, pp. 327-38.

the national bourgeois that embody the state civil power is unstable owing to its composition of emerging educated middle class, the traditional landowners and chiefs. The failure to establish a strong civilian government and a sound socio-economic policy to overcome the backwardness left behind by colonialism was settled by means of a military coup. Military coups are of two kinds. One is 'the upper-crust' coup where the military take action to prevent social outburst at a moment of crisis, and save the system by toppling the civil regime. This kind of coup is counter-revolutionary as the military has no inclination to form democratic state or bring any social revolutionary change. The second kind of coup is driven socialism where the military seek to revive the nation and its economy. The military are revolutionary democrats in uniform, and the army work as a national force for the progressive transformation of the society (331-33).

This trajectory is not typical of all the post-colonial states, and India is one such state. Zoltan Barany provides a case study behind the reasons for India's success in placing the army under the state government and its democratic constitution. Barany cites colonial practice of separating the military and the political domains as one of the reasons that enabled military control under the state government. He also cites India's strong political leadership under the Congress and its bureaucracy which prevented the military from interfering in political affairs. This was done through reforms in the power structure. The position of the Commander-in-Chief of British Raj was abolished going by the dictates of the democratic tradition, and the head of state (president) was instituted as the supreme commander of the army. Furthermore, the Cabinet Committee on Security (CCS) consisting of the prime minister, the ministers of defence, finance and home, and bureaucrats make the decisions on state defence and security matters. These changes institutionalized strong democratic institutions in India that prevented the military intervention in state political affairs. This trajectory was a stark contrast to the case of Pakistan

where the absence of strong political leadership and bureaucracy to frame a constitution and to control the ambitious, disciplined and educated officers' corps led to military coups (Barany 248-60).

6.a Indian Army and the Nation-State

Partha Chatterjee's theorization of the nationalist's critique of colonialism as a fetter to India's development also filters into the military domain. Sardar Patel in his inaugural address of Armed Force Academy in Dehra Dun said,

During our struggle for freedom we infiltrated into many a citadel of the entrenched foreign rulers. The Army, Navy and Air Force were the most difficult hurdles to cross. Prejudices of the rulers which were deep and lasting and an understandable desire on their part not to share with us secrets of warfare and the policy to keep us militarily untrained were responsible for our slow progress in the sphere. (175)¹⁴⁰

As for the contradictory discourse that historical investigation could reveal aspects of colonial rule promoting economic development (Chatterjee 203),¹⁴¹ Patel argued that economic development under foreign rule was only for benefits of the colonial state. The transport system especially the railway was completely exploited to meet the demands of the Second World War. As Patel puts it, "the last war forced on them the need for sudden expansion of our Armed

¹⁴⁰P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (1 January-31 December 1949)*, Konark Publishers, 1998.

¹⁴¹Partha Chatterjee, *The Nation and Its Fragments: Colonial and Post Colonial Histories*, Princeton University Press, 1993.

Forces” (175).¹⁴² Two things are discernable here: one, the colonial state delayed if not denied the Indians the art of military and war craft necessary for running a state; and two, the military was used for colonial state interest and not to build the nation-state of the natives. Contrary to the colonial state practices, Patel envisioned the army as the embodiment of Indian identity, biopolitical force, and an apparatus to express state’s prerogative.

Michel Foucault in his study of disciplinary techniques and mechanisms attributes the military as one of the principal institutions of disciplinary power.¹⁴³ Foucault argues that there was a tactical shift in the organization of the military in the eighteenth century and this was evident from the way the body of a soldier was approached. In the seventeenth century, the ideal soldier bore the signs of natural strength and courage. But in the eighteenth century, “the soldier has become something that can be made; out of formless clay, an inapt body, the machine required can be constructed, posture can be corrected” (135). The soldier’s body becomes the object and target of power on which calculated constraints run to master it and make it pliable at all times. The objective for subjecting the body to constraints and corrections was to transform it into a manipulable docile body. Docility is important to render an individual governable and to conduct them in certain manner. The project of docility exercises upon the body a subtle coercion to obtain control over the movements, gestures, and attitudes or rather control the economy (utility) and organization of the body. The methods that regulate and control the body in a relation of docility-utility are ‘disciplines’ or formulas of domination. The human body was

¹⁴²P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (1 January-31 December 1949)*, Konark Publishers, 1998.

¹⁴³Michel Foucault, *Discipline and Punish: The Birth of the Prison*, translated by Alan Sheridan Vintage Books, 1995.

entering a machinery of power that explores it, breaks it down and rearranges it through a policy of coercions that act upon the body making a calculated manipulation of its elements, gestures and behaviors. Discipline increases the forces of the body (in economic terms of utility) and diminishes these same forces in a relation of strict subjugation (in terms of obedience, increased domination) turning the body into a political anatomy (136-38). Drawing on Foucault's conceptualization of discipline and power, this section will look at Patel's conceptualization of army as disciplinary machinery to produce a new political anatomy.

At the time of independence, India was marred with the issues of communalism and regional loyalties. To build a strong united India, India needed a new political anatomy. Patel envisioned the creation of this anatomy through the assertion of the secular ideology which the army must epitomize. This vision is encapsulated in Patel's speeches to the armed forces,

Observe and concentrate on the rules of discipline and chivalry and do not forget that in the Armed Forces there can be no community-only one community. Whether it is a Hindu, a Muslim or a Sikh, we are all brothers. It should be so in India, but at least in the Armed Forces, it should be the first. You have to lay an example. We politicians have inherited a very bad legacy. We have, you had also, but we had particularly, communal representation. Everything that we did, every action that we took, was weighed on communal scales. You also had the Maratha Regiment, the Jat Regiment, the Sikh Regiment, etc. But we wish to forget all that. We must rewrite our history because we are making a beginning and we have a clean slate now. (214)¹⁴⁴

¹⁴⁴P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

And elsewhere in the inaugural of the newly built Armed Forces Academy in Dehra Dun, Patel said that the armed force is a “national institution in which must grow a healthy secular outlook, which is the foundation of true democracy, and that unshakable loyalty to the principles on which that democracy must rest” (176).¹⁴⁵ Patel envisioned the military institution as a disciplinary machinery to produce discipline and subjected bodies: discipline bodies through rigorous exercise and training, and new subjects through espousal of the one secular Indian identity, thus channelizing the body into a relation of strict subjugation in the form of political obedience. Patel encapsulated this to overcome what he considered narrow communal ideologies like Sikhistan, Jatistan and Rajasthan that threatened the sovereign of the state and territorial integrity (259).¹⁴⁶ In other words, Patel envisioned the military institution to function as a ‘social laboratory,’ to use Zoltan Barany’s term, to implement progressive policies especially in multi ethnic and racial societies for the purpose of national integration (38).¹⁴⁷ Here we can also deduce that Patel’s vision of the military as a critique of the colonial state policy to recruit the military based on the policy of martial race that legitimized the monopoly of certain groups over the larger social groups. It is important to note that the military does not only serve as national institution that exhibits certain political attitude or behavior of the state, rather it also serves as a tool for political indoctrination. This role is evident in executing counter insurgency programmes like resettlement of the population. In this programme, people are relocated to cutoff ties with the

¹⁴⁵P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (1 January 1949- 31 December 1949)*, Konark Publishers, 1998.

¹⁴⁶P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

¹⁴⁷Zoltan Barany, *The Soldier and the Changing State: Building Democratic Armies in Africa, Asia, Europe, and the Americas*, Princeton University Press, 2012.

insurgents to subdue the sub-nation regional consciousness. And education and other economic opportunities under the military instructions are offered to advance the state civilizing project and also develop the Indian political consciousness among the people.¹⁴⁸ This aspect will be dealt with in depth in the fourth chapter of this study.

6.b The Army and national territories

One of the major tasks of nation building is to demarcate the geographical territory of the state. This demarcation is not the end of nation building project but a step towards the consolidation of the territory under the sovereignty of the state. In the case of India, the consolidation of territories was particularly difficult because there were certain regions in British India that were excluded from the political development in India. The frontiers of Northeast India were some of these territories. Patel highlighted this in his address to the Assam Regiment,

Ours is a big country. We have to make strenuous efforts to make it a compact unit. There are small states. There are tribal areas and there are excluded areas. All this make our task complex and difficult. Nevertheless, we have to solve all these problems so that we could become a strong and united people capable of competing with any nation and any country in this task. You have to play a very important role in this task. (7)¹⁴⁹

The category excluded areas was used in the Government of India Act, 1935 to refer to territories that were excluded from the purview of the act. Often the term has been interpreted by separatist leaders of Nagaland and Mizoram to further the narrative that these territories were not parts of India. This problem was reiterated again by Patel in a letter to Nehru, where he wrote

¹⁴⁸ See C. Nunthura, *Impact of the Introduction of Grouping of Villages in Mizoram*, Omsons Publication, 1989.

¹⁴⁹ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIII (1 January 1948- 31 December 1948)*, Konark Publishers, 1998.

that “there is almost an unlimited scope for infiltration” and “the contact of these areas with us is, by no means, close and intimate. The people inhabiting these portions have no established loyalty or devotion to India” (277).¹⁵⁰ And “during the last three years, we have not been able to make any appreciable approaches to the Nagas and other hill-tribes in Assam” (ibid.). The policy proposed by Patel to address this problem was to bolster the political, administrative and military set up in the frontiers. This approach mandated the need to establish political relation by establishing a civilian government and strengthening intelligence and military security in the frontier post. This fortification of the frontiers entailed infrastructural development in the form of building roads and other communication lines to link the state to territories which were less accessible owing to geographical and political barriers, thus making the people in the frontiers as governable subjects. In Patel’s idea of a strong state, the army does not simply function as a security force rather they also execute biopolitical development projects in the territories in which the state desires to establish its sovereignty.

The other role of the army in building a strong state is that it serves as an apparatus to express the prerogative right of the state over its territories and population. This aspect state’s sovereignty comes to the fore when the military is called to suppress civil and political unrest. The case of Junagardh and Hyderabad are particularly revealing of this aspect of sovereign power which is violent in nature but also necessary for establishment of political order. In Junagardh, the Nawab Mohammad MahabatKhanji III, acceded to Pakistan after the lapse of British Paramountcy. This was despite the fact that the state predominant Hindus population refused to accede and the princely state did not share a natural border with Pakistan. Patel

¹⁵⁰P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV (1 January 1950-15 December 1950)*, Konark Publishers, 1999.

justified that the military intervention was “at the express desire and will of the people of Junagadh that the Indian army marched into Junagadh, and when they leave the state, they would make sure that it was a popular administration which was in Junagadh and not an imposed government which held sway” (233).¹⁵¹ In Hyderabad, the Nizam Mir Osman Ali Khan chose to remain independent after the British rule lapsed. What aggravated the military intervention to institute a popular government were maladministration that favored Muslims in a Hindu-majority state (108),¹⁵² the Razakar Movement led by Qasim Razvi to resist Hyderabad accession to India and the agrarian revolt led by the communist that turned militant (129). The military operation called Operation Polo was conducted in September 1948 and Hyderabad was brought under the Indian Union. This sovereign prerogative to suspend the normal civil affairs and political life make the state all-powerful. However such governmental discourse works on the logic the rule of law is temporarily suspended to ensure the security of the nation, something which Patel iterates in the case of Junagadh. In other words, Indian democracy also underpins on the use of sovereign violence. And it is equally important to note that this state prerogative right expressed through the army “transforms itself into a killing machine” (Agamben 86)¹⁵³ if the suspension becomes a paradigm of government and not an exception to the law. This aspect of sovereignty would be explored later in the study.

¹⁵¹P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

¹⁵²P.N. Chopra P.N and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XIV (1 January 1949- 31st December 1949)*, Konark Publishers, 1998.

¹⁵³Giorgio Agamben, *State of Exception*, Translated Kevin Attell, University of Chicago Press, 2005.

Conclusion

This chapter looked at the ways in which Sardar Patel refashioned the newly independent state in the forms of *Ram Rajya* and a centralized state with an elaborate bureaucracy and army. It engaged with various institutions of power through which the state sought to break the barrier of caste regional loyalties, and how it channeled its development ideology and biopolitical projects to make India a strong state. It also briefly highlighted the challenges the state faced in the political and territorial consolidation of the various states. The next chapter will look at the counter-state movements in post-colonial India that not only questioned the legitimacy of the state but also question the way it governed the people.

Chapter 3

Narratives of Counter-sovereignty in Post-colonial India

Introduction:

One of the most enduring ideas in the global political discourse is that of the *nation*. As Benedict Anderson puts it, “many ‘old nations,’ once thought fully consolidated, find themselves challenged by ‘sub’-nationalisms within their borders—nationalisms which, naturally, dream of shedding this sub-ness one happy day. The reality is quite plain: the ‘end of the era of nationalism,’ so long prophesied, is not remotely in sight” (3).¹⁵⁴ Likewise, Rupert Emerson echoes that “sub-nationalisms of ‘primordial society’ are likely to have a long life ahead of them and that with rare exceptions they are not likely in any presently calculable time to yield to blandishments or pressures to merge wholly into (an) ‘unfamiliar civil state, born yesterday from the meagre remains of an exhausted colonial regime’ which has been superimposed upon them” (192).¹⁵⁵ Post-colonial India witnessed the rise of many sub-national movements that continue to be in active even today.

In the Indian context, diverse sub-nationalist discourses emerged and ran parallel to the nationalist project of nation-state formation, and they continue to counter India’s sovereignty in varying degrees. Following Crawford Young,¹⁵⁶ Sanjib Baruah uses the term sub-nationalism in two senses: one, in reference to a kind of politicization and mobilization that meets some of the

¹⁵⁴ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Verso, 2006.

¹⁵⁵ Rupert Emerson, “Post-Independence Nationalism in South and Southeast Asia,” *Pacific Affairs*, vol. 44, no. 2, 1971, pp. 173-92.

¹⁵⁶ Crawford Young, *The Politics of Cultural Pluralism*, The University of Wisconsin Press, 1976.

criteria of nationalism but is not committed to the idea of separate statehood; and two, a dialogical relationship with the pan-Indian politics.¹⁵⁷ Baruah maintains that though the term sub-nationalism is used in the sense of a subordinate phenomenon to nationalism, it is not inherently different from nationalism, and there cannot be any concrete conceptual distinction between national and sub-national projects (5-7).

In the previous chapter, we looked at how Patel conceptualized the Indian state through the concepts of *Ram Rajya* and a strong centralized state. It also briefly highlighted the problems of national integration posed by regional loyalties and excluded areas policy followed by the colonial state in the governance of frontier areas. Often political uprisings erupted in these territories that question the rationale, legitimacy, nature of accession and structure of the new Indian state. Patel's eulogization of the unification of India as a bloodless revolution based on the consent of the people and his assertion that "every democracy and democratic institutions can function efficiently only where the unit to which these are applied can subsist in a fairly autonomous existence" (257)¹⁵⁸ were questioned and critiqued soon after the new state of India was established. This chapter will look at these political imaginaries which ran counter to the position of the Indian nationalist. These movements emanated from political mobilizations which are sub/national in their forms and aspirations. This chapter will describe these sub-national movements as discourses of counter-sovereignty. These counter-sovereign discourses contest the policies of the state and even radically demand secession from the state but go on to agree with or continue to exist or negotiate within the constitutional framework of India. Thus, they blur the

¹⁵⁷ Sanjib Baruah, *India against Itself: Assam and the Politics of Nationality*, Oxford University Press, 1999.

¹⁵⁸ P.N. Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XII (1 January 1947- 31 December 1947)*, Konark Publishers, 1998.

distinction between nationalism and sub-nationalism, and emerge as subordinate discourses in the Indian nationalist project.

The chapter locates these discourses of counter-sovereignty in the anthologized speeches, autobiography and political pamphlets of a select set of popular leaders. These leaders are associated with popular political mobilizations in different regions of the country. Their works offer an opportunity to draw the contours of counter-sovereignty discourses that emerged in independent India. Towards this purpose, the chapter will offer a reading of the Naga leader Phizo Angami's well-known "Plebiscite Speech" (1951). It was delivered on the day a "plebiscite" was conducted in the Naga Hills to show the willingness of the Naga People to exist as a separate nation from the state of India. It will also take into account the life writing of Sheikh Mohammad Abdullah, the popular leader from Kashmir. Titled *The Blazing Chinar: An Autobiography* (2013), the life narrative narrates the political history of Kashmir in relation with India through the protagonist's views on topics such as instrument of accession and the federal structure of India. In a similar gesture, the chapter will read a collection of anthologized speeches by the Tamil leader C. N. Annadurai, *Anna Speaks at the Rajya Sabha: 1962-64* (1975). These speeches were addressed to the national Parliament on the issue of economic and linguistic imperialism and the distinctness of the Dravidian identity. These apart, the chapter will analyze Laldenga's political pamphlet *Mizoram Marches Towards Freedom* (2013). The text argues for a separate Mizo nation on the grounds of ethnicity, common experience of linguistic imperialism and economic impoverishment. And lastly, it will analyze Surjan Singh's *Case for Republic Khalistan* (1982). This pamphlet traces the genealogy of the Sikh state to pre-colonial India and argues for an independent Khalistan based on ethnicity and political discrimination of the Sikhs. The chapter will make a case for including such pieces within the purview of Indian Writing in

English. It will explore whether a category such as discourses of counter-sovereignty can bring such diverse figures and their works into the same field of analysis.

This chapter will look at the rationale and methods adopted by the various counter-sovereignty movements in postcolonial India. These movements are triggered by India's annexation policy, constitutional structure, political and economic processes, and national integration policies. It argues that these movements invoke the language of rights to counter India and justify the movements. And contrary to the common perception that such counter discourses weaken the state, it also argues that these movements ensure the permanence of the Indian state. In what follows, the location of counter-sovereignty and conceptual framework will be laid out.

1. Location of Counter-sovereignty

Scholars have theoretically located sub-national political aspirations within the domain of the civil society. Thus, Sanjib Baruah in his study of sub-national politics in Assam locates its theoretical space in the civil rather political society because "it is in civil society that sub-national politics derives much of its power and its potential for generating political turmoil (10).¹⁵⁹ The location of the sub-nationalism within the framework of civil society is primarily because, generally speaking, the organizations which have led sub-national protests, describe themselves as non-political or as reluctant entrants into the political realm. And the authors of sub-national narrative distinguish themselves and their movements from politicians and electoral politics by asserting that their concerns are nationality and the nation's cultural realm (*ibid*). In a similar vein, the genealogies of the counter-sovereign movements this chapter undertakes to

¹⁵⁹ Sanjib Baruah, *India against Itself: Assam and the Politics of Nationality*, Oxford University Press, 1999.

trace are located in the civil society. These counter-sovereignty mobilizations in regions as diverse as Mizoram, Nagaland, Tamil Nadu, Kashmir and Punjab share their theoretical location. They have their roots in the civil society. In other words, tracing the genealogies implies in part studying how civil society is represented in the writings of the authors chosen for study.

Following R. Fossaert and J. L. Domenach, Jean-Francois Bayart describes civil society as “‘society in its relation with the state ... in so far as it is in confrontation with the state’ or, more precisely, as the process by which society seeks to ‘breach’ and counteract the simultaneous ‘totalization’ unleashed by the state” (111).¹⁶⁰ Bayart goes on to qualify the starkness of the assertion. He observes that the relationship between the state and the civil society is not simply conflictual, rather, it is more complex and dynamic. He states that the civil society is not necessarily a discrete entity completely external to the state. The nature of civil society is plural. It covers all sorts of different practices. And, it is not embodied in a single, identifiable structure. Civil society is not merely the expression of dominated social groups. It encompasses popular modes of political expression and also the socially dominant groups which are not directly part of political power. This relationship between the state and civil society remains the same whatever the nature of a state is. The state always emerges as an excrescence developing in and upon society, multiplying its specialist bureaucracy or apparatuses, subjecting populations to its control, crisscrossing the territory it occupies and finally subjecting the activities of society to its control. Bayart employs a term from Gramsci, and categorizes the oppositional relationships between the state and the civil societies as ‘balanced opposition’ (112). The oppositional relationships between the state and civil societies are evident in all the

¹⁶⁰ Jean-Francois Bayart, “Civil Society in Africa,” *Political Domination in Africa: Reflections on the limits of Power* Edited by Patrick Chabal, Cambridge University Press, 1986, pp. 109-125.

counter-sovereignty movements that the chapter seeks to study. These groups questioned and contested the legitimacy of India's sovereignty.

2. Counter-sovereign Mobilizations in Post-colonial India

Post-colonial India has witnessed a series of counter-sovereignty mobilizations. This section will offer a short historical overview of some of these movements. The aim is to show how the mobilizations have their origins in the civil society and the relationships between state and civil societies are complex and dynamic in nature in these regions. The civil society is not external to state power—it is a popular mode of political expression as it stands in opposition to the 'subjectivising' activities of the state. However, counter-sovereignty movements take a more political form as the groups propagating it are not reluctant participants or non-political groups. Rather, they assert themselves as representing the political voice of the people who do not want to be governed in certain way by certain government and seek an alternative form of governance.

The origin of sub-national discourse in Nagaland can be located with the formation of the Naga Club in 1918. It was formed by the Nagas who had served as a part of the British Labour Corps in the First World War. The club was a non-political organization that sought to foster unity and friendship among the various Naga tribes. It also served as a platform for addressing administrative and social grievances of the Nagas (Chandola 155).¹⁶¹ In 1929, the Naga Club submitted a memorandum to the Simon Commission which had come to study constitutional reforms in India. In the memorandum, the Nagas made three assertions. One, the Naga Hills was a distinct nation distinguished by language, religion, cultural habits, customary institutions and laws. Two, the Nagas wished to be withdrawn from the proposed constitutional reform but

¹⁶¹ Harish Chandola, *The Naga Story: First Armed Struggle in India*, Chicken Neck, 2013.

wished to be under the British Government to safeguard their rights from the advanced Indians. And three, should the British consider to tie the Nagas with India, the Nagas would prefer to determine for themselves like in ancient times and not be thrust at the mercy of the people who had never conquered and subjugated them.¹⁶² And accordingly, the British kept the Naga Hills outside the purview of Government of India Act 1935 as an excluded area. After the Second World War,¹⁶³ the British ICS officer, Sir Charles Pawsay, the deputy commissioner of Naga Hills, established the Naga Hills District Tribal Council with the aim to reconstruct the war ravaged hill district along democratic lines. But owing to the political changes in British India, the council renamed itself as Naga National Council (NNC). The aim of the NNC was to assist British officers who were working for the social, economic, political and cultural development of the Nagas (Yonuo, 161).¹⁶⁴ With the impending departure of the British in 1947, the NNC sought an interim government under India but the talk failed over the political status of the Nagas after the interim period of 10 years. The radicals in the NNC led by Phizo declared the Nagas' independence on 14th August 1947.

Unlike the Nagas, the Mizos did not immediately declare independence from India. Rather the uprising was the results of insensitive governmental and poor economic planning. In 1960, the Assam government passed the Assamese Official Language Bill. This created tension in the hill districts of Assam and the people openly denounced perceiving it as an absorption

¹⁶² For Memorandum of the Naga Hills see Iralu, Kaka. *The Naga Saga: A Historical Account of the 62 years Indo-Naga War and the story of those who were never allowed to tell it*. Kohima: ACLS Offset Press, 2009.

¹⁶³ The Battle of Kohima fought in Naga Hills district is regarded as the turning point of Japanese invasion of British India during the Second World War.

¹⁶⁴ Asoso Yonuo, *The Rising Nagas*, Vivek Publishing House, 1974.

attempt made by the state through language. The fear among the hill districts was that of alienation, should Assamese become the link language (Mishra, 622).¹⁶⁵ But what really triggered the Mizo movement was a famine caused by rats. In 1959, the Mizo Hills went through a famine called *Mautum* caused by bamboo flowering that stimulates the reproductive system of rats upon consuming the flowers. The explosion in rats' population created scarcity of food as the rodents ate up all the standing crops. The Mizo Hills District Council warned the Assam government of a potential famine in the hill district. The Assam government rejected the demand, and dismissed the famine. But when the famine happened, the Assam government was bewildered by the devastation, and even more when it realized that there was no proper road connecting Assam to the hill district to send relief supplies. The only highway connecting the Mizo territory was from Silchar, but the road was motorable only for jeep and not truck (Nag 1029-30).¹⁶⁶ This led to the formation of Mizo National Famine Front as a relief group under the leadership of Laldenga. After the famine, the front renamed itself as Mizo National Front (MNF) and turned political. And on 28th February 1966, the MNF declared Mizos' independence from India and attacked the Indian state institutions.

The Dravidian movement of the Tamils has its origin in the Self Respect movement that was started by Periyar. The first wave of the movement in 1925 was a social movement that sought to resist caste hegemony and encouraged the lower castes to nurture self-respect. In 1937, it was launched against the decision of the Indian National Congress to prescribe Hindi as a

¹⁶⁵Udayon Mishra, "Asom Sahitya Sabha: Retreat from Populist Politics," *Economic and Political Weekly*, vol. 19, no. 15, 1984, pp. 621-623.

¹⁶⁶Sajal Nag, "Tribals, Rats, Famine, State and the Nation," *Economic and Political Weekly*, vol. 36, no. 12, 2000, pp. 1029-1033.

compulsory language to be taught in school. This event also witnessed the first occasion in which the Dravidian first demanded for a separate Dravida Nadu (Ram 397).¹⁶⁷ In 1944, Dravida Kazhagam party was launched under the leadership of Periyar and its aims were to eradicate caste and establish a Dravidian sovereign state. The movement led by the party primarily focused on social reforms as Periyar believed that social reforms presage political reforms. However, this approach became an issue with the impending departure of the British. C.N. Annadurai, a close associate of Periyar, voiced that the social approach was good until the British were in India, and advocated to pursue for political power something which the party did not engage in so far (Kannan, 99).¹⁶⁸ In 1949, Annadurai founded the Dravida Munnetra Kazhagam (DMK). Annadurai distinguished the DMK stating that “Unlike the Dravida Kazhagam which fought for racial welfare, we have to struggle on the basis of geography for the good of entire ‘Dravidam’” (as quoted in Kannan, 156). By contextualizing the Dravida movement in territorial framework, Annadurai gave the movement a non-ethnic outlook and also mapped out the territory over which Dravidastan was to be established.

The origin of sub-national consciousness in Punjab can be located to the Singh Sabha movement that sought to preserve the distinct identity of the Sikhs in the last quarter of the nineteenth century in the wake of zealous proselytization by the Arya Samaj, Christian missionaries, and Muslim groups. The Singh Sabha movement was organized in different towns of Punjab province such as Lahore and Amritsar; and Sikh literature written in Gurmukhi script was widely circulated to articulate the Sikh identity. The various Singh Sabhas were

¹⁶⁷ N. Ram, “Dravidian Movement in its Pre-Independence Phases,” *Economic and Political Weekly*, vol. 14. no. 7/8, 1979, pp. 377-402.

¹⁶⁸ R. Kannan, *Anna: The Life and Times of C.N. Annadurai*, Penguin Books, 2010.

subsequently organized under the organization, the Chief Khalsa Diwan of Amritsar, in 1902 (Barrier, xxix).¹⁶⁹ In the twentieth century, the Akali movement was launched to reform the administration of Sikh shrines which were under the *Mahants*, a Hindu religious group. The movement was a success and it instituted the Shromani Gurdwara Prabandhak Committee to control the gurudwaras. The Akali often clashed with the government for the cause of the Sikhs and it soon became politically active. Master Tara Singh emerged as the strong leader of the Akali Dal and secured many policies that favored the Sikhs and the creation of a Punjabi speaking state as the homeland for the Sikhs in 1966 (Dulai 184-85).¹⁷⁰ In 1973, the Akalis passed the Anandpur Sahib Resolution that sought to reorient the center-state power relationship through greater autonomy that would reduce the power of the government at the center on the subjects related to defense, foreign affairs, communications, railways and currency (Malik 352).¹⁷¹ The government of India rejected the resolution and construed it as secessionist in content. But the demand for autonomy only grew in strength drawing support from fundamentalist like Sant Bhindranwale and Babbar Khalsa, an international organization whose objective is to create a separate sovereign state of Khalistan.

The emergence of counter-sovereignty movement in Kashmir can be traced to the formation of a club called the Reading Room in 1930. The club consisted of educated Muslim

¹⁶⁹ Norman Gerald Barrier, *The Sikhs and their Literature: A Guide to Tracts, Books, and Periodicals, 1849-1919*, Manohar Book Service, 1970.

¹⁷⁰ Surjit S. Dulai, "Language, Intelligentsia and Social Change," in *South Asian Intellectuals and Social Changes: A Study of the Role of Vernacular-Speaking Intelligentsia*, edited by Yogendra K. Malik, Heritage Publishers, 1982, pp. 160-89.

¹⁷¹ Yogendra K. Malik, "The Akali Party and Sikh Militancy: More for Greater Autonomy or Secessionism in Punjab?" *Asian Survey*, vol. 26, no. 6, 1986, pp. 345-62.

individuals who usually met at the residence of Mufti Zia-ul-Din in Fateh Nagar and discuss the discriminatory attitude of the Dogra rule against the Kashmiri Muslims (Zahoor, 1573).¹⁷² The first deliberation of the group was to send a delegation to the State Cabinet to demand job reservation for Muslims. One of the members of the delegation was Sheikh Abdullah. And although the cabinet refused to reserve jobs for Muslims, the subsequent events forced the Reading Room party to the forefront of Muslim politics (Bazaz, 148-51).¹⁷³ To address the grievances of the Muslims especially with regards to education, land reforms, taxation, and representation in state institutions, the Glancy Commission was instituted. Following the recommendations of Glancy Commission, a state legislative body known as Praja Sabha was constituted. And in concurrence the All Jammu and Kashmir Muslim Conference was formed in 1932 with Abdullah as the president (Schofield 18).¹⁷⁴ In 1939, the Muslim Conference was renamed as the National Conference to give the party a more secular outlook. In 1946, the National Conference launched the Quit Kashmir movement against the Dogra Dynasty. The conference was also a key party in signing the provisional Instrument of Accession to India in 1947. And in 1958, the All Jammu and Kashmir Plebiscite Front was formed to demand a popular plebiscite to decide whether the state should join India, Pakistan or opt for independence.

From the above brief historical account of the origins of the various counter-sovereignty movements, what is discernable is that each movement has its origin in a certain civil body that engaged firstly in the cultural, social and economic domains. And the leaders of these civil

¹⁷²Najma Zahoor, "Political Activities in Jammu and Kashmir (1846-1946)," *International Journal of Trend in Scientific Research and Development*, vol. 4, no. 4, 2020, pp.1572-1576.

¹⁷³ Prem Nath Bazaz, *The History of Struggle For Freedom in Kashmir*, Kashmir Publishing Company, 1954.

¹⁷⁴ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, I.B.Tauris, 2003.

bodies would be gradually forced to become the frontrunners of politics either willingly or reluctantly owing to socio-political conditions. Thus the origins of all the sub-national movements in post-colonial India can be located in the civil society.

3. Power, Governmentality and Counter-conduct: Reading Michel Foucault

This relationship of resistance to state power can be studied in the larger theoretical framework of Michel Foucault's account of power and resistance, and conduct and counter-conduct. Counter-sovereignty movements as resistances to state sovereignty can be seen as instances of counter-conducts. But before the analysis of counter-sovereignty as counter-conduct, a theoretical engagement with Foucault's concept of power, governmentality and resistance would be insightful.

Foucault in his account of power in the forms of sovereign power, biopower and, disciplinary power elucidates that power operates as a network. And a constituent part of power is resistance. As Foucault puts it in *The History of Sexuality*, "Where there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority to power" (95).¹⁷⁵ In the power grid there are "multiple points of resistance: these play the role of adversary, target, support, or handle in power relations. These points of resistance are present everywhere in the power network. Hence there is no single locus of great refusal, no soul of revolt, source of all rebellions, or pure law of the revolutionary" (95-96). And elsewhere in *Ethics Subjectivity and Truth*, Foucault elucidates that individuals are not trapped inside power but rather power relationship is a struggle where people are in strategic situation in opposition to

¹⁷⁵ Michel Foucault, *The History of Sexuality: An Introduction*, translated by Robert Hurley. New York: Pantheon Books, 1978.

government or its institution.¹⁷⁶ As he puts it, “if there is no resistance, there would be no power relations. Because it would simply be a matter of obedience” (167). For Foucault, resistance is agonism because “power relations are obliged to change with the resistance” (ibid.). To put it in brief, resistance is not external to power and power relations are inherently characterized by struggles which have positive influences of power.

Foucault traces the genealogy of governmentality in *Security, Territory and Population*.¹⁷⁷ He describes governmentality as “the ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power that has the population as its target, political economy as its major form of knowledge, and apparatus of security as its essential technical instrument” (108). Foucault traces the genealogy of governmentality to the pastoral power of the church. As he puts it, “this governmentality was born (first) from the archaic model of the Christian pastorate and second, by drawing support from a diplomatic-military model, or rather, techniques,” and finally “with the art of government, and which is called, in the old, seventeenth and eighteenth century sense of the word, police” (110). The pastoral theme in Christianity gave rise to an immense institutional network that claimed to be coextensive with the entire church and Christian family. The institutionalization of the pastorate “gave rise to an art of conducting, directing, leading, guiding, taking in hand, and manipulating men, art of monitoring them and urging them on step by step, an art with the function of taking charge of men collectively and individually throughout their life and at every moment of their existence” (165). And this pastorate art of

¹⁷⁶ Michel Foucault, *Ethics: Subjectivity and Truth*, Edited by Paul Rainbow, The New York Press, 1997.

¹⁷⁷ Michel Foucault, *Security, Territory, Population: Lectures at the College De France 1977-1978*, Edited by Michel Senellart, Palgrave Macmillan. 2009.

conducting/governing men provided the embryonic point of governmentality entering into politics at the end of the sixteenth marking the threshold of the modern state.

For Foucault, the term conduct refers to two things, “conduct is the activity of conducting (*conduire*), of conduction (*la conduction*) if you like, but it is equally the way in which one conducts oneself (*se conduit*), lets oneself be conducted (*se laisse conduire*), is conducted (*est conduit*), and finally, in which one behaves (*se comporter*) as an effect of form of conduct (*uneconduite*) as the action of conducting or of conduction (*conduction*)” (193). This pastoral power to conduct men has “specific movements of resistance and insubordination appeared in correlation with this that could be called revolts of conduct” (194). The rationale of these resistances is “wanting to be conducted differently, by other leaders (*conducteurs*) and other shepherds, towards other objectives and forms of salvation, and through other procedures and methods. They are movements that also seek, possibly at any rate, to escape directions by others and to define the way for each to conduct himself” (195). Foucault states that these revolts of conduct linked to the pastorate entered the modern state in the seventeenth and eighteenth centuries when “many pastoral functions were taken up in the exercise of governmentality, and... from then on we see revolts of conduct arising less from religious institution and much more from political institutions” (197-8).

The term revolt of conduct was problematic for Foucault as “the word ‘revolt’ is both too precise and too strong to designate much more diffuse and subdued forms of resistance” (200). Foucault comes up with what he calls a badly constructed word ‘counter-conduct’ that can encompass resistance, refusal, and revolt. Counter-conduct refers to the struggle against the processes implemented for conducting and it can be used “without having to give a person a sacred status to this or that person as a dissident, we can no doubt analyze the components in the

way in which someone actually acts in the very general field of politics or in the very general field of power relations; it makes it possible to pick out the dimension or component of counter-conduct that may well be found in fact in delinquents, mad people and patients” (202). In ‘What is Critique’ Foucault elaborated on political counter-conduct in secular arts of government.¹⁷⁸ He describes critique as “a certain way of thinking, speaking and acting, a certain relationship to what exists, to what one knows, to what one does, a relationship to society, to culture and also a relationship to others that we could call, let’s say, the critical attitude” (24). This critique is “the art of voluntary insubordination” and “the desubjugation of the subject in the context of what we call, in a word, the politics of truth” (34). Here truth is understood as dogma, individualizing knowledge of individuals, and techniques comprising of general rules, particular knowledge, precepts, methods of examination, confessions, interviews, etc.

With the explosion of the art of governing men, the question of “how not to be governed?” also took form. Here resistance to governance is distinct and it does not mean “we do not want to be governed, and we do not want to be governed *at all*” (28). Rather it is the “preoccupation about the way to govern and the search for the ways to govern” and to “identify a perpetual question which would be: how not to be governed like that, by that, in the name of those principles, with such and such an objective in mind and by means of such procedure, not like that, not for that, not by them” (28). Critique as counter-conduct acts “both partner and adversary to the arts of governing, as an act of defiance, as a challenge, as a way of limiting these arts of governing and sizing them up, transforming them, of finding a way to escape from them or, in any case, a way to displace them, with a basic distrust, but also and by the same token, as a line of development of the arts of government” (28-29).

¹⁷⁸ Michel Foucault, *The Politics of Truth*, edited by Sylvere Lotringer and Lysa Hochroth, Semiotext(e). 1997.

4. Counter-sovereignty as Counter-conduct

Drawing on Foucault's conceptualization of power and resistance, this section seeks to illustrate the practices of counter-sovereignty in India as counter-conducts. Foucault cautions that resistance or counter-conduct is distinct from political revolt against sovereignty. The discourses of counter-sovereignty in India should not be looked as attempts to usurp India's sovereignty and replace it with another form of sovereign rule. In fact India has rejected all the attempts of regional self-determination movements to draw a parallel with the national movements in former colonies to assert legitimacy. Rather India perceived these movements as internal issues of the state and asserted more control over these territories (Lockwood 383).¹⁷⁹ From this framework, although counter-sovereignty movements may assert to be national in character, they should be considered as discourses that seek alternate forms of governance within India. In other words, the resistance to India state is to secure more autonomy and internal sovereignty for co-governance with the central state. The analysis of counter-conduct will look at the rationalities and techniques used by counter-sovereignty movements. The focus of this study will be on the rationale and techniques of resistance, as Foucault puts it, counter-conducts should focus on the practices or "components in the way in which someone actually acts in the very general field of politics or in the general field of power relation" (202).¹⁸⁰ In other words, this chapter argues that counter-sovereignty discourse take place within the field of politics and the space of legality.

¹⁷⁹David E. Lockwood, "Sheikh Abdullah and the Politics of Kashmir," *Asian Survey*, vol. 9, no. 5, 1969, pp. 382-96.

¹⁸⁰ Michel Foucault, *Security, Territory, Population: Lectures at the College De France 1977-1978*, Edited by Michel Senellart, Palgrave Macmillan, 2009.

This study will particularly focus on the constitutional, legal, and rights- based forms of resistance. In India, counter-sovereignty movements invoke the language and framework of constitutionality, right to self-determination and right to secession to question the legitimacy and resist the state in acceptable forms, thus situating the discourse with the field of politics and legality. Here an engagement with the conceptualization of these rights would be insightful. Jonathan Berg theorizes that the right to self-determination developed as a reaction against imperialism and colonialism.¹⁸¹ In the discourse of colonialism, the imperial forces conquered and exploited both human and natural resources without any regard for the rights of the natives. So the right to self-determination evolved as the inherent right of the natives to regain the lost sovereignty. Berg outlines three criteria that give legitimacy to stateless group of people to assert the right of self-determination. The three criteria are: geographical, social, and political. The territory should be one geographical unit and the people should have had enjoyed self-determination before the establishment of the surrounding states and it should not originate from within any surrounding state. The group demanding self-determination should be predominant in the land both historically and contemporarily. With regard to the social criteria, a group must possess some kind of social distinctness that marks their peoplehood such as linguistic, ethnic, religious and social institutions that separate daily social interactions with the state ruling the territory. As for the political, the claim for self-determination is legitimate if the assertion is made by politically or socio-economically oppressed group (Berg 212-217).

The discourse on self-determination also involves the question of the right to secede. Allen Buchanan has categorized the right to secede into two: remedial right and primary right.¹⁸²

¹⁸¹Jonathan Berg, "The Right to Self-Determination," *Public Affairs Quarterly*, vol. 5, no. 3, 1991, pp. 211-255.

¹⁸²Allen Buchanan, "Theories of Secession," *Philosophy and Public Affairs*, vol. 26, no. 1, 1997, pp. 31-61.

The remedial theory posits that “a group has a general right to secede if and only if it has suffered certain injustices, for which secession is the appropriate remedy of last resort” (Buchanan 34-5). The primary right theories are of two kinds: ascriptive, and associative. Ascriptive theory prescribes the right to secede to a group that has “a common culture, history, language, a sense of its own distinctiveness, and perhaps a shared aspiration for constituting its own political unit” (38). And the associative theory legitimizes secession “on the voluntary political choice of the members of a group (or the majority of them), their decision to form their own independent political unit. Any group, not matter how heterogeneous, can qualify for the right to secede” (38-39).

The recourse to right to self-determination by counter-sovereignty actors in India is drawn from the legal right to self-determination drawn in UN Charter Article 1(2) and 55. The two articles seek to promote friendly relations between nations on the principle of equal rights and self-determination of peoples. Helen Quane argues that the right to self-determination is an elusive concept because there is no clear definition of ‘peoples’ and what the right entails.¹⁸³ Quane states that the term ‘peoples’ in the charter is unclear and it can be applied to various groups organized around language, religion or ethnicity. And the term ‘nations’ is also unclear because some of the original signatories of the charter were not sovereign states. But the terms most likely refer to states because international relations can be conducted between sovereign states only. This alludes that only states have the right to self-determination and relations between states should be conducted on the principle of self-determination (Quane 539-47). Quane further posits that the legal principle of self-determination evolved during the

¹⁸³Helen Quane, “The United Nations and the Evolving Right to Self-Determination,” *The International and Comparative Law Quarterly*, vol. 47, no. 3, 1998, pp. 537-572.

decolonization period. Resolution 1514 (XV) of the UN also called Declaration on the Granting of Independence to Colonial Countries seeks to extend the right to self-determination to the colonized people. This resolution provides a territorial criterion to define the people who can exercise the right to self-determination. The resolution states that the right can be exercised by the whole inhabitants of the country irrespective of their ethnicity, language and religion so long as it does not threaten the territorial integrity of the state. The territorial boundaries can be determined in two ways: territory of a colonial country, and pre-colonial entity. In other words, primordial criteria such as ethnicity should not define the people and the right to claim self-determination. The expected trend was that the entire inhabitants of a colonial territory would exercise the right to self-determination. Any attempt to assert the right to self-determination based on primordial identities received little support from the UN which further shows that it favors territorial concept of peoples (551-54).

Buchanan also states that international bodies like United Nations' proclamation of right of self-determination to all peoples imply a right to secede. But international bodies have resisted the recognition of right to secede in the principle of self-determination because of fears that secession would bring international anarchy. And so the scope of the right is arbitrarily restricted to people struggling against colonialism (350).¹⁸⁴ Likewise, Quane states that when the UN charter was drafted in 1945, secession was taken in two senses. One, colonial states referred the independence demands of the colonized subjects as secessionist claims. Two, secession also referred to separatist claims of groups within the contentious boundaries of sovereign states. The second sense is mostly used today to refer to secession, and there is barely any reference in the

¹⁸⁴ Allen Buchanan, "Self-Determination and the Right to Secede," *Journal of International Affairs*, vol. 45, no. 2, 1992, pp. 347-365.

drafting that supports this form of secession (547). This entails two things: the right to secession is legit in the case of decolonization and the separatist movements in newly formed states are illegitimate.

In what follows this chapter argues that counter-sovereignty movements in India are performed through the invocation of the right to self-determination, a concept that is subject to interpretations by formerly colonized people. The Indian state promotes the right to self-determination within the state in sync with the UN. On the contrary, counter-sovereignty movements interpret the right to self-determination as the right to self-rule which goes against the grain of Indian state. These discourses though they challenge the state during initial stages, they only reinforce the Indian state as they come in terms within the constitutional framework of the latter. To illustrate this, the study will use counter-conduct approach that “focuses on practices and mentalities of resistance, rather than movement, and also seeks to show how power and resistance, government and dissent are mutually constitutive. The form protests take are closely linked to the regimes of power against which they are opposed and simultaneously practices of government themselves are shaped by the manner in which they are resisted” (Death 240).¹⁸⁵

5. Kashmir Counter-sovereignty as Counter-conduct: The Rationale

Tahia Abdel Nasser in her study of twentieth century Arab autobiographies posits that national events have profound effects in the production and direction of the genre. Nasser writes that Arab writers with their stature assume the status of hero with the special role as defender and

¹⁸⁵Carl Death, “Counter-conducts: A Foucauldian Analytics of Protest,” *Social Movement Studies*, vol. 9, no. 3, 2010, pp. 235-251.

chronicler of a national struggle, and narrated their lives with historical events that shaped them. Autobiographies of the period engaged with the effects of colonialism, nationalism and independence. And the writers draw their lives in parallel with these national events and used the genre to stage the encounter between the colonized and the colonizers. This form of writing enabled the representation of anti-colonial struggles and the conceptualization of subjectivity in the colonial and post-colonial period (7-8).¹⁸⁶ Drawing on Nasser, this section seeks to study Sheikh Mohammad Abdullah's *The Blazing Chinar: An Autobiography* as a form that stages the encounter between the forces of colonialism and Kashmiris' national aspirations.¹⁸⁷ Abdullah's autobiography recounts his life from the rule of the Dogra regime to the Kashmir Accord (1975) with India where the Kashmiris' demand for the right to self-determination was dropped. In what follows, the study will look at the rationale and the methods of the Kashmiris' struggle to counter India's sovereignty and the new subjectivities adopted by them under the Dogra and Indian rule.

Jean Franco posits that literary artists "influenced the way literature was read, history understood, and language valued" through serious evaluation that revamped the genealogy (4).¹⁸⁸ The life writing of Abdullah also provides a historical revision of Kashmir's history. Contrary to the accepted historical account that the Treaty of Amritsar, 1846 sealed the transfer of Kashmir from the British to Gulab Singh, Abdullah regards the treaty as a sale deed through which Kashmir was acquired by the Dogra regime for a sum of seventy five hundred thousand *Nanak Shahi* rupees. Abdullah argues that the treaty has no ethical and political standing because the

¹⁸⁶Tahai Abdel Nasser, *Literary Autobiography and Arab National Struggles*, Edinburgh University Press, 2017.

¹⁸⁷Sheikh Mohammad Abdullah, *The Blazing Chinar: An Autobiography*, Gulshan Books, 2013.

¹⁸⁸Jean Franco, *The Decline and Fall of the Lettered City: Latin America in the Cold War*, Harvard University Press, 2002.

Kashmiris were not a party in signing the treaty. Rather the treaty as a sale deed became an emblem of slavery for the Kashmiris (256).¹⁸⁹ With regard to Indian state, Abdullah presents the case of Kashmir as an issue of right to accession and autonomy rather than a disputed territory between India and Pakistan. Through such evaluation of history, Abdullah frames his life narrative around the politics of Kashmiris' liberation and the struggle against India's sovereignty.¹⁹⁰

The discourse of counter-sovereignty in Kashmir cannot exclude the Dogra regime because of two reasons. One, the rationale of a free Kashmir was developed from the critique of the Dogra regime. Sheikh Abdullah and the National Conference articulated that the Dogra regime was illegitimate because Hari Singh's "relationship with the Kashmiris had been based on exploitation" (289) and the regime stood for backwardness (263). It was on this rationale that the Quit Kashmir movement was launched against the Dogra regime, and the National Conference under the leadership Abdullah through its manifesto 'Naya Kashmir' presented itself as a developmental and democratic force that would take into account land reforms, safeguarding the rights of women and other weaker groups, and the establishment of liberal democracy (218). It was through this rationale that Abdullah was able to mobilize the people against Hari Singh under the slogan 'Freedom before accession' (264) to hand over the reins of sovereignty to the people so that they can decide on the accession to India or Pakistan or form a separate sovereign state. Though the rationale of Kashmir state is identical to the development ideology of the India

¹⁸⁹Sheikh Mohammad Abdullah, *The Blazing Chinar: An Autobiography*, Gulshan Books, 2013.

¹⁹⁰Here counter sovereignty should not be seen as usurpation of sovereignty but rather a discourse for a constitutional or democratic form of government.

that constituted the definition of the new state, it would also be used to distinguish Kashmir from India.

The other reason why the Dogra regime cannot be excluded in the discourse of Kashmir counter-sovereignty is because it was Maharaja Hari Singh who had signed the provisional accession to India under the extraordinary circumstance of tribal invasion that mandated a plebiscite. Under the provisional instrument of accession, Kashmir acceded to India by ceding three subjects: defense, external affairs and communications to India. According to Abdullah, this provisional nature of the accession also ensured that Kashmir was not bound by India's constitution and the introduction of Article 370 into the Indian constitution secured the Kashmiris the right to have their own constitution, constituent assembly and national flag which entailed autonomy or condition of self-government. The infringement of this autonomy by means of forceful integration strategies to complete the accession and the attempt to bypassing the mandatory plebiscite to decide the accession form the grounds to start the self-determination movement in Kashmir to counter the sovereignty of India.

Abdullah sets his autobiography in the context of Kashmir national struggles and post-colonial conditions. His life mirrored the Kashmiris struggles against the Dogra regime, the feudal system, the transition of the Muslim Conference to National Conference and the close bond between Kashmir and India during the national struggle. Abdullah regards the relationship between Indian and Kashmir as a union of ideals because the two states were grounded on the principles of secularism, socialism and democracy (386). And though Abdullah personally considered that the accession to India would fulfill the objectives of New Kashmir, the constitutional arrangement between the two states proved problematic. He recounts that the special status granted to Kashmir within India's suzerainty caused friction as the Indian state

unitary form of government constantly intervened in the affairs of the federal states with the attempt to impinge the internal autonomy/sovereignty of the people. The first sign of strain in this constitutional arrangement between Kashmir and India was with regard to land reform. Abdullah writes

In our 'New Kashmir' manifesto we had stated clearly that if the National Conference came to power, we would return land to peasants free of cost, and thus end the prevailing feudalism... But India offered no such precedent. That is why the exploitative circle in the state and the people who supported them at the centre did not approve of our reforms. Patel, in particular, resisted this stiffly. The main reason for that was the state's Hindu jagirdars had conveyed to him that these reforms were going to affect non-Muslims in the main. I put before Patel figures and facts showing that the issue was nothing to do with Hindu-Muslim ratio and that members of both communities alike came within the purview of these reforms. But he stubbornly kept opposing us. (340)

From the above quote, three things are evident. One, through the execution of progressive policy, Abdullah distinguishes the National Conference from the Indian state by stating that the latter could not provide any precedent in land reform. Thus implying that India was not capable of implementing such a radical reform. Two, the politics of religion is ushered in to resist and interpret the reform as communal. And three, although Kashmir was not within the bound of India's constitution, the act of enforcing the land reform was seen as an act of defiance against the state under whose suzerainty the former depended on. Another issue which brought Abdullah in conflict with Patel was in regard with education. Prior to the partition of British India, the Kashmir state academic affiliation was with University of Punjab in Lahore (Pakistan). As a

result of the partition and the tribal invasion, the academic affiliation ended. In an effort to revive the education system, Abdullah came up with the plan to establish a new university. He writes,

We wanted to set up a university of our own. But Patel and his ilk insisted that we get affiliated with the University of East Punjab. I have always given highest priority to education. My apprehension was that if we sought another university's affiliation, Urdu would cease to be our official language. Also, the courses of studies would project sub-standard materials of a partisan quality compromising our own ethos. Being yet free of the bindings of the constitution, we announced the establishment of our own university.

(353)

Here Abdullah highlights another instance of how the unitary centralized government of India attempted to impede the autonomy of Kashmir and assert its influence in the domestic affairs of an autonomous state under its suzerainty. The impression that Abdullah provides is that the interference with the internal sovereignty was done in conduit with the attempt to absorb Kashmir into India. The confluence of India and Kashmir which overthrew the hereditary Hindu maharaja rule also provoked Jammu Praja Parishad¹⁹¹ to campaign for a unified India under the theme 'One Constitution, one flag, and one president.' This was done in collusion with India's radical Hindus. Abdullah posits that the logic of the campaign was to put Muslims of Kashmir under subjugation by using India's mantra for unification through complete merger instead of the provisional accession (348). These issues coupled with the question of whether India's Supreme Court and Central Bureau of Investigation have jurisdiction over Kashmir led Abdullah to construe that India "seemed bent on destroying the individual position our state" (358).

¹⁹¹A right wing political party formed in 1947.

The ultimate resistance to India's sovereignty by Kashmir lies in the proper implementation of the clauses in instrument of accession. Abdullah writes, "I hoped if we were conscientious about our obligations and our rights, we would respect the authority of the centre. We thought the centre would also fulfill its obligation to us and defend our rights... But some Indian leaders troubled by their mental reservations started bluffing rather than treating us as equals and wasted no opportunity to meddle with our affairs" (354). One such instance is with regard to the formation of the Jammu and Kashmir Constituent Assembly guaranteed under article 370 of the Indian constitution. Abdullah writes,

after attending several sessions of the Security Council I had concluded, however unwillingly, that it was beyond that international forum to find a just solution to the Kashmir issue, since this body appeared more concerned with its own interests than principles. That is why I have decided that we should have a constituent assembly of our own for our state. Delhi opposed the decision... There was also resistance from some top individuals in Delhi who thought that once the assembly was formed, their attacks on the state's autonomy would weaken. (363)

Despite the opposition Abdullah defiantly formed the constituent assembly in 1951. And when the constituent assembly was inaugurated in Srinagar, Abdullah mentions that Gopalswami Ayyangar demanded the assembly to confirm Kashmir's full accession to India thus bypassing the stipulated plebiscite in the instrument of accession (370). Similarly, Rajindra Prasad was not happy with the special status given to Kashmir and wanted the complete merger of the state to India (441). Abdullah writes, "India somehow wanted to get rid of the bone stuck in its throat-the plebiscite" (444). The seventh clause of the instrument of accession states that the state of Kashmir would not be forced to accept any future constitution of India. And at the signing of the

provisional accession, the Governor General of India Lord Mountbatten stipulated that the issue of accession to India under extraordinary circumstance held under the tribal invasion backed by Pakistan should be settled through a plebiscite that would enable the people of the state to decide on the accession to India or Pakistan or to be an independent separate sovereign state.¹⁹² The issue of bypassing the plebiscite became a serious contestation when Jawaharlal Nehru¹⁹³ in 1953 asked Abdullah to call an assembly and confirm Kashmir's accession to India. Abdullah countered Nehru by stating the assembly was founded on the principle that it could discuss on the issue of accession but a decision by the council had no value. Abdullah further writes, "I could not fulfill his wish, I said... If we decided the accession through the Assembly, how could we face the world? I told him politely that he was a leader of international fame and that India's moral superiority rested on him" (370). Here, Abdullah's narrative provides the autocratic turn of India's sovereign power that does not take into account the people's opinions, and the state domineering presence through increasing intervention to erode the autonomy of Kashmir.

5.a Invocation of right as counter-conduct method

Louiza Odyseos in her study on Foucauldian counter-conducts in Botswana by the Bushmen in Central Kalahari illuminates that political dissent "participates in formal politics and

¹⁹²Here it is important to note that a plebiscite was conditional on the restoration of peace in Kashmir after the tribal invasion was suppressed. But even after the invasion was suppressed both India and Pakistan could not reach an agreement to withdraw their military troops to conduct the plebiscite.

¹⁹³Nehru had previously advocated for a plebiscite to determine the accession at the inaugural of the Jammu and Kashmir Constituent Assembly. He also pleaded for a plebiscite at the United Nation Security Council to settle the issue of Kashmir amicably.

takes place within explicitly delineated political and legal spaces” (459).¹⁹⁴ In Botswana, the Bushmen used legal means, and invoked human and indigenous rights as forms of dissent to counter the state government’s development and relocation project. Abdullah countered India’s sovereignty over Kashmir by invoking that the right to plebiscite on the accession and right to self-determination. To counter the violation of the instrument of accession and forceful integration approach of the Indian state, the self-determination movement led by Abdullah organized public demonstration, social boycott, and civil disobedience campaign as methods of counter-conducts. The self-determination movement started with the formation of the Plebiscite Front on 9th August 1955. The Plebiscite Front as the name suggests was formed to demand a popular plebiscite that would give the people the right to decide on the accession and self-determination. Although Abdullah was never officially a member of the Plebiscite Front, the front enjoyed his patronage and was ideologically rooted to his principle on the right to self-determination. One of the demands through which the front mobilized the people in the initial state was “that the government of India should give up the policy of *status quo* and create a congenial climate to enable the people of the state to exercise the right to self-determination” (as quoted in Para 213).¹⁹⁵ In 1964-65, the government of India introduced article 356 and 357 of its constitution to Kashmir that empowered the central government to dismiss an elected government and take over the legislative function of the state, thus further impinging the autonomy of the latter. And in the state election of 1965, the stooges in the National Conference who ousted Abdullah in 1953 dissolved the conference and merged with the Indian National

¹⁹⁴Louiza Odyseos, “Governing Dissent in the Central Kalahari Game Reserve: ‘Development,’ Governmentality, and Subjectification amongst Botswana’s Bushmen,” *Globalization*, vol. 8, no. 4, 2011, pp. 439-455.

¹⁹⁵Altaf Hussain Para, *The Making of Modern Kashmir: Sheikh Abdullah and the Politics of the State*, Rutledge, 2019.

Congress. This move at least symbolically dissolved the party that had always stood for the Kashmiris' aspirations and right to self-determination. To counter this absorption strategy backed by the central government, Abdullah called for a social boycott of those leaders and supporters who joined the Congress. Abdullah explain the rationale of this logic in his autobiographical account. He writes "I had given a boycott call to my people against all those self-seekers who had exploited the people all along, my purpose being that their isolation might compel them to introspect and to desist from their vicious, anti-people activities" (516).¹⁹⁶ In addition, Abdullah and the members of the Plebiscite Front organized a civil disobedience campaign in which five people offered themselves to be arrested two times a week in favor of a plebiscite (Lockwood 368). From the methods and rationale of counter-conducts used in the self-determination movement, it is discernable that Abdullah fashioned his movement in the discourse of non-violence which was the key ideal of Indian nationalism, thus framing his movement in the ambit of legality.

Abdullah's narrative that focuses on self-formation and political formation of Kashmir also represents the subjectivity of the Kashmiris in parallel to the national events. He recounts the change in the subjectivity of the Kashmiris from a subdued servitude to people with political agency. Abdullah describes that "signs of need and penury were visible everywhere" (38) for the Kashmiri Muslims under the Dogra regime. He locates the wretchedness of the Kashmiris to the landholding system (that favored Hindus who were either Dogra or Pandit), forced labor, poor representation of Muslims in government services, and lack of education facilities. Abdullah recounts an incident where he was pleading for a seat in Prince of Wales College that reflects the theme of subjection to Hindus. He writes, "I couldn't snivel before Suri Sahib and when the

¹⁹⁶Sheikh Mohammad Abdullah, *The Blazing Chinar: An Autobiography*, Gulshan Books, 2013.

word ‘right’ hit his hear, he dismissed my petition without appeal and argument” (34). Abdullah words highlight the plight of the Kashmiris living in subdued servitude without rights. The change in this subjectivity was through open defiance to the Dogra rule. In 1931, the Reading Room Party under Abdullah organized protests and agitations to demand the right to justice for the desecration of the Quran by Hindu officials and other rights to improve the abysmal living condition of the Kashmiris. Abdullah earned the ire of the ruling regime and he was issued a transfer notice for his teaching position. In defiance of the order, Abdullah submitted his resignation and described his move as act that broke “the fetters of servitude” (71). The full transformation of the people with political agency took form when the National Conference that constituted the cabinet assembly abolished the autocracy of Dogra rule and jagirdari system and introduced responsible democratic government. Abdullah writes that with the formation of responsible government the “chain of centuries-old slavery had broken” (365). And the defiance shown by Abdullah to resist the Indian state by demanding a plebiscite and autonomy demonstrates a new form of subjectivity, one of defiant that exhibits the tenet of the Foucauldian governmental counter-conduct which is the “will not to be governed thusly, like that, by these people, at this price” (Foucault 72).¹⁹⁷

6. Phizo and the Plebiscite Speech

Hayden White in *The Content of the Form* elucidates that historiography uses certain techniques of storytelling to record events of history.¹⁹⁸ In other words, historiography is simply not a practice of ordering historical events in chronology and judicious handling of evidence,

¹⁹⁷ Michel Foucault, *The Politics of Truth*, edited by Sylvere Lotringer and Lysa Hochroth, Semiotext(e), 1997.

¹⁹⁸ Hayden White, *The Content of the Form: Narrative Discourse and Historical Representation*, The John Hopkins University Press, 1987.

rather history writing engages in narrativizing reality in the form of storytelling. The art of writing history display all the characteristics of storytelling. It has an identifiable narrative voice, a central subject and a plot with proper beginning, middle and end. The state, political and military leadership, security from external enemies and basic needs like food are concerns of history that constitute the subjects of history. White outlines three reasons why historians use narrativity to record an event as a standard form. One, “narrative is a meta-code, a human universal on the basis of which transcultural message about the nature of shared reality can be transmitted” (1). Narrativity as a universal form for coding or telling is unlike annals and chronicles that merely record dates and events. Narrativity through its plot that connects events as identifiable parts of the whole account fulfils the anxiety of modern scholars to fill “gaps, discontinuities, and lack of causal connections between the events recorded in the text” (12). Two, annals and chronicles only record events of particular dates. They do not develop the personalities and subjects of history. On the contrary, narrativity that emphasizes fullness and continuity enables personalities and subjects of history to take center stage as events unfold with the plot progression. Three, narrativity which has central subjects accustoms the readers to the social system that creates “possibilities of tensions, conflicts, struggles and determine their various kinds of resolutions” (14). Drawing on White’s theorization of history writing as storytelling, this section will analyze the anthologized plebiscite speech of Phizo¹⁹⁹ as a historical text that narrates the history of Naga nation in the form of storytelling.

Phizo’s account narrativizes the history of the Naga as a “discourse of the real” (White 20). In narrativizing the historical experience of the Nagas, Phizo’s narrative adheres to the form of storytelling that emphasizes “fullness and continuity in an order of events” (White 9). This

¹⁹⁹For Phizo’s Plebiscite Speech see V.K Nuh, *The Naga Chronicle*, Regency Publication, 2016, pp 122-139.

form enables him to fulfill the “impulse to rank events with respect to their significance for the culture or the group” (White 10). The sequencing of events is particularly revealing in the narrative progression of Phizo’s account. He begins with reference to certain facts that the Nagas lived as a subject nation for seventy years under the British colonial rule. Then he proceeds to account the memorandum submitted to the Simon Commission in 1929 by the Naga Club in which the club demanded that the Naga Hills be excluded from the constitutional reform scheme of British India, and that the Nagas desired to be left alone should the British place them within India. This is followed by Phizo’s lamentation that the British abandoned the Nagas and left them at the mercy of India without any special constitutional arrangement. Phizo then narrates that after the departure of the British, India effectively tried to integrate the Naga Hills through the Nine Point Agreement which ended in a stalemate on the issue of right to secede after an interim period of ten years. He then recounts the propaganda started by Indian government that the demand of Naga independence was the voice of only few misguided educated Nagas who were misguiding the people. Phizo ends his account by stating that “we are here today to prove India and to the world that Nagaland is united and that our nation aspire the same conviction to continue to be independent as a distinct nation” (137). The history that Phizo recounts is the story of the Nagas as an independent nation that was colonized by the British and then subsumed by India, and his representation of historical reality in narrative form has a certain beginning, middle, and an end which are characteristics of storytelling.

White suggests that “narrative in general, from folktale to the novel, from the annals to the fully realized ‘history,’ has to do with topics of law, legality, legitimacy, or, more generally,

authority” (13).²⁰⁰ And “the more historically self-conscious the writer of any form of history, the more question of the social system and the law that sustain it, the authority of this law and its justification” (*ibid.*) occupy the author’s attention. The central subject matter of Phizo’s narrative is the state and the cultural and political system that sustains it. Phizo’s assertion of the right of self-determination rests on a cultural claim and the critique of India as an imperial force. Yael Tamir argues that the right to preserve a nation’s existence as a unique social group forms the fundamental ground for the right to national self-determination. Culture represents a way of life, set of institutions, and historical continuity. Thus culture generates the interest for self-determination “as the right of a nation to preserve its national and cultural uniqueness... to create political institutions and manage communal life in accordance with the customs and traditions of the people” (581).²⁰¹ It is in the cultural domain that Phizo constructs the Nagas as a unique social group and the existence of a set of institutions that sustained them. Phizo refers to a certain primordial content of race to distinguish the Nagas as a distinct nation group. He posits that “it is an undeniable fact that the Nagas are not Indians. We distinctly and unmistakably belong to the Mongolian family” (125). This racial distinction is conjoined with cultural markers such as language, religion, and food habits that further distinguish the Nagas from the Indians. Phizo further posits that this distinctness of the Nagas as a race and nation is consolidated by the fact that no Indian owns a land in Nagaland. And he refers to Bengal Eastern Frontier Regulation 1873 which introduced a permit system for British India subjects to enter the Naga Hills, thus establishing Nagaland as a distinct and separate nation from India. The assertion of cultural

²⁰⁰Hayden White, *The Content of the Form: Narrative Discourse and Historical Representation*, The John Hopkins University Press, 1987.

²⁰¹Yael Tamir, “The Right to National Self-Determination,” *Social Research*, vol. 58, no. 3, 1991, pp. 565-590.

distinctiveness also evokes tensions especially in the times of changing sovereignty where one form of government is replacing another form.

Phizo's account militates a defense of the traditional socio-political-cultural institutions of the Nagas. The theme central of his narrative revolves around the difference of institutions. On one side is the institution of *Thino* that instructs and conducts the lives of the Nagas, and on the other side are the institutions of India, which Phizo considers as foreign, with the problems of caste, peasantry, and taxation that could be harmful to the Naga society that "admits no strata of social class, caste or creed, religion or race" (139). Phizo refers to the institution of *Thino* as the Naga national institution which is based on the principle of sovereignty of the people. He puts it, "our community group system is a living and dynamic institution" (127) and "Nagaland need not imitate or adopt foreign institution like India" (133). This community organization "is rooted in the human principle of individual responsibility, sharing collectively the common weal and woes together" and "it had stood the test of time without waver throughout those centuries of great changes" (127). According to Phizo, this communitarian way of life where everyone works together, and property and possession are shared by the people put them in equal footing. As he puts it, "in our country, land belongs to the people as private property, and every family possesses land. We uphold every person as sovereign: men and women alike. Every family is a landlord; but, there is no landlordism in Nagaland" (ibid.). Phizo juxtaposes this romantic way of life with the Indian condition burdened by the land holding system. He states, "what is the lot of the Indian cultivators? They are tenants in their soil and not the sovereign of their own land as in our country" (133). To underscore the value of the Naga system, Phizo argues, "if our Naga civilization is not destroyed there is no possibility for any section to become servile or entirely dependent on someone" (127). And he adds, "we feel joyous with our social institution and we

want to safeguard it and preserve it. It is precious to us” (ibid.). Phizo’s narrative highlights the dilemma of the Nagas in a historical phase where sovereignty is changing and where the minority could possibly be absorbed or exploited by an entity with which they have no cultural, social and political affinity. The resolution for Phizo was to hold a voluntary plebiscite to prove the unity and willingness of the Nagas to live as a distinct nation and avert the clash of civilizations with India.

Phizo’s critique of India as an imperial force brings his narrative to the issues of legality, legitimacy and authority, subjects which narrative history generally are concerned with. Phizo conceptualized the relationship between India and the Nagas in the context of colonialism. He viewed the Indian state an imperial force and the Nagas as the victims of imperialism. Jonathan Berg theorized the claim of right to self-determination as a reaction against colonialism.²⁰² As elucidated earlier in the chapter, Berg outlines three criteria: geographical, social and political, for the people to ascribe the right to self-determination. Phizo’s critique of India as a colonial force also follows the same tropes. With regard to geography, Phizo states that “Nagaland is the land of the Nagas, it is Naga country and nobody else. We are not refugees or immigrants in this beautiful land. Our own language tells exactly what a country is. We call country ‘Ura’ which literally means ‘we are first’” (135) to inhabit the land. As for the social distinctness of people, Phizo elaborated on the primordial content such as race and culture. And for the political, Phizo posits that India’s rule is illegitimate because it is an occupation force that is exploitative in character. He cites two examples to prove it. He refers to Hyder Ali Agreement 1947 negotiated between the Naga National Council and Sir Akbar Hyder Ali, the governor of Assam, regarding the political future of the Nagas. Phizo opined that under the agreement, the Nagas would be free

²⁰²Jonathan Berg, “The Right to Self-Determination,” *Public Affairs Quarterly*, vol. 5, no. 3, 1991, pp. 211-255.

after the interim government period of ten years under India. But India arbitrarily repudiated the agreement after a year and then sent in its armed forces in the Naga Hills under the pretext that the demand for Naga independence was the voice of few educated intellectuals who were misguiding the general population. Further, Phizo regards India as colonial state that is exploitative in character. He states that newly emancipated states like India is trying to usurp its neighbouring sovereign state. And India is usurping “Nagaland because of the vast wealth of mineral resources in our country which the manumitted Indians have come to know and they wanted to grab it by any means” (125). Phizo cites the forceful oil drilling at Chumukedima by the India government despite strong protest by the local population as an example. Thus by illustrating India’s rule as illegitimate because of it being an occupational and exploitative force, Phizo engages with the issue of legality and legitimacy in his narrative history, and also furnishes the rationale and legitimacy of the counter-sovereignty movement of the Nagas.

6.a Plebiscite and boycott as resistances/counter-conducts

As with the techniques of counter-conduct, the discourse of counter-conduct in the Naga Hills also centered on politically and legally accepted means. The two methods of resistance deployed by the Nagas are voluntary plebiscite and election boycott. In the course of history, plebiscite has been used as a democratic means to settle the question of self-determination both at international and domestic levels. For instance, the plebiscite conducted on June 1919 by the inhabitants of Aland Islands, of the newly independent Finland, to join Sweden (Summers 338).²⁰³ And in India, a plebiscite was conducted in the princely state of Junagadh in February

²⁰³ James J Summers, “The Right to Self-Determination and Nationalism in International Law,” *International Journal on Minority and Group Rights*, vol. 12, no. 4, 2005, pp. 325-354.

1948, where 222,184 people voted in favour to join the Indian Union (Ankit 402).²⁰⁴ The plebiscite conducted by the NNC under the leadership of Phizo is more than a vote to amend or change the constitution or government. Phizo interpreted the plebiscite as a political expression of the people to show India and the world the aspiration of the Nagas to be an independent sovereign nation. The plebiscite was conducted in the whole of Nagaland except in Tuensang district, and it took two months to complete. The result showed that an overwhelming 99.9% of the voters voted in favor of Naga independence.

Foucault elucidates that power can operate only on free subjects. In other words, power produces governmentalizable subjects only when the subjects are free. Power acts upon free men's action to direct their conducts. The direction of conduct creates two impulses: one, it directs the course of present and future actions through mechanisms of coercion; and two, it incites an alternate way of behaving or to conduct oneself. The two impulses create two kinds of subject: one, that subject to someone else control; and two, that resist and conduct through self-knowledge (Foucault 790).²⁰⁵ Subjectification of family, economic and political life is necessary to predicate and extend the pastoral (guiding) objectives of the government (Odysseos 753).²⁰⁶ The method of resistance to political subjectification in the Naga Hills manifested in the form of election boycott. The NNC boycotted the first general election of India held in 1952. The general Naga populace acted in accordance to the boycott call, and not a single Naga filed for

²⁰⁴Rakesh Ankit, "The Accession of Junagadh, 1947-48: Colonial Sovereignty, State Violence and Post-Independence India," *The Indian Economic and Social Historical Review*, vol. 53, no. 3, 2016, pp. 371-404.

²⁰⁵ Michel Foucault, "The Subject and Power," *Critical Inquiry*, vol. 8, no. 4, 1982, pp. 777-795.

²⁰⁶Louiza Odysseos, "Governing Dissent in the Central Kalahari Game Reserve: 'Development,' Governmentality, and Subjectification amongst Botswana's Bushmen," *Globalization*, vol. 8, no. 4, 2011, pp. 439-455.

nomination in the Lok Sabha, Assam State Assembly, and the Autonomous District Council elections. The boycott is perhaps the most strategic form of protest adopted by the Nagas that gave visibility to its claim of self-determination since it happened synchronically with the national elections. For the people to become governmentalizable subjects, the state requires the participation of people in the electoral process, and the election of representatives in the government that would ensure integration to the larger society. In other words, the Nagas' participation in the election would subjectivize them as governmentable subjects of India, and incite in them docile or subdued subjectivities appropriate for the ideologies of the new state. The methods of voluntary plebiscite and election boycott used by the Nagas as counter-conducts exhibited a defiant insubordinate subjectivity that "seek, possibly at any rate, to escape directions by others and to define the way for each to conduct himself" (Foucault 195).²⁰⁷

7. Constructing the March of the Mizos: Narrative and Politics

Hayden White in *Metahistory* argues that historical writing often take an art form by utilizing traditional techniques and devices of storytelling.²⁰⁸ One of the ways histories was written using alternate model other than realistic historiography was through emplotment. As White puts it that when historians were "purported to be simply 'telling what actually happened' and to be explaining the past by telling its 'story,' they were all explicitly embracing the conception of explanation by description but were actually practicing the art of explanation by emplotment. Each told a different kind of story-Romance, Comedy, Tragedy, or Satire" (143).In

²⁰⁷Michel Foucault, *Security, Territory, Population: Lectures at the College De France 1977-1978*, Edited by Michel Senellart, Palgrave Macmillan, 2009.

²⁰⁸Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe*, The John Hopkins University Press, 1973.

other words, a historian emplotted his narrative in one of these forms or modes of storytelling. These modes of storytelling not only provided a framework for historians to tell the stories, but also “the mode of consciousness in which they prefigured the historical field as a domain, the posture they assume before this structure, and the linguistic protocol in which they characterized” (*ibid.*). This section will illustrate that the text *Mizoram Marches Towards Freedom* by Laldenga deploys romantic mode of storytelling.²⁰⁹ The romantic mode of emplotment conceived historical process “as a struggle of essential virtue against a virulent, but ultimately transitory, vice” (White 150).

Laldenga emplotted the history of the Mizos as a romance. As the title of the text suggests, the ‘march’ is a metaphor for the struggles of the Mizos against the tyranny of India’s rule. Laldenga achieved this through the dualistic systems of thought in historiography where history is a contest “between the forces of vice and those of virtue- between tyranny and justice, hate and love” (White 150). The march-teleological plot that structures the narrative romance of liberation opens with the account of the unjust division of Mizo territories between India, Burma (now Myanmar) and Bangladesh. Laldenga conceptualized the world as a global village where independent houses (states) are divided into democratic, socialist and non-align camps. He writes that in each house a group of people of common ancestry live. And if there were people of different ancestry in the house, there must be a mutual consent between different groups to coexist to ensure the peace and the security of the house. With regard to India, he writes

In the house of India, there lives an unhappy man. His name is Mizo. He is born of different parents, a descendent of Mongoloid stock. He is blessed with a distinct and separate language, having different code of social living and cultural practices;

²⁰⁹Laldenga, *Mizoram Marches Towards Freedom*, Gilzom Offset, 2011.

worshipping a different God. He is a religious man and God fearing person. He has absolutely nothing in common with the rest of the Indian family, except that he, too, is a human being... He is disdainfully looked upon with contemptuous eyes because of his blood, the blood of his ancestors, the blood of Mongolian by which he was born in this world. (Laldenga17)

Laldenga further narrates

He is not only denied of comfort of the present civilization, but also remains denied of bare human necessities. Like animals in the Zoo, he is preserved in the showcase of New Delhi for entertainments of visiting foreign dignitaries and for merry makings on Indian national days. He is asked to swallow and follow Indian ways of life with Hindu culture and code of living and alien (Indian) language imposed upon him. (*ibid.*)

Here Laldenga is characterizing the subjects of the history as virtuous and vicious. In other words, he characterizes the Mizos and the political uprising as the march of the virtuous against the Indian state whose rule he portrays as vicious. The romantic framework that is emplotted by narrating the Mizos' uprising or march as a struggle between virtue and vice is furthered by the use of metaphor. White writes, romantic historiography presents "a return to the Metaphorical mode for the characterization of the historical field and its process" where all formal systems of explanation are repudiated (143).²¹⁰ In Laldenga's narrative, metaphor acquires the explanatory effect to describe the condition of the Mizos. Laldenga uses the zoo as a metaphor to highlight the plight of the Mizos. The zoo does not only serve as a system of explanation of objectification and

²¹⁰ Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe*, The John Hopkins University Press, 1973.

ornamentation of the Mizos but also as a prison that limits the natural rights and freedom by forceful detention. Laldenga by drawing on the zoo as a metaphor to highlight violations of rights and freedom of choice advances the imagery of India's rule as prison of bondage and domination that must be broken in their march for freedom. As he puts it, "the fang of Indian domination bites him deeper and deeper into the flesh of his body and soul" and "he therefore, realizes that he has to fight for his freedom from the bondage of Indian domination" (18). This brings us to the ideological posture that the romantic emplotment enables the narrator of the history. Laldenga assumes an ideological posture of a liberation revolutionary that is leading the march of the people to storm the prison of bondage and domination, and liberate the people. And it is also in this ideological posturing that the rationale of counter-sovereignty is articulated and fostered.

Laldenga's account of Mizo history is set within the discourse of liberation from colonial rule. This discourse determines both the contents of his history and the form of the text. Here the freedom movement is narrated in the romantic frame of a liberation march to fighting against an occupation force. Laldenga writes

Being rational persons, Mizo people's desire for freedom is supreme and paramount. They feel that they cannot pursue their happiness unless they are free from Indian domination... They want freedom to shape their own ways of life and to determine their future. They feel that freedom is a part of life itself, without which life is empty and meaningless. (19)

He further writes that the denial of the right of self-determination "is the root cause and the only reason of all death and desolations, famine and pestilence, hunger and starvation, countless

number of rapes and all other sufferings in Mizoram” (20). This is followed by the account of the historical distinction of the Mizos and the ploy used by India to take over the Mizos. Laldenga alludes to two techniques of colonial governmentality: one, the Chin Hills Regulation; and two, Government of India Act, 1935. With regard to the former, Laldenga argues that the British realized the distinct and separate nationality of the Mizos, and implemented the regulation that mandated all British India subjects and foreigners to procure a travelling permit before entering Lushai Hills, today’s Mizoram (31). As for the act of 1935 which categorized the Mizo hills as an excluded area outside the purview of British India legislations, Laldenga asserted that this was done because the Mizos had no connection with the politics and policies of the various Indian groups, and the Mizos never identified themselves as Indians. Drawing on this act, Laldenga writes “it is clear beyond any shadow of doubt that His Majesty’s Government, while granting independence to British India, left the Mizo nation free and independent with a right to decide their future policy and destiny” (26). And with regard to the illegitimacy of India’s rule, Laldenga stated that India’s Constituent Assembly invited some leaders of the Mizo Union, to join the sub-committee members of the assembly. He regarded the appointment as undemocratic because the leaders of the union were not elected based on adult franchise (34). Laldenga writes “as soon as the British government withdrew their colonial rule... the new colonial rule of India stepped in and established the colonial administrative functions by imposing the Indian constitution upon the unwilling people of Mizoram. Therefore, the present movement in Mizoram is not a case of secession, but a liberation movement from the colonial rule” (40).

Laldenga also romanticized the freedom march as imbibing a new political consciousness or rather a new subjectivity to which the people are committed. He writes

The Mizo people being created a separate nation, nurtured and moulded by nature as such cannot go against the nature to cross the barrier of nationality wherever they are. Whether they are in India, Burma or elsewhere they refuse to occupy a place within others' country... Nationalism and patriotism inspired by the political consciousness under the guidance of the Mizo National Front reached its maturity and the cry for political self-determination and reunification of brothers long separated against their will by the British government were the only wish and aspiration of the people. (42)

Here we see the subjectivity of Mizos transition from the subdued individuals kept in the zoo of New Delhi to that of insubordinate subjectivity which is a stark contrast to that of subdued subjectivity. From the above reflections of Laldenga, the narrative is characteristically a romance that narrates Mizos' struggle against the divisive policy of the colonial state and the tyranny of the Indian state which progressed into a unifying march to unite the Mizos in different countries.

Throughout the narrative, Laldenga as the narrator functions as the custodian of the memory of Mizo race. And as custodian he lays out the rationale of counter-sovereignty movement that critiqued the existing form of governance and also justified the beliefs and ideals of the movement. The rationale of the Mizos' self-determination movement lies in the claims for cultural self-preservation, rectificatory justice, and discriminatory redistribution. Allen Buchanan posits that cultural preservation provides adequate grounds for secession if the culture is threatened, has no constitutional means to safeguard, and the seceding group does not violate the basic civil and political rights of those who do not wish to be part of the new intended state (358).²¹¹ Laldenga as the custodian of Mizo race characterized the mongoloid race as "distinct nation created, moulded and nurtured by god and nature" whose territory in relation to India "had

²¹¹Allen Buchanan, "Theories of Secession," *Philosophy and Public Affairs*, vol. 26, no. 1, 1997, pp. 31-61.

never been conquered or subjugated by Moghul emperors not by any other or maharaja of Hindustan” (20).²¹² And this unique identity of the Mizos is under the threat of cultural imperialism of a major community and the Assamese language bill that aimed to make Assamese the state official language which could both absorb and alienate the Mizos.

The rectificatory justice stems from the assertion of right to reclaim what is one's own especially territory that has been annexed unjustly. Buchanan called this assertion “the historical grievance version of the territorial thesis” (353). The territorial thesis asserts that claims to the territory in question must be grounded in a historical grievance regarding a pre-existing right to the territory because seceding involves both severing political obligation and territorial ties (ibid). Laldenga's historical account foregrounds that the ancestral homeland constituted about “25000 to 30000 square miles of land between India, Burma and Pakistan, which was divided by the British government among these three counties” (12). And even though political parties like the Mizo Union and Mizo Union Council advocated for the unification of the whole of Mizoram (28) to India at the lapse of British rule, India through the sub-committee members of the Constituent Assembly unconstitutionally annexed the Mizo Hills. Drawing on this history, Laldenga rests his claim for self-determination on the grounds of illegal annexation and claim of irredentism. Irredentism is “any political effort to unite ethnically, historically or geographically related segments of a population in adjacent countries with a common political framework” (Naomi Chazan as quoted in Murray 648).²¹³ Another ground on which the right to self-determination was claimed by Laldenga is discriminatory redistribution where a state “implements taxation schemes, regulatory policies or economic programs that systematically

²¹²Laldenga, *Mizoram Marches Towards Freedom*, Gilzom Offset, 2011.

²¹³ Laura Murray, “Examining Irredentism,” *Journal of International Affairs*, vol. 45, no. 2, 1992, pp. 648-652.

works to the disadvantage of some groups while benefiting others, in morally arbitrary ways” (Buchanan 354). The apathetic attitude of the government towards the Mizo during the *mautam* famine and the poor educational infrastructure with no technical or medical college and just two high schools, legitimized the counter-sovereignty movement to liberate the people from economic degradation.

7.a Techniques of Counter-conducts

The romantic march that Laldenga narrates also incorporates the heroic aspect of romantic narrative. It is in the heroic phase that we can locate the practices and techniques used in the discourse of counter-sovereignty. The first heroic task of the MNF was to provide reliefs to the people during the famine. After the famine, the front turned political to unite all territories of the Mizos and liberate Mizoram from colonial rule. The first technique used was mass mobilization. The logic behind this technique is that the large number of protestors would assert the legitimacy of the movement, and also provide visibility and commitment to the cause. Laldenga records this mobilization in a romantic fervor, “the call of the nation was enthusiastically responded from every corner of the land...people did not want to be simple supporters of the liberation movement but enrolled themselves as active members while young and able bodies joined the volunteers’ organization” (41). This was followed by the MNF participation in the Assam state by-election of 1963 in which the party won the two seats vacated by the Mizo Union. Laldenga writes that the exercise in the election was a “trial of strength” and “the people candidly expressed their solidarity and unflinching determination to liberate their land from foreign domination” (43). Laldenga’s romantic emplotment of the historical march also has tragic phase through his conscious awareness of tragedy. He writes that the MNF leaders “are aware that if the Indian leaders let loose their savage troops, they may have free slaughter of

innocent people without resistance, that their marauders may loot the treasures of the Mizo people and burn down all their houses and properties and that they may also drive the people into concentration camp” (45).

Laldenga historical account of Mizo freedom march corresponds to the art of romantic storytelling. The romantic plot in his history records the events of the struggle between the virtuous and the vicious. The narrative also emplotted romantic strategies in the form of heroic and tragic phases that kept the romantic plot structure intact. And all the events of struggle and the heroic and tragic episodes are set as phases of the plot structure within the romantic mode of narration emphasizing the victory of virtue over vice, which is the common trope in the romantic tradition.

8. Annadurai and Tamil Nadu

Hayden White argues that romantic historiography presupposes the historical field or period under review as “a ‘Chaos of Being,’ with respect to which the historian could assume a posture as both observer and agent of its processes” (144).²¹⁴ The notion of history as chaos of being enables a historian to assume three distinct postures: ironic, religious, and aesthetic. White elucidates that the ironic viewpoint results from disillusionment with history or as he puts it the victorious humanity astonished by the victory which has turned back upon them (*ibid.*). In this ironic posturing, the mood of *angoisse* or apprehension dominates the narrative derived from the meaninglessness and senselessness of a historical struggle for which they had long and successfully struggled for. The religious posturing looks at “the redemptive nature of the

²¹⁴ Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe*, The John Hopkins University Press, 1973.

historical process” (145). This posture asserts that “the only meaning life can have must come from the uncritical faith in history’s power to provide its own meaning and the belief that men must ‘follow’ history in the same way that they had, in the past, followed religion” (146). The aestheticist sees history as chaos that “represents an endless struggle of the mob against the exceptional man, the hero” (148). In other words, history perceived as chaos provides “the situation the heroic individual faces as a field to be dominated (*ibid.*). C. N Annadurai anthologized speeches describes post-colonial India in the likeness of a chaos.²¹⁵ In his rendition, Annadurai uses both the ironic viewpoint and aestheticist approach to narrate the post-colonial experience in India.

Annadurai’s account of history is a romantic storytelling of the struggles in the chaotic conditions in post-colonial India, and the emergence of an exceptional man who accomplishes something against the maligned designs of the state. Annadurai presents himself as the protagonist of the Dravida Nadu movement that would liberate the people of south India. He describes himself as “a sponsor of the idea” (32) of Dravida Nadu/ Dravidistan, and he asserts that when he speaks about separation, he represents the resurgent view of south India (10). He construes that the demand for Dravida Nadu as a national demand of the Dravidian people inhabiting a distinct geographical space. He defends the demand stating that “the fact that we want separatism is not to be misconstrued as being antagonistic” (9) like the partition of India that brought Pakistan into existence (*ibid.*). And he romanticizes that the separation would ensure “a comity of nations” instead of India “being a medley of disgruntled units” (11). Annadurai reasons that this disgruntlement sentiment arises from the unitary system of the federal state. He

²¹⁵For Annadurai’s speeches see S. Ramachandran, *Anna Speaks: At the Rajya Sabha: 1962-66*, Orient Longman, 1975.

reasons that this unitary system is problematic because, “sovereignty does not reside in one particular place. We have a federal structure. That is why the framers of the constitution wanted a federal structure and not a unitary structure, because ... India is so vast-in fact it has been described as a sub-continent- the mental health is so varied, the tradition so different, the history so varied” (38). This unitary federal structure of the state has turned the union of states into becoming “dole-getting corporations” (*ibid.*) by relegating the federal states to the background. The rationale of the Tamils counter-sovereignty discourse lay rooted in Annadurai’s critique of India’s democracy, economy and nationalism framed by the union government.

Annadurai’s viewpoint about India arises from the ironic manner in which the state has functioned that has pushed itself in a state of chaos. The irony lies in India’s democracy, economy and nationalism. Annadurai opines that India’s “democracy is distorted, socialism is emaciated and nationalism misinterpreted” (12). With regard to democracy, Annadurai posits that the India democracy is distorted because there is no “proportional representation coupled with a system of referendum initiated in a vast sub-continent” and thus democracy has no utility (6). Delving deeper into the function of democracy, Annadurai reflects that India’s democracy works on legal repression and not by mutual consent. He cites two examples to illustrate this. One, the state in its anxiety to uphold law over-relies on Defense of India Act to suppress internal crisis or political dissent even when there are potent laws in the Indian criminal procedure code. Such act only hinders the natural instinct and spontaneous upsurge to become a nation. As he puts it, “the Defiance of India Act is not and cannot be the conscience-keeper of the nation. It can only be the jail-keeper of the nation” (36). Two, the Sixteenth Amendment Bill 1963 which empowered the state to enact laws and restrict the fundamental rights of the citizens guaranteed under Article 19 of the constitution. Annadurai considers the bill as an abridgment of

the fundamental rights and the legalization of the use of force of law to subdue political dissent by debarring the political party advocating for secession from contesting state elections. As he puts it “when there are two ideas contesting in the competitive market of public opinion, if you debar one with legal force you are shrinking that contest” (37). Annadurai’s views reflect the ironic and paradoxical manner in which India’s democracy work. This “painful paradox” (32) as he puts it is exemplified by the lack of equal representation and the use of force of law over consent and concord, thus encapsulating the historical field as chaos which invites heroic intervention.

With regard to India’s economic planning that has made its objectives known and goals clear through the Five Year Plans, Annadurai in his appraisal of the economy reflects

After 18 years of independence, after having announced to the people that once they got Swarajya, there would be rivers of milk and honey, a member of the ruling party stands up in this august house, and says “Give us drinking water.” When that Hon. Member sat down, my friend, Professor Lal, stood up to ask for a fair deal for the labourers. I was angry with Professor Lal. “How dare you a member of the opposition party demand justice from the Government, when a Member of the ruling party is clamoring for drinking water.” (17)

This reflection is evidently ironic. The irony is evident in the opening line in which people who had fought for self-rule on the belief that it would bring economic growth are astonished by the lack of basic essential needs and rights. Annadurai attributes this deplorable condition of the economy to the economic system adopted by India. He regards the socialist system which the state has adopted to revive its economy as a post-office socialism, a concept developed by a US

economist John Kenneth Galbriath to refer to an outdated and poor performing economic setup. Socialist economy works on the idea that the profits of public enterprises should be reinvested to maximize revenues and should be used for the common good of the people. But in the case of India, “much money has been sunk in the public sector. But neither have the targets been reached nor are the returns commensurate with the efforts taken” (7). To add to the poor economic planning is the second structure of the Indian economy which is the mixed economy. Through this system, profits which are generated from certain enterprises do not go absolutely to the individual capitalists but are disbursed to the shares holders which include the government (6). Annadurai regards such an economic mixed system as an adulterated economy where the bad of capitalism is taken up and the good of socialism is left out, a curious mixture of the two economies (23).

The sense of frustration with the unitary government arises not only from the lack of objectives and goals in its economic plans but also from unparalleled economic development. Annadurai perceives the unitary government as invested only in the northern part of the country or as north centric. As he puts it, Tamil Nadu “is backward taking into consideration everything... we have been crying hoarse for a decade and more for a steel plant, but what have they given us? They gave the portfolio to a new minister, not the steel industry to us” (9). Such attitude of the government he argues has led the people in south to say that “this is the way of Delhi. This is the way of northern imperialism and unless you come out of that imperialism you are not going to make your country safe, sound, plentiful and progressive” (10). In other words, the unitary structure which gives the union government the prerogative over the federal states is delaying the development of south India because it is divisive in nature (9) and its planning is poor because it does not take account the special features of region while planning and this is a

thorn in the development of the union (102). Here it is important to note ‘northern imperialism’ as the driving force for the mobilization of the counter-sovereignty movement. And referring to this divisive and poor administration of the subcontinent, Annadurai reasons that he is “pleading for separation of Dravida Nadu not because of any antagonism but because, if it is separated, it will become a small nation, compact, homogenous and united, where in sections of people in the whole area can have a community of sentiment. Then we can make economic regeneration more effective and social regeneration more fruitful” (11). Here, Annadurai’s reasoning gives his movement a sense of romance with its idealism and positivism.

Much like the issue of democracy in India, the irony of nationalism also lies in forceful method used by India rather than the nationalistic appeal to integrate the whole nation. One such forceful method that Annadurai cites is the imposition of Hindi as the official language of India. He argues that such method undermines the efforts of the national leaders to unify the various states. As Annadurai puts it, “Are we to take, Sir, that all the efforts of the nationalist leaders all these years have not been fruitful? Why is it that we are forced to speak or chalk out methods of national integration?” (8). Further, he states that if the national integration process is a sincere and serious objective, language should not be considered as the only means because such a method would only impose uniformity and not unity. And should a common language be required, the development of a lingua franca should take a natural process without the intervention of the government because the imposition of a language would destroy “the fine niceties of this diversity, mistaking uniformity for unity” (82). As with the cases of democracy and economy, the issue of nationalism/national integration also creates confusion and disorder, as linguistic leanings pave the way for regional leanings and imbalances that entail chaos and disrupt the normal functioning of the state. The linguistic division of regional states and the

politics of Hindi as the state official language are two such instances. In Annadurai's critique of national integration process, we can discern the theme of subjugation to Hindi language and Hindu as another driving force for the mobilization of counter-conduct discourse.

Annadurai construes his movement as a counter-conduct against the government policy on language. He posits that the Official Languages Bill, 1963 disturbed "the calm atmosphere in South India" (75). The apprehension of the people is that the language policy of the government would "create a linguistic ascendancy or a linguistic hegemony, or a Hindi imperialism in this country" (20). In other words, this policy seeks to inculcate a subjectivity that would be receptive to the dominance of the Hindi speaking people. Annadurai further posits that the policy also invokes a form of mimicry. He states that a non-Hindi speaker knows that no matter how "proficient he might be in Hindi, Hindi-knowing people, people whose mother tongue is Hindi, can find fault with the style or structure" (19). Annadurai's perception echoes the concept of mimicry as theorized by Homi Bhabha.²¹⁶ According to Bhabha, mimicry was perpetuated by colonial policies through which the colonial state sought to create Indian subjects that mimicked the colonial masters. He cites Macaulay's Minute on India Education as an example of how the colonial state created the mimic man. The purpose of English education was to create subjects who were English in taste and opinion, and the morals of the colonial masters, and these characteristics would serve as marks of their being. But these mimic men would only serve as interpreters and not share the same privileges and rights of an Englishman (127-28). In other words, the subjects would internalise certain characteristics of the colonial masters but would not be considered as equal to the masters. Such discourse created an ambivalent being that was

²¹⁶Homi Bhabha, "Of Mimicry and Man: The Ambivalence of Colonial Discourse." *October*, vol. 28, 1984, pp. 125-

neither wholly English nor Indian. Here we can liken Annadurai's apprehension to the creation of this subject or rather the mimic man that would idealize the Hindi vocabulary and language as markers of their Indian identity and yet not be regarded as wholly Indian. Through this opposition, he invokes the idealistic nature of his movement that underscores multiculturalism as the way to keep India united over Hindi which would disunite, thus positioning the movement as representing the true force of liberal democracy that does not discriminate.

A major thread that runs through Annadurai's account of India's democracy, economy, and nationalism is the presence of a centralized state. And it is the sovereign power of this centralized state which is a unitary federalism that the Dravida Nadu movement countered. As Annadurai puts it, "the political set-up of a federation makes the state become almost like a colony... we feel that if we remain as a component part of the Indian federation, linguistically there would be an imperialism, economically our state would be backward and psychologically we would not have so much of solace as we would have if we were to be separate" (47). And "unless something radical is done, unless some kind of political set-up is created, this federation is not going to stand the strain and stress of the times" (*ibid.*) In other words, Annadurai justifies and idealizes the self-determination demand on three grounds: the arbitrary power of the central state government, the lack of economic progress under centralized power, and the linguistic imperialism of Hindi. And it is in such chaotic field we see Annadurai posturing himself as exceptional man who would take "upon himself to impose form upon this 'chaos,' to give to history the mark of man's own aspiration to be something more than mere chaos" (White 148).²¹⁷

²¹⁷Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe*, The John Hopkins University Press, 1973.

The order can be achieved according to Annadurai either through sharing of more legal sovereignty between the union and federal states government or through secession.

8. a Performance of counter-sovereignty

The performance of counter-sovereignty in Tamil Nadu rests on the invocation of the right to secede. Annadurai argues that since the preamble of the constitution states that sovereignty rest with the people, the people have the right to decide to be part of the nation-state or to secede. He further posits that this right to secede is characteristic of federal structure citing the federal Soviet Union (40). He also states that the right to secede was guaranteed by Jawaharlal Nehru. He quotes Nehru, “the Congress position was that India should remain a national union but if at the same the population of a unit specifically declares that they would not be in the common unit, then the Congress should not ask them to stay in the Union. Thus the Congress recognizes the right of separation or self-determination” (47-48). Alluding to this right, Annadurai makes a passionate defense for Dravidastan stating “why don’t you take that our scheme is to make the states still more effective sovereign units? Why don’t you take it in that light? Why do you think that the moment we demand, Davidastan, we are cutting at the root of sovereignty?” (38). The counter-sovereignty movement in Tamil Nadu took a different turn following the sixteenth amendment of the constitution that outlawed political party demanding for secession. The subsequent method adopted by Annadurai was to contest in state election and demand more sovereign power within the state to resist the menace created by the central government sovereign prerogative to decide.

Annadurai through his account constructed the post-colonial conditions of India as chaotic and narrativized his Dravida Nadu movement in the form of romantic storytelling. By

deploying ironic viewpoints, Annadurai provided a narrative of India's sovereignty that works against its own logic of democracy and development ideology which provoked the aspiration for separation among the federal states.

9. Narrativizing the discourse of Khalistan

Political dissidents are conscious that for their movements to be regarded as legitimate and not dismissed as bogus and misleading, the content of the histories they tell have to be truthful. One of the methods to give history a sense of real and true is by using preface, footnote and bibliography. Anthony Grafton in *The Footnote: A Curious History* argues that appendages such as preface and footnote “offer the empirical support for stories told and argument presented. Without them, history can be admired and resented, but they cannot be verified or disproved (vi).²¹⁸ These methods make a historical work equivalent to a scientist's report based on data which can be scrutinized. Grafton posits that historians perform two complementary tasks which are to examine “all the sources relevant to the solution of a problem and construct a new narrative or argument from them. The footnote proves that both tasks have been carried out. It identifies both the primary evidence that guarantees the story's novelty in substance and the secondary works that do not undermine its novelty in form and thesis” (4-5). And “prefatory notes evoke a Republic of Letters- or at least an academic support group- in which the writer claims membership” (7). In other words, the use of preface by an author serves the purpose of indexing oneself among a certain group of authors who have previously worked in the same historical field.

²¹⁸Anthony Grafton, *The Footnote: A Curious History*, Harvard University Press, 1997.

Surjan Singh in his work *Case for Republic of Khalistan* uses preface, footnote and bibliography in his narrative to make his account historical and truthful.²¹⁹ Singh writes in the preface that the text is “a timely effort to record the pertinent causes and events, in perspective, for the vital need for Khalistan” (8). Through the preface the author engages directly with the readers stating that the text “is a reminder to guard our national-health” (*ibid.*) by invoking the historical past and bringing the vision and struggle of Khalistan closer to the people. Singh’s preface positions the Khalistan movement as a struggle to regain the freedom the Sikhs lost to the British in 1849 and to India in 1947 when they bestowed “their political interest at that time in the care of the Congress party of India ruled by Hindu leaders” (6). He frames the movement as a reaction to the political, cultural and economic discrimination of the Indian government against the Sikhs. And the Indian state is portrayed as repressive to the aspiration of the Sikhs, “the secession of Punjab area from the Indian subcontinent is a specter that pre-occupies the policies and programmes of the Indian government throughout the whole system” (*ibid.*). The text also includes an acknowledgement where Singh declares that he is indebted to various authors and publishers that have enabled the compilation of a history that makes the case for Khalistan. Singh cites Khushwant Singh²²⁰ as one his sources to validate the Sikhs desire for a sovereign Sikhs state to save its distinct identity. Through this method, Singh validates his history and establishes himself among the group of writer who had worked in the same historical field.

The historical narrative of Singh exemplifies Hayden White’s theorization of history as storytelling that has a certain beginning, middle and end. Through story-telling Singh emplots

²¹⁹Surjan Singh, *Case for Republic of Khalistan*, Babar Khalsa, 1982.

²²⁰Khushwant Singh is an Indian author, diplomat, and politician.

the “true account of what really happened” making the narrative a “discourse of the real” (White 20). In other words, Singh’s account is a romantic narrative of an oppressed group detailing the chain of oppressions and foregrounding the rebellion that awaits against the tyrannical rule of India. Singh’s narrative is a conscious attempt for desubjugation that is a tenet of counter-conduct practice, “how not to be governed like that, by that, in the name of those principles, with such and an objective in mind and by means of such procedure, not like that, not for that, not by them” (28).²²¹ As Singh puts it that the narrative is the story of a “nation of twelve million Sikhs trapped in India since the partition of the country in 1947” and the determination “to establish a separate Sikh state” (12). The fullness that storytelling provides history through its sense of a beginning and ending is achieved in *Case for Republic of Khalistan* through evocative description of the Sikhs’ experience. The origin story of Sikh identity and state form the beginning, the fall of the Sikhs form the middle, and the rising political consciousness form the climatic end part of this historical narrative. Singh begins his narrative with the evocation of Sikhs as a nation by invoking the common language (Punjabi/Gurmukhi), the geographical space, and the culture and religion as shaped in the order of the Khalsa by the Tenth Guru of the Sikhs, Gobin Singh. This is followed by the invocation of common past memories by referring to the persecution of the Sikhs under the Mughals and the organized rising of the Sikhs to challenge the Afghan invaders. Singh then recollects the independent sovereign nation of the Sikhs formed in the eighteenth century under Ranjit Singh (13-14). He romanticized the Sikh state that stretched from Khyber Pass (in Pakistan), Jammu and Kashmir, and the territory between the

²²¹ Foucault, Michel, *The Politics of Truth*, edited by Sylvere Lotringer and Lysa Hochroth, Semiotext(e), 1997.

Indus and Sutlej rivers as a glorious rule where the Hindus, Muslim and Sikhs lived in amity and peace; and fair treatment was meted out to all the non-Sikhs (15).

Singh then narrates the history of Punjab annexation to British India in 1849 after the second Anglo-Sikh war. The colonial experience of the Sikhs was marked not only by the loss of sovereignty to the British colonial state but also the fall of Sikhs under the control of the Muslims through the provincial autonomy provisions in the Government of India Act, 1935. Despite the marginal status of the Sikhs, Singh writes that over ninety five percent of the freedom fighters who were hanged by the British during the anti-colonial movement were Sikhs (17). Referring to this fact, Singh writes “this is a living testimony to the yearning for freedom that is ingrained in all Sikhs and quickly finds them on the side of any movement which is a fight for anybody’s freedom” (*ibid.*). This account is followed by the betrayal of the Sikhs by the Indian Nation Congress. He traces this betrayal back to 1929 when the stalwarts of the Congress including Mahatma Gandhi and Jawaharlal Nehru promised the Sikhs that no constitution without safeguards of the minorities would be instituted by the majority Hindu. This promise was converted into a policy in 1931 by Gandhi, a fact which Singh cites from the former’s newspaper Young India. Singh then invokes the heroic patriotism of the Sikhs when they declined the British government proposal to the Sikhs at the Second Round Table Conference 1932 that would ensure them a decisive political status should they disassociate with the Congress. This proposal was rejected by the Sikh leader Master Tara Singh. But ironically there was no constitutional safeguard for the Sikhs to realize their aspiration in independent India. Rather Punjab was divided during the partition and then trifurcated in India. Singh writes that the Sikhs were duped in 1947 by “the Hindu Trilogy, Gandhi, Nehru and Patel, who could hardly

wait to see power transferred to them though it involved the vivisection of the Punjab- the vital homeland of the Sikhs” (7).

Hayden White suggests that there is an intimate relationship between law, historicality, and narrativity because law is a subject of history and narrativity unfolds the conflict related with law and the human subjects involved.²²² The discourse of counter-sovereignty in Punjab arises from the differences of law of governance. This real life conflict with law constitutes the end part of the narrative that foregrounds the need for rebellion to create Khalistan. The central issue here is the difference in law: the Hindu law that seeks to conduct and absorb the Sikhs, and the Punjab Customary Law, that originated from Punjab Laws Act, 1872, of the Sikhs that underscores its distinct identity from the Hindus. Surjan Singh cites two laws: Hindu Marriage Act 1955 and Hindu Maintenance and Adoption Act 1956. He described first as directed against the ethos and identity of the Sikhs. And the second aimed to “secure the social imprisonment of the Sikhs within the Hindu fold” (24). Singh bemoans the need for a Sikh Civil Code because “in pre-independence era a Sikh was governed in his domestic matters by his own personal or customary law, now he has, in result of the Indian legislation, lost that status” (*ibid.*). This proselytization attempt was followed by the political undervaluation of the Sikhs²²³ by trifurcating of the state through the Punjab Reorganization Act 1966 in favor of two Hindu states: Haryana and Himachal Pradesh. And to add to this insult was the Indian government’s economic discriminatory development and distribution. Singh posits that the discriminatory attitude in the

²²²Hayden White, *The Content of the Form: Narrative Discourse and Historical Representation*, The John Hopkins University Press, 1987.

²²³Singh regards the Sikhs as the third rival community during negotiations preceding the transfer of power by the British.

economic industrial development is evident in the case of Bhakra Dam. He writes that the “Bhakra Dam, built on the Sutlej River in Hoshiarpur district of Punjab, was, by nothing more than a rope trick, taken out of the Punjab and joined to the territory of newly formed Himachal state of India” (30). And the end to this economic, political and religious subjugation, which he conceived as “the new Imperialism of Hindus at Delhi” (30), is the creation of Khalistan, which is idealized as a free state where Sikhs “will be free to practice and preach their religious, political and cultural heritage” (29). Singh’s narrative is a conscious attempt for desubjugation and the desubjugation narrative uses facts that give the historical work a sense of real or true. And in doing so, the narrative history in its telling of Sikh’s struggles against the state adopts the elements of literary narrative that have a certain plot, characters, subjects (themes), conflict and resolution.

The counter-sovereignty discourse in Punjab started with a demand for Punjabi Suba within the constitutional framework of India and it subsequently became a movement for a separate sovereign Sikhs state of Khalistan. Over the course of the movement, it deployed various methods to protest and resist the way the Sikhs were governed. The demand for Punjabi Suba under the Akali Dal used *morcha* (public march or rally) and hunger strike as techniques of political protests against the state’s misconduct by diverging to provide constitutional safeguards to the Sikhs to meet their aspirations and rights. The *morcha* organized on April 30, 1960 by Master Tara Singh against the States Reorganization Commission’s refusal to recommend the formation of Punjabi Subba is an instance of mass demonstration against the state where over 57,000 Akali workers were arrested. Such form of protest hinges on the right to protest for constitutional safeguards. Quite contrary to the non-violent methods of resisting the state, the separatist movement for Khalistan deployed violent methods to resist the subjugation attempts of

the state. Surjan Singh on the issue of how to establish Khalistan advocates the use of force and violence as the means to secure the sovereign Sikh state. He writes, “love of arms is implicit in Sikh character... when governments and laws are unjust or denigrate it is the physical force in man that enables man to challenge and destroy establish power. Sikhs have always been such men who rose to save man’s sovereignty and moral value” (40). These two forms of resistance are construed as against the vision of political conduct conceived by the Indian state for which the state has the prerogative of violence. This aspect will be elaborated in the following section.

10. Counter-sovereignty and Indian state ideology

The common threads in the various counter-sovereignty narratives are that they are based on the assertion of ethnicity, economic underdevelopment, and as reactions to the centralizing and homogenizing approaches of the state. The narratives of these discourses construct India as a colonial force and political dissidents as the liberators. These sub-nationalisms as counter-sovereignty movements are characteristically ethno-nationalism, which is a reaction to the excessive centralizing and homogenizing policies of the state government (Tambiah 23).²²⁴ The narratives of these discourses go against the grain of India’s anti-colonial narrative. The Indian anti-colonial narrative construed British colonialism as an illegitimate rule because it was characteristically exploitative in nature and it was delaying the development of India. This development teleology would become the ideology of the new Indian state and also a constituent part of its definition that legitimizes self-rule. The nationalists did not recourse to primordial

²²⁴ Tambiah, Stanley J, “The Nation-state in crisis and the rise of ethno-nationalism,” *The Politics of Difference: Ethnic Premises in a World of Power*, edited by Edwin N. Wilmsen and Patrick MacAllister, The University of Chicago Press, 1996, pp. 124-43.

content like race, ethnicity or religion to assert the right to self-rule (Chatterjee 203).²²⁵ And for Sardar Patel, regional identity based on ethnicity and religion are detrimental for the creation of Indian subjectivity which is required to unite the whole nation to foster all round development of India. But contrary to the discourse of anti-colonialism, sub-national movements foreground their ethnicity to assert the inalienable right to self-determination. This ethnic assertion coupled with the political structure and policies, and the poor economic development provided the grounds to counter India's sovereignty.

Counter-sovereignty as counter-conduct should not be simply considered as resisting the state and to bring forth an alternate form of governance. Rather the methods used to resist the state are implicated within the power structure of the state. As Death puts it, a counter-conduct approach provides “a framework to examine and compare moments of contentious politics, and how they both resist and reinforce regimes of power and government” (2010, 242).²²⁶ In other words, counter-sovereignty discourse reinforces the state it resists. For instance, the recourse to or for plebiscite in Nagaland and Kashmir paradoxically reinforces the Indian state because the state is the only institution that can conduct and give legitimacy to a plebiscite. In the Naga plebiscite, Phizo demanded the presence of an Indian representative during the voting, and a copy of plebiscite was sent to the union government to acknowledge the will of the people. This reinforces the Indian state as the official machinery for arbitration and to sanction legitimacy. In the case of Mizoram and Tamil Nadu, the engagement with the electoral system by Laldenga to

²²⁵ Partha Chatterjee, *The Nation and its Fragments: Colonial and Postcolonial Histories*, Princeton University Press, 1993.

²²⁶ Carl Death, “Counter-Conducts: A Foucauldian Analytics of Protest,” *Social Movement Studies*, vol. 9, no. 3, 2010, pp. 235-251.

determine the MNF's separation demand as legitimate, and Annadurai to secure more sovereignty within the India permanently entrenches the state. And also the specter of separation provokes the state government to counteract by using its prerogative to suspend the fundamental rights of the people, thus asserting itself as the only sovereign body that can decide on the limit of the law and emergency. The counter-sovereignty discourses on the surface challenge sovereignty of India but the engagement with the state power and machineries only reinforces the permanence of the Indian state.

The discourses of counter-sovereignty also engaged in conducts which can be construed as against the prescribed forms of political conduct in independent India. Dipesh Chakrabarty argues that Indian political methods underwent a dramatic change in the post-colonial period.²²⁷ He argues that the new political conduct was premised on the thesis that while colonial rule used violent methods of asserting sovereignty, the post-colonial state was a popular form of sovereignty based on universal adult franchise. This change in the nature of sovereignty from fear of the colonial sovereign to popular will also demanded a corresponding change in the conduct of the people in the political arena. The new conduct that was deemed appropriate for the citizens of the new state was discipline and obedience in everyday life of the polity. Anti-colonial political methods like satyagraha, mass violence, destruction of public property, etc were legitimate against the foreign rule that used force. But they were rendered illegitimate in the new state because these practices promoted the spirit of lawlessness, and politically weakened the nation. Politics in the new democracy should be based on discussions, debates and discipline. And the role of politics in the everyday national life should revolve around the process of

²²⁷Dipesh Chakrabarty, "In the Name of Politics: Sovereignty, Democracy, and the Multitude in India," *Economic and Political Weekly*, vol.40, no. 30, 2005, pp. 3293-3301.

development and economic progress of the country. Any practice which in effect or by intention, was against the rationale of state development challenged the sovereignty of the new state (3293-01). In the similar vein, Patel prescribed peaceful and non-violent means to the people to conduct themselves in free India. He reasons that he could understand the reason for the use of violence to fight colonial autocracy but he could not understand the use of violent methods in a democracy built on the ideal of peace and non-violence (153).²²⁸ And should people use undemocratic means, the state has the prerogative right to use violence.

The discourse of sub-national movement does not fit entirely in the Foucauldian framework of conduct and counter-conduct. This chapter has engaged with the formative stages of the various sub-national movements where the discourses were conducted mostly within the field of politics and space of legality. As the movements intensified and prolonged, the methods deployed by the state and the sub-nationalists go beyond the domain of the legality and even the suspension of law which need a different theoretical consideration. The simple reason is that counter-sovereignty movements often demanded complete independence and resorted to violent methods to draw the attention of the indifferent government or as a reaction to the repressive laws imposed by the state to suppress the movement. For instance in 1953, the Nagas boycotted the Jawaharlal Nehru's address in Kohima by walking out on the latter because they were denied to submit a memorandum of independence. The state response to this act of defiance was the deployment of punitive measures against the Nagas engaged in this non-corporative method. This forced a lot of Naga National Council leaders to go underground and start an armed

²²⁸P.N Chopra and Prabha Chopra, editors, *The Collected Works of Sardar Vallabhbhai Patel Volume XV (1 January 1950-15 December 1950)*, Konark Publishers, 1999.

rebellion. And the state government response was the declaration of emergency and the use of force. This form of sovereign power will be the subject of study in the following chapter.

Conclusion

This chapter analyzed the various narratives of the counter-sovereignty movements in post-colonial India. The analysis looked at the literary aspects of the counter-sovereignty movement narratives and it engaged with the history, rationale and methods of the various movements. It argued that these movements invoked the language of rights to legitimize the counter-sovereignty discourses. It also highlighted the methods used in these movements that can be construed as both constitutional and unconstitutional in the Indian context. The next chapter will look at another form of sovereign power deployed by India to counter these sub-national movements.

Chapter 4

Sovereign Exception: The Suspension of the Law the Creation of Bare Life in Indian Literature

Introduction:

The preceding two chapters looked at how India's post-colonial sovereignty was envisioned by Sardar Vallabhbhai Patel, and how its sovereignty was countered by Phizo, Laldenga, Annadurai, Surjan Singh and Sheikh Abdullah. The first chapter looked at how the sovereign state was first imagined in the spiritual domain, and then how it was conceptualized as a developmental state that took into account the biopolitical aspects to optimize life. The second chapter studied how these conceptualizations were contested on the grounds of ethnicity, constitutional structure, and lack of economic development through the invocation of language of rights. This chapter looks at a specific aspect of sovereign power. Modern philosophers of power have described it as the state of exception. The chapter delineates the practice of exception in post-colonial India. In particular, it explores how literary works, autobiographies and novels, engage with the practice of exception in India, and provide us an opportunity to discuss the complex relationship between sovereignty and literature.

This chapter we will study a range of autobiographies produced by state officers who have served in 'exceptional' regions of India. They are Lalkhama's *A Mizo Civil Servant's Random Reflections*, Wajahat Habibullah's *My Kashmir: Conflict and the Prospects of Enduring Peace*, Avinash Dharmadhikari's *Diary of a Decade of Agony*, Prakash Singh's *Kohima to Kashmir: On the Terrorist Trail*, V.R. Lakshminarayanan's *Appointments and Disappointments: My Life in the Indian Police Service*, and O.S. Kalkat's *The Far-Flung Frontiers*. These accounts provide a

window onto the perspective of the state. These will be studied along with some more literary works such as Easterine Kire's *Bitter Wormwood*, Malsawmi Jacob's *Zorami: A redemption song*, and Shahnaz Bashir's *The Half Mother: A novel*, Partap Sharma's *Days of the Turban* and Manreet Sodhi Someshwar's *The Long Walk Home*. These also emanate from these 'exceptional' regions, and represent non-state voices. These works will be studied along with the theoretical reflections on the state of exception provided by Giorgio Agamben.

1. Sovereign Power, Bare Life, Illocalization and Force-of-Law

The immediacy between the state of exception and sovereignty was established by Carl Schmitt in his book *Political Theology*. Schmitt's definition, "Sovereign is he who decides on the state of exception" (1) establishes the nexus between the state of exception and sovereignty.²²⁹ This chapter draws its conceptual understanding of sovereign exception from Giorgio Agamben's theorization of state of exception in *Homo Sacer: Sovereign Power and Bare Life* and *State of Exception*. The state of exception as a theory of sovereignty diverges from the concept of internal and external sovereignty of a state. The former freedom from submission to external authority, and the latter the authorial control over the state's territory and affairs (96). The notion of sovereignty that the state of exception engages in originates from the sovereign's decision to proclaim the exception that suspends the norms and constitutional guarantees, and introduces sovereign violence creating an anomic space where order and chaos become indistinguishable. Agamben's theorization of state of exception concerns the localization of exception in the juridical order. Agamben classifies two legal traditions that seek to explain the state of exception. One seeks to include the state of exception within the juridical order arguing that exception is an

²²⁹Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, translated by George Schwab, Massachusetts Institute of Technology Press, 1985.

integral part of positive law because necessity “grounds its act as an autonomous source of law” (23).²³⁰ The other seeks to consider exception as something external to the juridical order. Or to put it simply the state of exception is conceived as extra-juridical, a state’s subjective right to preserve itself. Agamben posits that such approaches are fallacious in explaining the phenomenon of state of exception. He argues, “If the state of exception’s characteristic property is a (total or partial) suspension of juridical order, how can such a suspension still be contained within it? And if the state of exception is instead only a *de facto* situation, and is as such unrelated or contrary to law, how is it possible for the order to contain a lacuna precisely where the decisive situation is concerned?” (23). He further elucidates, “the state of exception is neither external nor internal to the juridical order, and the problem of defining it concerns precisely a threshold, or a zone of indifference, where inside and outside do not exclude each other but rather blur with each other. The suspension of norm does not mean its abolition, and the zone of anomie that it establishes is not (or at least claims not to be) unrelated to the juridical order” (ibid.).

Agamben’s conceptualization of sovereign power lies in his problematization of Michel Foucault’s biopolitics. His account of biopolitics is quite different from the Foucauldian thesis of power over life. In *Homo Sacer*, Agamben delineates from the classical Greek the difference between *zoe* and *bios*.²³¹ *Zoe* refers to the bare natural life common to animals, men and gods, and *bios* refers to a form of political life that men enter or are brought into. In the classical word, these two forms of life are articulated in opposition to each other. Agamben refers to Aristotle’s

²³⁰ Giorgio Agamben, *State of Exception*, translated by Kevin Attell, University of Chicago Press, 2005.

²³¹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare life*, translated by Daniel Heller-Roazen, Stanford University Press, 1998.

definition of a man as *politikon zoon* and the term “‘political’ is not an attribute of the living being as such, but rather a specific difference that determines the genus *zoon*” (2). Agamben alludes that Michel Foucault refers to this definition of Aristotle in his formulation of biopolitics as modern state power. The Foucauldian thesis articulates man as a living animal with an additional capacity to lead a political life, and the inscription of the biological life into the political occurred with a series of sophisticated techniques achieved through biopower. This biopolitical practice that puts biological life at stake for political strategies to regulate and optimize life to produce docile subjects is the capillary power of the modern state in biopolitics for Foucault. Agamben argues that the Foucauldian approach to inscribe *zoe* in the *polis* through biopower that penetrates subjects’ bodies and forms of life excludes the juridico-institutional models of power. In a move to correct or complete Foucauldian thesis, Agamben seeks to uncover the hidden link between juridico-institutional and biopolitical models of power (3-6).

Agamben’s notion of biopolitics is different from Foucault. As he puts it, “the inclusion of bare life in the political realm constitutes the original- if concealed- nucleus of sovereign power. It can even be said that the production of biopolitical body is the originary activity of sovereign power. In this sense, biopolitics is at least as old as the sovereign exception” (6). In other words, Agamben’s notion of biopolitics departs from the regulation and optimization of life to a radically different one where life is exposed to violent force of law, a condition perpetuated by the sovereign’s decision to suspend the law that introduces an indeterminate zone of law and lawlessness, and life and death, and reduces life to its bare form. He further states that, “Placing biological life at the center of its calculations, the modern state therefore does nothing other than bring to light the secret tie uniting power and bare life, thereby reaffirming the bond... between modern power and the most immemorial of the *arcana imperii*” (ibid.). And in the *State of*

Exception, Agamben writes “the immediate biopolitical significance of the state of exception as the original structure in which law encompasses living beings by means of its own suspension emerges clearly in the ‘military order’ issued by the president of the United States on November 13, 2001, which authorized the ‘indefinite detention’ and trial by ‘military commissions’... of noncitizens suspected of involvement in terrorist activities” (3).

The state of exception as the originary activity of sovereign power brings us to the locus of the sovereign and the sovereign exception. Agamben engages with Carl Schmitt’s definition of the sovereign and uses it to theorize the locus of the sovereign as a paradox. Drawing on Schmitt’s definition of the sovereign as the one who decides on the exception, Agamben articulates the sovereign relationship to the juridical order as a paradox. Agamben puts it that since the sovereign can suspend the validity of the juridical order, he stands outside the order. But being outside the order doesn’t mean he does not have any relation to law because it is he who decides to suspend the constitution. This paradox of outside and inside is the essential structure of the sovereign’s relationship to the law. And the state of exception that the sovereign’s decision introduces also has a similar characteristic of outside and inside; and exclusive and inclusive. Agamben writes, “the exception is a kind of exclusion, but the most proper characteristic of the exception is that what is excluded in it is not, on account of being excluded, absolutely without relation to the rule. On the contrary, what is excluded in the exception maintains itself in the relation to the rule in the form of the rule’s suspension” (17). In retrospect, the exception defines the structure of sovereignty. The exception introduces an anomie, an outside phenomenon of law. And “what is outside is included not simply by means of an interdiction or an internment, but rather by means of the suspension of the juridical order’s validity- by letting the juridical order, that is, withdraw from the exception and abandon it. The

exception does not subtract itself from the rule; rather, the rule, suspending itself, gives rise to the exception and, maintaining itself in relation to the exception” (18).

This exclusive inclusion or outside inside topology is also characteristic of the relation of bare life to the sovereign. Agamben coins an expression ‘form-of-life’ that undoes the classical Greek distinction between *zoe* and *bios*. Agamben’s understanding of life is that *zoe* and *bios* are inseparable, and he uses form-of-life of life to categorize his idea of life. For Agamben it is not possible to separate *zoe* from *bios* because life can always be stripped of the guarantees of political life through the sovereign exception, and life can be reduced to bare life and exposed to violent force of law. Agamben likens bare life to the life of *homo sacer*, an obscure figure in archaic Roman law. The *homo sacer* is a figure of bare life “*who may be killed and yet not sacrificed*” (8 emphasis original). As a condemned man, the *homo sacer* is exposed to double exclusion of legal and religious laws. Caught in a sovereign ban, the law no longer applies to him and the very act of killing him although a murder would not constitute as crime. And as a condemned man, he is excluded from sacrifice ritual. Here the law applies to the condemned man in sovereign ban in not applying thus inferring the topological exclusive inclusive relationship between the sovereign and *homo sacer*. Or as Agamben puts it, the “*homo sacer* presents the originary figure of life taken into sovereign ban and preserves the memory of the originary exclusion through which the political dimension first constituted” (83).

In the opening vignette of this section, we have described the state of exception drawing on Agamben as the suspension of law that is the fundamental localization of what is normal and exception, and how this suspension introduces an anomic (normless) zone in which law and lawlessness, order and chaos become indistinguishable. Here we will engage deeper with the structure of sovereign exception starting with the locus. As mentioned earlier, it was Carl

Schmitt who advanced the concept of state of exception as a theory of sovereignty. Agamben makes the case that the issue with Schmitt's conceptualization of state of exception is a paradoxical articulation. This is precisely because the exception suspends the juridical order and subtracts itself from any legal consideration or juridical form. Schmitt despite being aware of these characteristics anchored the state of exception within the juridical order through the figure of dictatorship. For Schmitt "the state of exception is always different from anarchy or chaos, in a juridical sense, an order still exists in it, even if it is not a juridical order" (Schmitt as quoted in Agamben 33).²³² Schmitt positions sovereignty as the place of extreme decision, and the sovereign by deciding the exception inscribes an outside (anomie) of the law within the law. In a commissarial dictatorship, the sovereign suspends the constitution on the basis of a right (and therefore constitutional) to defend or restore its existence. Here the constitution is suspended without ceasing to be in force because the suspension is solely a concrete exception. In sovereign dictatorship, the constitution is not merely suspended rather the suspension seeks to create a state of affairs where a new constitution can be imposed. What anchored the exception into the juridical order is the constituent power which although is not constituted in a constitution is connected to every existing constitution as a founding power (33-4).

Agamben reasons that Schmitt perversely articulated the relation between the state of exception and juridical order because he had never tried denouncing dictatorship. Agamben posits that neither the proletariat dictatorship nor the constitutionally sanctioned sovereign in the state of exception are commissarial dictatorships, rather they are "something new and more extreme, which threatened to put into question the very consistency of the juridico-political order" (34). Agamben rejects Schmitt's theory because the state of exception "is not a 'state of

²³² Giorgio Agamben, *State of Exception*, translated by Kevin Attell, University of Chicago Press, 2005.

law,' but a space without law" (51) and the anomie results from the suspension of law. Drawing from Walter Benjamin's essay "Critique of Violence," Agamben characterizes the state of exception as a violence that "neither makes nor preserves law, but deposes it" (53). The proclamation of exception at first appears as "a *fictioiuris* par excellence which claims to maintain the law in its suspension" rather it inserts violence, "that is, a human action that has shed (*deposto*) every relation to law" (59). This state of lawlessness that blurs the state of law exemplifies illocalization and not localization within the state of law. In contrast to Schmitt, Agamben defines the state of exception not as the threshold "that guarantees the articulation between inside and outside, or between anomie and the juridical context, by virtue of a law that is in force in its suspension (as with Schmitt); it is, rather, a zone of absolute immediacy between anomie and law, in which the sphere of the creatures and the juridical order are caught up in a single catastrophe" (57).

Stretching Schmitt's conceptualization of commissarial and sovereign dictatorship further, Agamben defines another characteristic of the state of exception, the syntagma *force of law* which is the law's capacity to bind. The state of exception which suspends the law separates the force of law from the law (38). The suspension releases the force of law which has severed its ties with law. Agamben puts emphasises on this force and writes it as *force-of-law*, to highlight it as "completely freed from the letters of the law that bind it to specific purposes and guarantees that citizens can know what it will do" (Ugilt, 76).²³³ This force floats as an indeterminate element that can be claimed both by a commissarial dictatorship and a sovereign dictatorship that would make their acts that are not laws acquire the force of law. In technical sense, Agamben's *force-of-law* refers "not to law but to those decrees (which, as we indeed say,

²³³Rasmus Ugilt, *Giorgio Agamben: Political Philosophy*, Humanities E-Book, 2014.

have the force of law) that the executive power can be authorized to issue” (38) during the state of exception. He further elucidates, “The state of exception is an anomic space in which what is at stake is a force of law without law ...Such a ‘force-of-law’, in which potentiality and act are radically separated, is certainly something like a mystical element, or rather a fiction by means of which law seeks to annex anomie itself” (39).²³⁴ This state of exception which releases a pure force-of-law and suspends the norm escape all legal definition. As Agamben puts it, “If we wanted at all cost to give a name to a human action performed under conditions of anomie, we might say that he who acts during the *iustitium*²³⁵ neither executes nor transgress the law, but *inexecutes* [*insegue*] it” (50). In other words, law is not executable and the actions performed during the exception are just executing the suspension of the law, since the legal definition of what constitute as abuse or murder is suspended.

2. Exception in Western States

Drawing out the genealogy of the state of exception, Agamben refers to a certain law called *iustitium* in the Roman Republic.²³⁶ Agamben posits *iustitium* as the archetype of modern state of exception. The Roman law *iustitium* literally means ‘standstill’ or ‘suspension of the law.’ This law was invoked by declaring *tumultus* (emergency situations such as foreign war, insurrection or civil war) that endangered the republic, and the senate would instruct the consuls, proctor, tribunes and even citizens in extreme cases to take any necessary measures to save the state and all legal determinations were suspended for the acts committed during *iustitium*. Agamben argues that the *iustitium* should not be interpreted as a dictatorship because in the Roman

²³⁴Giorgio Agamben, *State of Exception*, translated by Kevin Attell, University of Chicago Press, 2005.

²³⁵Suspension of law

²³⁶Giorgio Agamben, *State of Exception*, translated by Kevin Attell, University of Chicago Press, 2005.

constitution the dictator was a special magistrate chosen by the consuls. In *iniustitium*, there was no creation of a new magistracy, and the existing magistrates enjoyed unlimited power not because they were invested with dictatorial imperium, but rather from the suspensions of laws that restricted their actions in normal circumstances (47). In modern European states, the state of exception has its origin during the French Revolution in 1791 when the state of siege was declared. The physiognomy of state of exception or siege as used in France became more apparent with the Directorial law of August 27, 1797 and the decree of December 24, 1811 by Napoleon. The state of exception became a paradigm of government during First World War, when the president of France decreed the entire country into a state of siege. And the siege remained in force from August 2, 1914 to October 12, 1919 (11-12).

In England, the apparatus of martial law manifested as exceptional power. The Mutiny Acts passed across 200 years from 1689 to 1889 ushered in alarming instances like the state of exception. And like other warring states during the First World War, exceptional practice became more pronounced with the Defence of the Realm Act of August 4, 1914. The act empowered the government to regulate wartime economy and also imposed serious limitations on the fundamental rights of the citizens (18-19). The state of exception as a permanent form of government took shape in Germany between the two World Wars. Article 48 of the Weimar Constitution granted the president of the Reich to take any measure to establish security and public order. Towards this, the aid of the armed forces could be used and the fundamental rights of the citizen could be suspended. In July 1930, the ruling government became a minority but the chancellor did not resign. Rather the chancellor invoked Article 48 which was approved by the president and the Reichstag was dissolved. In 1933, Adolf Hitler as the new chancellor of the Reichstag invoked the article again and passed the Decree for the Protection of the People and

the State. The decree suspended the fundamental rights and personal liberties of the citizens, and it was never repealed until the end of Second World War (14-15).

3. Exception in India

Partha Chatterjee in *The Black Hole of Empire* argues that the concept of sovereignty underwent a radical change in the nineteenth century.²³⁷ The nineteenth century developed a normative framework of comparative government that created two senses of the norm: the empirically prevailing average, and the desired standard to be achieved. Devising the first sense, a society or government could be measured or compared against others, and categorized as deviant from the empirically prevailing norm. Then the second sense of the norm was used to formulate a suitable policy for the deviant cases. The nations that were above the global empirical normal would decide the universal desired standard. The practices of governance associated with the desired standard might not be implemented in nations where the standards were low. In such conditions, a practice of exception and other suitable policies would be applied in those countries to improve their standards. This framework provided the empirical location of any society in relation to the empirically prevailing normal and also the “means of a norm-exception structure of justification, the ground for the application of policy to intervene” (186) to bring the deviant to the desired norm. This political strategy aimed at normalization vis-à-vis disciplining, and the techniques deployed to achieve this were: pedagogy of violence, and pedagogy for culture. The former refers to the use of imperial force, and the latter to institutions of education, ideological, legal, social and economic. Often the pedagogical techniques of

²³⁷Partha Chatterjee, *The Black Hole of Empire: History of a Global Practice of Power*, Princeton University Press, 2012.

violence were deployed to prepare the conditions for the pedagogy culture to be institutionalized. Chatterjee cites the legal doctrine of paramountcy as one of the techniques deployed in colonial India. The doctrine entailed the colonial British as the paramount power whose authority superseded the native Indian rulers, and by virtue of it, the colonial force could annex territories often by force on the grounds of misgovernment. The doctrine trumped the sovereign rights of the native rulers and also any legal provisions signed in treaties between the two entities. Referring to such absolute imperial power, Chatterjee defined modern empire in the following words, “The imperial prerogative, one could say, lies in the claim to declare the colonial exception” (194).

During the colonial period, the British categorized the frontiers as the zone of the different, primitive, backward and unruly; and colonial violence was the only system the savage people on the frontiers understood. In the second half of the nineteenth century, Punjab was a Non-Regulatory Province in the empire’s Northwest frontier. In the Non-Regulatory Province, ordinary law and regulation did not apply unless it was extended by the British India government. Here the colonial official possessed discretionary authority to govern the province and to suppress any unrest especially of the nature which concerned the colonial officials. And one such law was the Murderous Outrageous Act (MOA, 1867). Under this legislation, a legal category ‘fanatic’ was created based on the frontier people’s religion and ethnicity. A person was termed a fanatic if he posed a threat to colonial officials and he could be detained in jail for any period of time, and the rights and procedures provided in the Anglo-Indian Codes such as right to legal counsel, right to appeal a conviction and rules of evidence were withdrawn. The logic and rhetoric for the use of such exceptional disciplinary method was that the frontiers were occupied by primitive and unruly people, and any exceptional circumstances legitimized or required

exceptional sovereign violence as the tactical tool for control (Kolsky 1219- 23).²³⁸ The post-colonial Indian state approach to subdue unrest in the frontier regions did not rest on racial differentiation but the methods used to control and secure the frontiers created its own exceptional conditions, laws and bare life.

The state of exception which is the suspension of law is a form of power integral to Patel's conceptualization of sovereign power to ensure or rather to restore the rule of law. The Preventive Detention Act, 1950 is one such law that was moved by Patel that underscores the state's monopoly on violence. The act was passed to counter the violent propaganda of the communists and this act institutionalized detention without trial. The act enabled the state to detain a person for a year and the facts pertaining to the arrest was not a subject of disclosure. And it provided legal immunity from any prosecutions to the officials working in good faith. The act was in force till 1969 and it lapsed only when the Congress party lost its majority in the parliament. But this arbitrary form of power was invoked again in 1970 in West Bengal as Prevention of Violent Activities Act as a necessity act to counter the communist force (Bhagwat 511).²³⁹ The rationales of these acts are to preserve the state, and the violent propagandas are not in continuum with the ideology of the new state that stood for development and non-violence.

In a sensational case between Maneka Gandhi and Union of India (1978), the Supreme Court ruled that the procedure prescribed by law should conform to the fundamental rights of the constitution especially those in Article 19(1). The court ruled that personal liberty does not

²³⁸Elizabeth Kolsky, "The Colonial Rule of Law and the Legal Regime of Exception: Frontier 'Fanaticism' and State Violence in British India," *American Historical Review*, vol.120, no.4, 2015, pp.1218-1246.

²³⁹Niloufer Bhagwat, "Institutionalising Detention Without Trial," *Economic and Political Weekly*, vol. 13, no. 11, 1978, pp.510-513.

merely constitute the absence of restraint, and life is more than mere existence (Noorani, 9).²⁴⁰ The fact that life is more than just existence or living is at the heart of Giorgio Agamben's genealogical investigation of the *Homo Sacer*, and that life cannot simply exist in bare form unless it is created through sophisticated political strategies. Though the constitution of India is a democratic, it has more than often submitted itself to a relative clause and that is "the people are sovereign, *but only insofar as the state of exception is not in force*" (Ugilt50).²⁴¹ The state has subsisted like a dual form in the sense that along with the existing constitution there is a second structure that the state of exception introduces. The Indian state adopted from the British the structure of education, police and bureaucracy which the nationalists identified as three pillars of colonial domination (Kaviraj 222).²⁴² The state also inherited from the British its military and special ordinance through which the colonial state exercised its prerogative right to declare the exception. Here a historical engagement would be insightful.

In 1942, the British colonial government passed an ordinance called the Armed Forces (Special Power) Ordinance 1942 to suppress the Indian national movement. This ordinance sanctioned forced detention and violence even to the cause of death. In 1947, the ordinance was revisited by the newly independent state to handle its internal security situation at the time of independence. Four ordinances: the Bengal Disturb Areas (Special Powers of Armed Forces) Ordinance, Assam Disturb Areas (Special Powers of Armed Forces) Ordinance, East Bengal

²⁴⁰A G Noorani, "Armed Forces (Special Powers) Act: Urgency of Review," *Economic and Political Weekly* vol.44, no.34, 2009, pp.8-11.

²⁴¹Rasmus Ugilt, *Giorgio Agamben: Political Philosophy*, Humanities E-Book, 2014.

²⁴²Sudipta Kaviraj, *The Imaginative Institution of India: Politics and Ideas*, Columbia University Press, 2010.

Disturb Areas (Special Powers of Armed Forces) Ordinance, and United Provinces Disturb Areas (Special Powers of Armed Forces) Ordinance were modelled after the colonial ordinance of 1942. In 1958, the Armed Forces Special Power Act (AFSPA), an act virtually identical to the colonial ordinance, was passed to deal with the political uprising in the Naga Hills, then a district in Assam. The notoriety of this act has led Human Rights Watch to publish a report titled “Getting Away With Murder” that highlighted the plight of the people under state violence.²⁴³

Often the Armed Forces Special Power Act (henceforth AFSPA) is conceptualized under the legal framework that provides impunity to the armed forces. Oinam Singh writes, “AFSPA provides legal cover for the unfettered use of force against even innocent civilians. Gross human rights violations including enforced disappearances, extra-judicial execution, rape and torture have become endemic” (123).²⁴⁴ The imposition of AFSPA is despite the competence of Criminal Procedure Code, Section 129 and 130 that provide for the use of civil force to disperse an assembly and the mobilization of armed forces to restore order (126). In the same vein, Saikia writes, AFPSA is “a draconian law which gives unbridled powers to the armed forces” (266).²⁴⁵ And referring to its black hole gravitation power, Saikia further writes, “it makes no distinction between a peaceful gathering of five or more people and a berserk mob. So, even innocents- who have no role in creating a situation that results in that region being called disturbed, also come under the purview of the law” (268). Although the term ‘special power’ brings into attention the

²⁴³Human Rights Watch, *Getting Away With Murder: 50 Years of the Armed Forces Special Power Act*, Human Rights Watch, 2008.

²⁴⁴Oinam Jitendra Singh, “Armed Violence and Human Rights in Manipur,” *World Affairs: The Journal of International Issues*, vol. 16, no. 3, 2012, pp. 118-131.

²⁴⁵Sailajananda Saikia, “9/11 of India: A Critical Review on Armed Forces Special Power Act (AFSPA), and Human Rights Violation in North East India,” *Journal of Social Welfare and Human Rights*, vol.2, no. 1, 2014, pp. 265-279.

legal framework, an alternative reading could shed light on the meaning of special power, and the act as exceptional. In *State of Exception*, Agamben refers to the institution of *iustitium* in the Roman law. In the republic, the senate would declare a *tumultus* (citing foreign invasion, insurrection or civil war) and proclaim *iustitium* which means suspension of law. Agamben argues that in *iustitium* the existing magistrate enjoyed de facto unlimited power “not from being invested with a dictatorial *imperium*, but from the suspension of the laws that restricted their action” (47). This reading of *iustitium* can be used to understand AFSPA through the framework of the state of exception. The armed forces enjoy special power in AFSPA not because they are given unlimited dictatorial power but rather through the suspension of laws (that define murder, unlawful) and legal oversight that restricted their actions. If this reading of *iustitium* shed a new light on the notion of special power, then a conceptual shift from the legal framework to the state of exception is established. To further illustrate the act as the state of exception, an engagement with the various provisions of the act will be illustrative.

The imposition of AFSPA suspends democracy and exposes the people to *de facto* military force-of-law. The suspension of democracy is evident in Section 4(a) of the act that warrants the armed forces to “use force, even to the causing of death” and to “prohibit the assembly of five or more five persons.”²⁴⁶ These provisions entail expansion of military authority to the civilian space; and the suspension of norms and rights that protect individual liberties namely the right to life and assembly. Agamben articulates that the two models: the extension of military authority to the civilian space and the suspension of the constitution “end up merging

²⁴⁶Ministry of Home Affairs. “The Armed Forces (Special Powers) Act, 1958.” Ministry of Home Affairs,

https://www.mha.gov.in/sites/default/files/armed_forces_special_powers_act1958.pdf

into a single juridical phenomenon that we call the state of exception” (5). This merger into state of exception was also pointed out by two legislators in the parliamentary debate on AFSPA. Surendra Mahanty argued that the emergency provision included in the legislation suspends the fundamental right, and section 6 of the act indemnified the armed forces without the president declaring an emergency. Adding on to this juridical lacuna, A Krishnawamy argued that section 4 of act disposes the state of its power and hands over the rule to the armed forces (Navlakha 302).²⁴⁷ Despite these protests, the act was passed as a temporary move to counter political uprising.

The proclamation of AFSPA as sovereign exception that introduces a zone of indistinction between order and chaos and life and death is epitomized by the creation of bare life. Section 6 of AFSPA states that “No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the central government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by this Act.” Life in this disturbed area, a classified category given to places under AFSPA, is alarmingly the same with the life of a *homo sacer*, who could be killed with impunity and whose death would not be considered a crime. The act suspends the law, and the suspension excludes life from law, but bare life is included in the law through the suspension that strips him from the protection of law and enables one to kill with impunity, hence the exclusive inclusive structure that defines the state of exception. And this bring us to the structure and correlation between the sovereign and *homo sacer* as two symmetrical figures: outside and inside the juridical system which Agamben describes in *Homo Sacer* as, “the sovereign is the one with respect to whom all

²⁴⁷Gautum Navlakha, “Internal Militarisation: Blood on the Tracks,” *Economic and Political Weekly*, vol. 32, no.6, 1997, pp. 199-306.

men are potentially hominess sacri, and homo sacer is the one with respect to whom all men act as sovereigns” (84).²⁴⁸

Apart from AFSPA, India has used a series of acts citing the necessity to preserve the state and maintain order within the state. These act include Preventive Detention Act 1950, Assam Maintenance of Public Order Act 1953, Defence of India Rules 1962, Nagaland Security Regulation 1962, Essential Service Maintenance of Internal Security Act 1971, National Security Act 1980, Assam Preventive Detention Act 1980, Terrorist and Disruptive Activities Act 1985, Andhra Pradesh Suppression of Disturbance Act 1983 (modelled after AFSPA), and other versions of AFSPA imposed in Punjab, and Jammu and Kashmir. The common threads among these acts are that they are used to defend the state and they exposed the citizens to the force-of-law. But what distinguishes AFSPA from these acts is the sunset clause that has a cessation frame. Other acts were implemented all over India but they have been withdrawn after deciding the merits through a review. With AFSPA, we have seen instances of limited withdrawal in certain areas²⁴⁹but for the time period it has been in operation, it can be argued that the Indian state for almost the entirety of it post-colonial period has been in a state of exception. The permanence of the act shows that exceptionalism is no longer a paradigm of government, but it has become the rule. In what follows the study will look at the practice of the state of exception as a part of the democratic republic that exists like a second structure.

²⁴⁸Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare life*, Translated by Daniel Heller-Roazen, Stanford University Press, 1998.

²⁴⁹The Print, “AFSPA Withdrawn from large parts of Nagaland, Assam, Manipur after decades,” 31 March 2020, <https://theprint.in/india/afspa-withdrawn-from-large-parts-of-nagaland-assam-manipur-after-decades/896479/>

4. Sovereignty and literature

The relation between sovereignty and literature can be first located in language that gives expression to both sovereign power and literary text. But what establishes the close relationship between the two areas is law. Here it is important to note that without a sovereign there can be no law. Richard Posner argues law is a common subject of literature because of its universality.²⁵⁰ A work of literature travels across places and times because it deals with permanent aspects of human condition which is universal. And law is one of those universal features like love, death, religion, war, friendship, alienation, and art itself (30). There is also a deep characteristic affinity between the two discourses. Literature is characteristically dramatic, and law provides a ready-made dramatic technique. For instance, a trial is well suited for literary depiction (33). Posner further makes the case that literature does not only feed on law, rather the relationship between law and literature is codependent. Posner opines that literature can be a source of background knowledge for law. To illustrate his argument, he shows how literature can intervene on law for political asylum. Posner gives the example of Erich Maria Remarque's novel *Arch of Triumph* (1945). The novel is about a German surgeon who has been stripped of his citizenship. The narrative accounts his escape to Paris from Nazi Germany where he lives as a ghost-physician treating the paperless refugees in eve of the war. When this novel was published in America, it not only generated sympathy for the unwelcomed refugees but also made the judges conscious about the people seeking asylum (390-93).

²⁵⁰Richard A. Posner, *Law and Literature*, Harvard University Press, 2009.

Andrew Hebard in *The Poetics of Sovereignty in American Literature, 1885-1910* draws up a close relationship between the two strange bedfellows (sovereignty and literature).²⁵¹ Hebard offers a critique of the literary politics of the end of nineteenth and early twentieth centuries in American literary practices. The common practice of the period was to regard realism and romance as two separate aesthetic forms. The genre romance was considered as an imperial aesthetic because the form of romance which deals with adventures and extraordinary situations provides an outlet for the extraordinary action and violence of the state to be conventionalized. And on the other hand, the genre realism that emphasized on the ordinary everyday life was considered to promote discipline and good government. Hebard argues that such approach overlooked “the cultural and political work that realism and romance do as an opposition” (12). Moving away from the rigidity of the generic form, Hebard draws our attention to the modes in realism and romance. Mode here refers to the conventions of plot, characters, and setting that create a world of intelligibility. Hebard argues that the literary narratives of the period deployed both realistic and romantic modes. He cites the example of the novel *Soldiers of Fortune* by Richard Harding Davis. In the novel, the character King romanticizes the life of engineers as a picturesque one, and engineers as pioneers, martyrs, bravest soldiers, and chief civilizers. On the flipside, the protagonist Clay considers his engineering job as a trade and livelihood thus replacing the romantic mode with the realist one of everyday work and toil (42-3). In the similar fashion, the conventions of realism and romance map the ways through which the state exercised its power. The ordinary and extraordinary modes of realism and romance map the governmental discourse of ordinary every day bureaucratic administration and the extraordinary actions of

²⁵¹Andrew Hebard, *The Poetics of Sovereignty in American Literature, 1885-1910*, Cambridge University Press, 2013.

military violence and legal oversight. Here it is important to note that the establishment of everyday bureaucratic administration is predicated by violence. Hebard argues the two modes articulate an episodic convention where the romantic and realist modes are in unresolved opposition while simultaneously articulating a narrative of progress (12).

Hebard further argues that through the terms ordinary and extraordinary, realism and romance are inscribed into the discourses of government. He writes,

within governmental discourses, the literary modes of the ordinary and the extraordinary were particularly prevalent in figuring the contradiction between the regulative norms of ordinary bureaucratic administration and the more extraordinary acts of military violence and executive oversight. The language of everyday duty, work, and social interaction marked descriptions of the bureaucratic project of the colonial state, while, in contrast, the language of heroism, adventure, honor and the extraordinary marked the descriptions of the military and executive oversight that was seen as an exception to bureaucratic norms. (34)

In other words, the realist theme or mode enters government discourses through the production of everyday form of governance. And the romance through the actions of extraordinary that appear alongside everyday mode of governance. The ethnographic discourse in bureaucratic report that takes into account the social and cultural habits of the people to ascertain what form of government suits the best takes the realist theme. The theme of romance enters the governmental discourse in essays like 'The Strenuous Life' by Theodore Roosevelt that advance the need to depart from the red-tape of bureaucracy, and embrace heroism and extraordinary measures in imperial discourse (38). Hebard contends that these contradicting

modes of government is conventionalized into a convention, and literature illustrates it in the most instructive manner as the narrative of romance slips from romantic to realistic juxtaposing the extraordinary with the ordinary in its narrative of historical progress.

5. Narratives of the law and progress

The genre autobiography is inherently romantic (Wilson 71).²⁵² As a narrative of the self it talks about the self, his/her adventure/journey and self-discovery where heroic feats are performed that put one apart from the others. The autobiographies of Indian bureaucrats follow such tropes, and the benevolent status of *mai-baap* given to them in colonial India and the much coveted position of the bureaucrats in independent India put them in higher pedestal above other men which add more to the galore of romance. Although the autobiography is intrinsically romance, it is not out and out romantic as the realist mode interrupts to give an episodic experience of realism and romance. The life narrative of bureaucrats is particularly illuminating and I will demonstrate that the alternating modes: realism and romance is conventionalized to produce a narrative of progress and development. As with the narratives that deal with the concept of sovereignty that are set in places where one form of government is replacing another or the instituted government is still in nascent state, Wajahat Habibullah's accounts in *My Kashmir Conflict and the Prospects of Enduring Peace* begins in the 1960s. Although Kashmir acceded to India through the provisional instrument of accession in 1947, the question of sovereignty remains unresolved. The tribal invasion backed by Pakistan that led to Indo-Pakistan War or the First Kashmir War of 1947-48, the ouster of Sheik Abdullah and Indo-Pak War or Second Kashmir War of 1965 are some of the many instances that showed an emerging

²⁵²Frances Wilson, "Romantic Autobiography," In *The Cambridge Companion to Autobiography*, edited by Maria Dibattista and Emily O. Wittman, Cambridge University Press, 2014, pp. 71-86.

sovereignty as a site which is challenged and sought to be replaced by another form. Given the volatile situation, the ordinary civil laws operate alongside the extraordinary laws sanctioned by Preventive Detention Act 1950, Defense of India Act of 1962, and Public Safety Act, 1978. Here the modes: realism and romance used in the autobiography map the modes of governmental discourse, and the narrative conventionalizes the modal opposites into a convention of composite modes that produce a narrative of progress.

The interruption of one mode over another is a common occurrence in Habibullah's narrative. In the opening chapter titled 'Backdrop' Habibullah provides a picturesque description of Kashmir as he journeys to take over the administrative duty as a member of the Indian Administrative Service. He describes Kashmir as an "emerald verdure" and a "legendary paradise" distinct from the oppressive weather of Northern Indian (13). This romantic mode is interrupted by the realist ethnographic account of the people, cultures and social relationships between the different communities. Such an exercise is to propose a certain ideology or policy to cultivate mutual relations between communities and to ensure good governance to a state riddled by mistrust. Habibullah opines, "I, however, believed- and still do- that Hindus, with their diverse expressions of faith, and Muslims can maintain separate identities and live in harmony as varying expressions of the diverse, often contradictory face of India. But they must accept the heritage of India as a common heritage, as all Kashmirs, Hindu and Muslim, at that time considered Kashmir's" (23). Such an approach seeks to overcome the majority and minority politics to create a milieu suitable for the rule of law or ordinary mode of governance. The romantic mode and the realist mode alternate further with the engagement with the modes of governmental discourse. Habibullah recounts a mysterious fire incident in villages in Baramulla district, where the line of control is located. Describing the atmosphere as electric, he details the

extraordinary mode of governance that the military deployed. He recollects Brigadier General Ranshawa warning “that to protect citizens, the BSF would start patrolling nearby villages. At any time of day or night, the BSF might enter people’s homes and shoot anyone they suspected of intending mischief” (25). This extraordinary sequence was interrupted by Habibullah who pleaded the soldiers to “not bear arms, even though under the law I was within my rights to order that they not do so” (25-6). Here the romantic and realist modes map the extraordinary (military) and ordinary (civil) modes of governance.

The tension between the ordinary and extraordinary modes of governance appears as incongruous but these divergent modes as contradiction functions as a convention that is unresolved and repeated in literary and administrative discourses. Habibullah’s account of 1972 Jammu and Kashmir state election is revealing. State election is synonymous to the formation of a civilian government and the establishment of ordinary mode of governance, and the arrangement for the election is tasked for the bureaucrats. This discourse to establish the civilian government was interrupted by the state administration to cripple Sheikh Abdullah’s National Conference election campaign. Habibullah narrates,

All the deputy commissioners in Kashmir were given orders requiring that leading National conference volunteers be arrested under the Preventive Detention Act, which permitted detention without trial... After staying up all night carefully examining the grounds presented by the police, most of which were not even individual but merely duplicates with only the names changed, I approved nine cases for the issue of detention order. (39)

This event shows that although ordinary norms of administration and extraordinary acts are contradictory, they function in tandem as a convention. This unresolved contradiction which is repetitive forms the rhythm of the narrative and this modal convention performs an ideological function to narrate a story of progress. Habibullah narrates one such story of state's progress which was the repopulation of areas in the Mendhar Tehsil, along line of control. He writes, "After the war of 1971, a vast swath of fertile land was depopulated to prevent a recurrence of infiltration, which had overwhelmed the region in 1965 and, to a lesser degree in 1971. Under an agreement that I reached with the army in 1975, the depopulated areas were to be repopulated" (36). Resettling of population during war or insurrection is a common practice conducted by the military, this resettlement indicates the restoration of civilian rule which marks the state's progress from military rule.

Habibullah's narrative also reveals the tension between the bureaucracy and the military. He narrates an experience where the claim of authority gets contentious. He narrates,

I was the first deputy commissioner since the war of 1947 to visit the villages located along what has been the cease-fire line and was now the LoC... my escort of military guards told me that we were too close to LoC and should retreat. I insisted that I would inspect all the villages on the LoC that were under my authority. The guards took the stand that they could not allow me to proceed. (81)

Although Habibullah eventually succeeded in inspecting the villages, the incident raises the question of what kind of law really operates: civil or military. The answer is the abdication of civil authority with the rise of internal conflict, as Habibullah reveals "In the ever-changing situation of internal security in India, it had become clear that the army was required to play a

major role. During the years of governor's rule, generals were regularly appointed to civilian positions such as governor and adviser" (79-80). Such pronouncements illuminate the entrenchment of military rule with the declaration of state of exception and the suspension of rule of law. The autobiography also foregrounds the militarization of police that foreshadows the eventual militarization of Kashmir in the state of exception. Habibullah remarks on the status of law in 1970s are as follow,

It became clear to me then that in those peaceful times, the only active law was the Defense of India Rules, which allowed the police to keep their reasons for arrest and detention secret from the magistrate- the principal law enforcement authority. These rules passed under the Defense of India Act of 1962, were designed to deal with threats to national security in wartime; in Kashmir, they were used to quell civil unrest. (28)

6. Narrative and Rhetoric of counter-insurgency

Ranajit Guha in 'The Prose of Counter-Insurgency' argues that historical representations of peasant insurrections are often carelessly written off as "purely spontaneous and unpremeditated affair" (45) which deny any sense of political consciousness and rational thinking to the movement.²⁵³ Guha further writes that "historiography has been content to deal with the peasant rebel merely as an empirical person or members of class, but not an entity whose will and reason constituted the praxis called rebellion" (46). And in cases where historiography is pushed to describe the person or class, it does so "by assuming an identity of nature and culture, a hall-mark, presumably, of a very low state of civilization and exemplified in

²⁵³Ranajit Guha, "The Prose of Counterinsurgency," *Subaltern Studies*, vol. 2 edited by in Ranajit Guha and Gayatri Spivak, Oxford University Press, 1983, pp. 1–42.

those periodical outburst of crime and lawlessness to which all wild tribes are subject” (ibid.). In the same vein, Brian Jenkins in history of emergency law in colonial Ireland argues that British colonial state constructed the Irish as a different race living in different stage of political, social and intellectual civilization to justify the exceptional character of the colonial regime (340).²⁵⁴ Likewise, a similar argument has been made with regard to AFSPA and Northeast India. Duncan McDuie-Ra writes, “The act reproduces the construction of unruly frontier region, of the undisciplined tribal, the backward indigene” (266).²⁵⁵ In what follows, I will illustrate how the narratives of the bureaucrats and police use this narrative convention in their narratives to justify the state and its security forces use of excessive measures.

Prakash Singh in his autobiography *Kohima to Kashmir: On the Terrorist Trail* depicts Nagaland as place of violence and criminals. The history of Naga head-hunting is evoked to foreground the imagery of violence and lawlessness. Much of Singh’s understanding of the Nagas is derived from the colonial accounts of the Nagas that often depicted them as savages. For instance, Singh quotes from the account of Captain John Butler²⁵⁶ to describe headhunting as “a thing to be handed down from generation to generation, an everlasting and most baneful heirloom, involving in its restless course the brutal murders of helpless old men and women, innocent young girls and children” (Butler as quoted in Singh 67). This imagery of the headhunter is further evoked by Singh after he made a narrow escape from the Naga insurgent

²⁵⁴Jenkins, Brian, *The Fenian Problem: Insurgency and Terrorism in a Liberal State 1858–1874*, McGill-Queen’s University Press, 2008.

²⁵⁵Duncan McDuie-Ra, “Fifty-year Disturbance: The Armed Forces Special Powers Act and Exceptionalism in South Asian Periphery,” *Contemporary South Asia*, vol. 12, no. 3, 2009, pp-255-20.

²⁵⁶Captain John Butler was a colonial British officer who surveyed the Naga Hills in 1875.

camp, as he describes, “In retrospect, I should thank God that I could come out of the Naga Army camp with my head still in place” (74). The repeated references to head-hunting in the narrative underpins the cultural stereotype of the Nagas as head-hunters, and Nagaland as a zone of violence and uncivilized. Singh’s narrative also discredits the Naga movement by deeming the strategies and tactics of Phizo as fraudulent and tyrannical. He writes that the plebiscite conducted by Phizo was “a fraudulent exercise because the Tuensang area was not covered at all and, besides, Phizo visited only some villages in Kohima and Mokokchung districts, where also only the men-folk were asked to give their choice, women not being considered intelligent enough to express their views on such a sensitive matter” (71).

To justify the use of exceptional power, Singh frames the tactics used in Naga movement as acts of criminality that forced the state and its security forces to use extraordinary measures in its governmental discourse. Singh equates the Naga army as criminals who “moved about with arms and in uniform with impunity, collected taxes, recruited men, and imported arms from abroad” (74-75). This is coupled with the Naga army link with China, and the latter politically indoctrinating the former to the Maoist communist principle that stated that “We do not want war, but war can only be abolished through war, and in order to get rid of the gun it is necessary to take up the gun” (77). Here it is important to recall Patel’s condemnation of the Communists in India for their use of violence as the means to an end, and that the only method to suppress the communist was through the state’s prerogative right to violence. Citing the breaches of law and the threat to national security, Singh launched an operation in collaboration to annihilate the Naga movement. The narrative achieves two things: one, the state as a liberating force against the criminals like revolutionaries, and two, the Naga movement’s lack of political vision, and the

need for foreign political indoctrination. But above all, Singh's narrative works to legitimize India's sovereignty even in its exceptional form.

V.R. Lakshminarayanan served in the Naga Hills in the late 1950s and early 1960s as a part of the Malabar Special Police that assisted the Assam Rifles in combating the Naga insurgency. In his autobiography *Appointments and Disappointments: My Life in the Indian Police Service*, Lakshminarayanan provides sensational accounts that stereotyped the Nagas as head-hunters. This cultural stereotyping begins immediately upon his arrival as he narrates that the assistant commandant who come to pick him asked him, "whether I had my personal weapon, I said 'yes, but in my suitcase.' 'Well! That will be a life too late Sir,' so saying he strapped a web belt and a revolver. Only then did I realise that it was the real thing, the insurgency in Nagaland" (51). This incident is immediate followed by a prophecy he recounted,

My thoughts went back to when a few months earlier, a native astrologer in Kerala not knowing the Madras Postings, had prophesied that soon I would be in a place where fire arms would be in a daily play. I took it, that my Ramnad friends would be upto some more mischief. Only on landing in Dimapur did I discover that astrology is not dubious stuff to be peremptorily dismissed. Either the Nagas hostiles were not aware of my arrival or they realised that my vegetarian head had no intrinsic value to induce them to waste scarce ammunition for transferring it from shoulder to their basket. (51)

This stereotyping is followed by the description of the Nagas as either noble or savages. Lakshminarayanan writes, "In Nagaland the people were plain honest. Leave anything on the road or in the jungle, nobody would care give it a second look. I had once lost my purse in the bazar and a few hours later one of the police patrols enforcing curfew saw it and restored it to

me. The exception was when it came to guns and arms. The most honest Naga could not resist picking your bag for arms. They murdered you for it” (52). But the savage imagery dominates the narrative,

The second or third night of my arrival, I was in bed blanketed and reading Nehru’s *Discovery of India*, when I heard a constant ‘phut-phut’ which I mistook for firing of crackers from the nearby Gurkha village. It took me some time to realise that they were reports of gun-fire and a sniper was taking his aim, and luck. I got out, switched on the veranda light to see for myself what was happening. In a split second, the sentry knocked down the switch with his bonnet and plunged us back into darkness. I remember vividly his words- “Well, sir, you may like to present the Nagas a good head, but not me. Don’t die before your time.” That was my first lesson in cover and tactics. (53)

The description of the Nagas as hostile head-hunters and the Naga Hills as a space of lawlessness foregrounds the hills as a space where exceptionalism is the only framework for the state to delegate sovereign power to the police and military to decide upon life and death. Further the narrative is cautious to warn that people who are ignorant about Naga insurgency may be inclined to consider the insurgency as political dissidence within a democratic process. Lakshminarayanan categorically condemns Phizo for misrepresenting India as an outside power taking over the Naga Hills (56). But the narrative is silent about acts such as Disturbed Areas Act (1955) and AFSPA (1958) that would give the impression of India as an occupation force. The only trace of military rule can be deduced in the long list of army officers that Lakshminarayanan described, of which one is described as

an enigma- so corpulent but nimble as a ballet artiste, equipoise in crisis, a picture of a cultivated gentleman loving the good things of life, straying as though by accident into this messy business of fighting but full of energy, combative and fierce in the field, a mosaic of a character. He loved his cigar and his beer, and was just the man to deal with the Naga problem, a combination of mailed fist and velvet glove. (60)

Such dual characteristics of an army officer on whom the sovereign power is delegated to decide over the life and death of the people in sovereign exception echoes Jacques Derrida's articulation that in "arbitrary suspension or rupture of right, runs the risk of making the sovereign look like the most brutal beast who respects nothing, scorns the law, immediately situates himself above the law, at a distance from the law" (Derrida 17).²⁵⁷

Like the narratives of police, the bureaucrat Avinash Dharmadhikari in his *Diary of a Decade of Agony* presents the frontiers of Northeast as a backward and lawless region. Dharmadhikari writes, "I remember a picture in my geography book- a tall, strong warrior dressed in tribal clothes and holding a spear in his hand. Over the years I became acquainted with the colorful handicrafts, shawls, vests and waistcoats from this region. But I had no idea that one of these days that spear, or rather, a machine gun was going to be pointed at the heart of India from the Northeast" (104). He also articulates that the Naga movement was orchestrated by foreigners thus reiterating the narrative convention that the insurgents lack any sound ideology or

²⁵⁷Jacques Derrida, *The Beast and the Sovereign*. Vol. 1, edited by Marlie-Louise Mallet and Michel Lisse, Chicago: The Chicago University Press, 2011, pp. 1-31.

political consciousness. Dharmadhikari cites the case of Michael Scott to make his argument.²⁵⁸ He states that it was “Scott who openly supported Phizo in his anti-Indian activities and who helped him to settle in England and who was eventually deported by the Indian Government for his subversive activities. The missionaries, for monetary or other reasons, foment separatism in these areas, publish pamphlets to encourage the Naga people to think they are not of ‘Indian stock’” (101). Dwelling on the lack of Indian political consciousness among the Nagas and the rest of Northeast, he reasons that the colonial Inner Line Permit system prevented the development of national consciousness. The permit system was introduced by the British colonial government in the hill areas that were characterized as backward that needed protection from the advanced Indians. Though the system mandated a person entering the hills areas to obtain a permit, according to Dharmadhikari it was “given freely only to Christian missionaries... By now the poisonous seeds planted by the British have grown into huge trees, bearing poisonous fruits. We could see this fruit ripen before our eyes, dripping the poison of secessionism” (104). These instances show that Dharmadhikari’s account reproduces the rationale of counter-insurgency that insurgency lacks the ideology and political consciousness that makes a nation-state.

But unlike the narratives of the police that foreground lawlessness and different stage of civilization to justify actions that are exception to the law, Dharmadhikari makes a conscious attempt to make Northeast as India in form, character and composition. The Indianess is established by tracing the history of Northeast states in the Indian epic, Mahabharata. He

²⁵⁸Michael Scott was an English clergyman who hosted Phizo in London and played a prominent role in the 1964 Nagaland Peace Mission. See J.C. Johari, “Creation of Nagaland: Triumph of Ebuilient Infra-Nationalism,” *Indian Journal of Political Science*, vol. 36, no. 1, 1975, pp. 13-38.

subscribes to the interpretation the Naga people mentioned in the Mahabharata constitute the present day Nagas (69). Furthermore, he harps on the possibility that the story of the five exiled Pandavas in Mahabharata took place in Manipur (105). Prakash Singh in *Kohima to Kashmir* makes a similar assertion with regard to the Nagas. Underscoring the Nagas lack of written culture which also marks their backwardness, Singh tried to convince the Nagas that they “were none else than the Kiratas frequently mentioned in old Sanskrit literature. The Mahabharata mentioned the king of Karump fighting on the side of Kauravas along with the Kirata warriors. The Ramayana also mentioned the Kiratas. The village elders listened to me with interest, but they appeared confused” (74). Although the practice of such revisionism may lack historicity, it gives such cultural imaginary a kind a form by advancing the ideas repeatedly. And such cultural imagination seeks to indoctrinate the Nagas into the Indian political subjectivity.

7. Techniques of governmentality/counter-insurgency/violence

O.S. Kalkat provides a thesis on the techniques of governmentality for counter-insurgency in *The Far-Flung Frontiers*. The techniques of governmentality that Kalkat suggest are biopolitical in the Foucauldian sense of subjectivization and optimization of life of the people living in areas hit by insurgency. Quite parallel to the narratives of the bureaucrats and police, Kalkat posits that the Mizos and Nagas lack a coherent Indian political consciousness. Kalkat writes, “The people are politically conscious and have made or are making process in education but unfortunately they have not yet been adequately integrated into the mainstream of national life. They are generally sympathetic towards the hostiles, who are their kith and kin, and are not well disposed towards the security forces” (69). To develop a coherent Indian subjectivity and alleviate the image of the India perceived as a repressive occupation force, Kalkat advances techniques designed to win the ‘hearts and minds’ of the people. The first technique is “the use

of security forces, on projects useful to the local population at all levels, in such fields as education, public works, agriculture, health and sanitation, and others contributing to the economic and social development of the area would certainly serve to improve the standing of the security forces with the population” (73). According to Kalkot, such civic actions would enable the development of cordial relationship between the army and the local population, and change the image of India as an outside occupation force.

Kalkot theorizes that insurgency developed among the Nagas and Mizos because these ethnic groups “were left very much on their own, and loosely administered under the British regime, it has led the people of these areas to have no ties with the rest of India” and “unfortunately the Assam State Administration after independence has not been able to win over these people” (77). This failure to establish India’s sovereignty is further highlighted by the parallel state administration developed by the insurgents that is accepted by the local population thus legitimizing the insurgent movements (78). To counter this insurgent tactic, Kalkot suggests a resettling scheme. This technique of government would regroup multiple villages into larger units guarded by the military. The technique would weaken the insurgents as they are dependent on the people for food, information and recruitment. The scheme would also deny the insurgents to control the territory and population, and enable the state to convince the people that they are supporting an unjust cause stirred by the propaganda that India would exploit them and forcibly convert them to Hindus (78-80). This along with the organized aid in the form of development projects that would provide job opportunities, which would in return improve the economic and social conditions of the people, would persuade people to transfer their allegiance to India (84-90). Kalkot posits that this technique of government would improve tactical mobility of the

military for surveillance and also the state's legitimacy over the territory with its developmental projects.

Though Kalkot's techniques suggested the need for coordination between civil and military administrations, his articulation of shared administration is contradictory. As he puts it, "once civil authority hands over the situation to the military commander, no interference with the military side of operations should be brooked" (74). Such articulation that favors the military and undermines civil rule reinforces "a space in which the normal order is *de facto* suspended and in which whether or not atrocities are committed depends not on law but on the civility and ethical sense of the police who temporarily act as sovereign" (Agamben 174).²⁵⁹ This is particularly true in Mizoram where villages were regrouped into larger units under the Progressive Protected Village (PPE) scheme to counter insurgency. The task to set up protected villages was given to the military, after which the reins of administration were to be transferred to the civil authority. Quite contrary to the design of the scheme, the military created a biopolitical space where life was stripped into bare life. Vijendra Singh Jaffa who served as an additional district magistrate in Mizoram recounted a personal account of an army officer involved in relocating Darzo Village under the resettlement scheme.²⁶⁰ To quote

My orders were to get the villagers to collect whatever moveable property they could, and to set their own village on fire at seven in the evening. I also had orders to burn all paddy and other grains that could not be carried away by the villagers to the new centre

²⁵⁹Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare life*, Translated by Daniel Heller-Roazen, Stanford University Press, 1998.

²⁶⁰Vijendra Singh Jaffa recounted an army officer's confession in Lalkhama, A Mizo Civil Servant's Random Reflections, Express Print House, 2006.

so as to keep food out of the reach of the insurgents... I called the Darzo Village Council President and his village elders and ordered them to sign a document saying that they had voluntarily asked to be resettled in Hnahthial PPV under the protection of the security forces as they were being harassed by the insurgents. (as quoted in Lalkhama 177)

The officer's account further reveals that

They refused to sign. So I sent them out and after an hour called them in again, this time one man at a time. On my table was a loaded revolver, and in corner stood two NGOs with loaded sten-guns. This frightened them, and one by one they signed both the documents. (as quoted in Lalkhama 180)

Such account reaffirms Agamben's articulation that the creation of bare life in the political space constitutes the originary nucleus of sovereign power. Lalkhama in *A Mizo Civil Servant's Random Reflections* draws the genealogy of these techniques of violence to British colonial practice. He writes, "Burning of villages and food stores was the cruel method employed by a British officer R.B McCabe in 1891 to crush Mizo resistance to the invading British India forces. McCabbe believed that by want and privation the Mizos would be forced to accept his terms and surrender...How the same method could be employed in free India against the people who had no involvement in the MNF insurgency was beyond their imagination" (180). Lalkhama's description of law and order condition draws our attention to the condition of law in the state of exception. He writes, "There was also a complete collapse of juridical system. A justice system, capable of investigating offences of abuse of power and punishing those guilty was almost absent. This resulted in the detention and incarceration of hundreds of people without any

specific charges of offence” (180-81). Here the status of law reflects the condition of law in the state of exception where the suspension of law define law’s threshold or limit concept (Agamben 4).

The above sections looked at how the ordinary rule and extra-ordinary rule are narrativized as a convention without resolving the contradicting modes of realism (ordinary) and romance (extraordinary). It also looked at how the narratives of bureaucrats and police foreground the lawlessness to justify the use of excessive violence and how the techniques of governance are intrinsically linked with reducing life to bare form without rights. The following sections will look at how the representations of this sovereign violence are contested and challenged by the literatures from the disturbed areas.

8. Localization of Exception, Force-of-law, Zone of indistinguishable and *Homo Sacer*

The literary texts this chapter engages come under the rubric of literary history. Jonathan Arac in “What is the History of Literature?” argues that certain works of literature have the characteristic of ‘national’ because they constitute the collective memory of a national space, time and people.²⁶¹ For instance, Mark Twain’s *Adventure of Huckleberry Finn* engages with the practice of slavery in America and also the highly hierarchal racial relationships that have the characteristics of national (30). Text like *Adventure of Huckleberry Finn* possesses a historical agency that makes it a legitimate source for a historical study of a nation’s history. Drawing on Arac, this study will analyze the primary literature as a means of historical agency that reconstructs the history of exceptionalism, a practice on which India’s democracy underpins on.

²⁶¹Jonathan Arac, “What Is the History of Literature?” *The Uses of Literary History*, Duke University Press, 1996.

Easterine Kire's *Bitter Wormwood*, Malsawmi Jacob's *Zorami: A redemption song*, and Shahnaz Bashir's *The Half Mother* will be analysed as literary history that narrates the history of a nation.

The works of Kire, Jacob and Bashir can be categorized under what Arac calls 'local narratives.' This form of narrative is more restricted than the national narrative in the sense of geography and the scale of human experience (27-28). It deals with a region of the nation-state as the locale of the narrative. But what gives these novels from the regions of Nagaland, Mizoram, and Kashmir, a national dimension is the subject matter they deal with which is the history of the state of exception in post-colonial India. The suspension of law under the Armed Forces Special Power Act that releases a force-of-law engages with one of the longest juridical issues in India: what human relations and legal relations exist in the juridical void, and how to govern the frontiers to ensure the unity of the Indian Union? Here literary narrative operates as literary history that defines "a relation of our present to a past" and "functions as a mode of social memory" (Arac 30). Easterine Kire underscores this in the forward of her novel where she states that the book is not intrinsically a conventional history textbook but its historical agency lies in reconstructing "the ordinary people whose lives were completely overturned by the freedom struggle. Because the conflict is not more important than the people who are its victims" (6). In what follows, this study will illustrate the reconstruction of the state of exception in the novels from disturbed areas.

India's response to political dissents in Kashmir, Mizoram and Nagaland has been the declaration state of exception with the proclamation of AFSPA. As elaborated in the conceptual section, the state of exception cannot be localized in the juridical order as it introduces a juridical void where order and chaos becomes indistinguishable; but it does become localizable when the

exception becomes the fundamental political structure and the rule. As Agamben puts in *Homo Sacer*,

when our age tried to grant the unlocalizable a permanent and visible localization, the result was the concentration camp. The camp- and not the prison- is the space that corresponds to this originary structure of the *nomos*. This is shown, among other things, by the fact that while prison law only constitutes a particular sphere of penal law and is not outside the normal order, the juridical constellation that guides the camp is marital law and the state of siege. (20)

Agamben further states that the camp has metamorphosed and disguised in the modern political space, and one must learn to recognize the absolute biopolitical or thanatopolitical space to understand the exception as the rule (123). This state of exception where the relationship between localization and ordering is severed took form in Mizoram under the Defence of India Rules, 1962. This defence act, Nandini Sunder argues, created spaces of non-citizenship in places declared as disturbed areas (50).²⁶² The spaces of non-citizenships were established in Mizoram through the scheme of grouping villages under the defence rules. The grouping of villages was carried out in four phases: Protected and Progressive Villages (PPV), New Grouping Centres, Voluntary Grouping Centres and Extended Loop Areas (Nunthara 1237).²⁶³

This sanction of the state to concentrate multiple villages in larger units is the subject matter of memorial reconstruction in Malsawmi Jacob's *Zorami*. The novel is a national or to be

²⁶²Nandini Sundar, "Interning Insurgent Population: The Buried Histories of Indian Democracy," *Economic and Political Weekly*, vol. 46, no. 6, 2011, pp. 47-57.

²⁶³C. Nunthara, "Grouping of Villages in Mizoram: Its Social and Economic Impact," *Economic and Political Weekly*, vol. 16, no. 30, 1981, pp. 1237+1239-40.

precise a sub-national narrative (within India) of the Mizos. It narrates the history of the Mizos as an independent nation, and the colonial experience that tied the Mizos' political destiny with India. The chapter titled 'Fenced In' illustrates the biopolitical space of the grouping centre in two senses: one, as a space where life would be regulated and optimized; and two, as the absolute space where the sovereign power given to the military depoliticizes life. The former is highlighted with a subtle irony by the villagers working at the grouping centre. The narrative reveals:

"They did tell us there will be plenty of jobs after we get independence. They are right. We have more jobs than we ever did before," Kungi joked as she handed another bamboo to her husband.

The workers laughed. "Very true. The only trouble is, we thought a job meant being paid for the work you do," Duha, Kungi's neighbour, added. (113)

Grouping of villages is a phenomenon that resonates across conflict zones in the world. The rationale of the planning was to protect the people and eliminate insurgent underground organization in the village, to unite and involve the people in positive actions on the side of the government and to develop the social, economic and political life of the people. Towards these ends, the state provided schools, medical care, markets, improved agriculture methods and communication means, village elections and then eventually elections to state legislature (Thompson 124-25).²⁶⁴ Village grouping in Mizoram was also designed on the same rationale but, more than often, the people were forced rather than persuaded to move to the grouping

²⁶⁴Robert Thompson, *Defeating Communist Insurgency: The Lessons of Malaya and Vietnam*, Frederick A. Praeger, 1966.

centres.²⁶⁵ Although the grouping scheme ensured free rations, water, school and employment, it instead transformed “a self-sufficient economy of small peasants into...a large mass of landless labour, looking vaguely for work, everyday. Only, in this case, there were no landlords” (Rangasami 657).²⁶⁶ The novel *Zorami* underscores these socio-economic conditions of the people living in the grouping centres where they were forced into labour without any rumination. The grouping centre was not the biopolitical space of the *bios*, and life was no longer the object of state’s strategies and technologies to develop, optimize and secure life. This transition of productive biopolitical space into an absolute space is succinctly captured in the novel. The narrative reveals, “The hands and feet were busy throughout. Looking at those men and women working, an outsider might have thought they were engaged in normal activity. There were more than a hundred of them, young and old, building a wood and bamboo fence around the village. In effect, they were building a prison for themselves” (114).

The chapter further details how the army stormed Darman village. The narrative reveals the people were ordered “to move to this new location to become part of a ‘grouping centre’ where three villages were merged into one. The people had to live in tiny shacks, made with whatever material could be found around and put up hurriedly, since the fencing work was more important to the new rulers” (115). These lines subtly reveal the enclosure of the village and the transfer of administration from the civilian government to the military thus entrenching the camp-like setting. The fence of the grouping centre like the fence of the camp “delimits an extratemporal

²⁶⁵The Mizo people in general considered the grouping centers as concentration camps operated by Nazi Germany.

See C. Zama, *Untold Atrocity: The Struggle for Freedom in Mizoram 1966-19886*, Power Printers, 2014.

²⁶⁶Amritha Rangasami, “Mizoram: Tragedy of Our Own Making,” *Economic and Political Weekly*, vol. 13, no. 15, 1978, pp. 653-662.

and extraterritorial threshold in which the human body is separated from its normal political status and abandoned, in a state of exception, to the most extreme misfortunes” (Agamben, 159).²⁶⁷ This camp-like setting is further heightened by the meticulous regulation and surveillance of the people in the grouping centres. To quote from the novel, “the villagers were not allowed to go outside the boundary without a permit issued by an army authority. And everyone had to be back before dark. Their farmlands were away from the grouping centres and much time was spent walking to and from the farm... This meant starvation” (115). The narrative furthers that the detail presence of the army was aggravated by curfew and “many people were tortured to death for breaking the curfew. No one was allowed to come out of their homes after dark. This was great punishment for a people who loved to socialize. And since there were no toilets inside the house, they had to creep out sometimes. Those who were caught were hung upside down over the latrine pits till they became unconscious” (116). The enforcement of prohibitions, creation of unpredictable environment of violence and death, and the reduction of identity to a certain number in the permit or roll are emblematic features of the camp and military rule (Hausmair, 473).²⁶⁸ Through the reconstruction of the grouping centres, the novel narrates a history of exceptional power where the force-of-law or rather orders which are not laws but have the force of law removes life from *bios*, the qualified life of the citizen in the *polis*, and reduces life to *zoe*, an anonymous bare life without rights in the sovereign ban.

²⁶⁷Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare life*, Translated by Daniel Heller-Roazen, Stanford University Press, 1998.

²⁶⁸Barbara Hausmair, “Identity Destruction or Survival in Small Things? Rethinking Prisoners Tags from the Mauthausen Concentration Camp,” *International Journal of Historical Archaeology*, vol. 22, no. 3, 2018, pp. 472-491.

The metamorphosis of concentration camp which Agamben has alarmed us about took the forms of detention centre, interrogation centre and army camp in Kashmir.²⁶⁹ The novel *The Half-Mother* by Shahnaz Bashir illustrates this metamorphosis of Kashmir's landscape into a town garrisoned by the army in the 1990s. The story revolves around Haleema's search for her son, Imran, who has been picked up by the army on a false account of being involved in insurgent activities. Set in Natipora, the novel highlights the mushrooming of army camps and interrogation centres in Kashmir. Imran was picked up by Major AmanKushwaha who was based in an army camp that was a kilometre from Natipora. Imran's enforced disappearance from the camp further led to another search in a camp randomly named Malaysia, which was just four kilometres from Natipora. The trail then led to Papa II, one of the two main interrogation centres in Kashmir. The centre was previously a stately mansion of the Kashmir's last monarch which overlooked the Dal Lake, boat houses, the foothills of Mount Harmukh, and the snow draped mountains in north. The location of Papa II (interrogation centre) that oversees Kashmir resembles a panopticon, a circular prison with the cell supervisor and a rotating floodlight at the centre to monitor the prisoners. This form of surveillance is asymmetrical in the sense that only the supervisor at the centre could see. Here Foucault's description of the panopticon in *Discipline and Punish* is insightful, "Each individual, in his place, is securely confined to a cell from which he is seen from that front by the supervisor, but the side walls prevents him from coming into contact with his companions. He is seen, but he does not see; he is the object of information, never a subject in communication" (200).²⁷⁰

²⁶⁹Guantanamo Bay detention camp is the emblematic space of exception for Agamben.

²⁷⁰Michel Foucault, *Discipline and Punish: The Birth of the Prison*, translated by Alan Sheridan, Vintage books, 1995.

Much like the panopticon that is devised for disciplining and subjugation, Papa II is instituted for surveillance and to subjugate life into bare form. The expansion of military rule into the civilian space is further heightened by the presence of the bunkers. The bunkers introduce a zone of indistinction between public and private, order and chaos. The protest by Ab-Jaan, the grandfather of Imran Joo, is particularly revealing. He protested, “The bunker will be a nuisance- you will always be intruding our homes” (26). And as the military presence grew, the narrative reveals, “Seasons- winter, spring, summer, and autumn- came and went. People kept dying, houses and school kept crumbling. Bunkers and army camps mushroomed.” And it is later revealed, “Kashmir almost couldn’t tell itself from the maze of bunkers” (85). The camps and bunkers are signifiers of state surveillance and the physical manifestation of state of exception where what is lawful and lawless is blurred.

This chain of camps and interrogation centres shows that the whole of Kashmir had been garrisoned by the army and this brings us to the question of the law in force. Here, the scene at the police station where Haleema had gone to file Imran’s missing case is particularly illustrative. On being approached to register a case, the police constable said, “It has been a long time since we filed an FIR. A long, long time. Actually, we cannot lodge an FIR against the army. Our job is now confined to identifying, carrying, delivering dead bodies to the families. That is the job of the police now” (63). This particular scene reveals the structure of sovereign ban where law is force but without significance. Here the significance point of law is zero and it has no content. It does not signify and neither does it prescribes nor forbids. Law applies to men “in the form of a pure relation of abandonment” (Agamben51).²⁷¹ In other words, law does not

²⁷¹Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare life*, translated by Daniel Heller-Roazen, Stanford University Press, 1998.

perform its function which is to regulate and safeguard. In life under force of law without significance as the structure of exception even an innocent gesture or forgetfulness can have extreme consequences. Likewise, Imran's case is bizarre and ridiculous. Imran was picked up by the army for being a namesake of Imran Bhatt who was involved in insurgent activities. And what ensued where Haleema had no legal recourse and Imran had no legal rights (life and personal security) underlines the sovereign ban, emptiness of law.

The state of exception that produces bare life is not confined merely in camps or detention centres; rather it has encapsulated every biopolitical space. Easterine Kire's *Bitter Wormwood* narrates the life of Moselie that runs parallel with the political developments between the Nagas and India. Set in Nagaland, where the Armed Forces Special Powers Act was first implemented, the novel highlights the permanence of state of exception as the rule and the creation of bare life as a constituent feature of democracy. The warrantless killing of Moselie's grandmother, Khrienou, clearly reveals the relationship between the sovereign and the people in the state of exception. A fellow villager describes Moselie the events leading to Khrienou's killing.

We have seen them (army) for the past five days in our woods. We thought that if they saw us peacefully cultivating our field, they would not harm us. But when we finished working, there was a shout and they began to shoot towards the fields. We don't know if they were trying to scare us or if they were aiming at us and missing. It happened so fast.

One of the shots hit your grandmother. I'm sorry lad; this is such a terrible thing. (71)

The description of the events conjures up a nightmarish Kafkaesque atmosphere in which individuals are powerless and incomprehensive of the situation they are in. This lack of certainty and security transforms life into bare form where an individual cannot resist but only be sorry for

one's condition. The *zoe* that is politicized and metamorphosed into *bios* by declaration of right is redefined again as the exception bring in order a new living dead which is the *homo sacer*, a condemned man who can be killed with impunity. The suspension of rights revokes the "supplement of politics [politica] tied to language, on a community not simply of the pleasant and the painful but of the good and evil and of the just and the unjust" (Agamben3).²⁷² The fact that Moselie could not take up legal proceedings and his clansmen could only arrange a funeral and weep throughout the night symbolizes the reduction of life into *zoe*, common to animals and human alike, a life without language and law that can only voice signs of pain and pleasure and not the concept of just and unjust. This situation reveals the structural relation between the sovereign and the people in the state of exception and that is "the sovereign is the one with respect to whom all men are potentially *homines sacri*" (Agamben 84).

The Naga movement is still an ongoing political issue in India. Over the course of the conflict, there have been many attempts to restore peace and the rule of law. The Peace Mission of 1964 and the Shillong Accord 1975 are two of the many instances to resolve the political issue and cease fire. Alex Waterman has regarded the Indo-Naga cease fire agreement of 1997 as one of the world's longest truces.²⁷³ This agreement has paved the way for a solution within the framework of Indian constitution. But between then and now, the Indian government has used a mix of restraint and extreme counterinsurgency methods. The series of political talks between Indian state leaders and the Naga leaders, and the 2021 Oting firing incident are illustrations.

²⁷²Agamben, Giorgio, *Homo Sacer: Sovereign Power and Bare life*, Translated by Daniel Heller-Roazen, Stanford University Press, 1998.

²⁷³Alex Waterman, "Ceasefire and State Order-Making in Naga Northeast India," *International Peacemaking*, vol. 28, no. 3, 2021, pp. 496-525.

This paradox is captured in the novel *Bitter Wormwood*. In a conversation on the issue of impunity clause in AFSPA, Neiteo made an outburst, “Why the hell is the AFSPA still in force if there is a cease-fire? That itself is proof that the cease fire and the peace talks don’t mean anything to Indian government... The Delhi government is playing with us now as it did in the sixties” (172). What these lines highlight is that the state of exception is not a paradigm of government during civil war or insurrection; rather it has become the rule. In other words, people in this region of the country has lived in a permanent state of exception, an undeclared emergency that has made India subsist as dual state.

The works of Kire, Jacob and Bashir illustrated a history of sovereign power that normalized extra-legal space to govern/abandon its citizens/subjects. It brought into the national narrative the discourse of anti-civilian ideologies, to use Hugo Slim and Deborah Mancini-Griffoli’s term, perpetrated by the state through means of forced grouping, mass killing, torture, detention and rape.²⁷⁴ Through the characters the narratives reveal the structures of state of exception that exist in parallel with the legal constitution for most of India’s post-colonial period. In the following section, the study will look at life in the state of exception.

9. Anomie, Form of life and Way of being

Amanda Anderson in “Thinking with Characters” draws our attention to the function of the novel and the characters in presenting forms of experience.²⁷⁵ Anderson writes that character “helps writer present forms of inner experience that are extremely difficult to capture in other

²⁷⁴Hugo Slim and Deborah Mancini-Griffoli, *Interpreting Violence: Anti-civilian thinking and Practice and how to argue against it more effectively*, Geneva: Center for Humanitarian Dialogue, 2007.

²⁷⁵Amanda Anderson, Rita Felski and Tori Moi, *Character: Three Inquiries in Literary Studies*, University of Chicago Press, 2019.

media or in the academic genres of the human sciences” (130). Anderson argues the form of thinking that best represents a character is ruminative thinking. And the form novel has a special capacity to “convey the phenomenology of the thinking life” (131) and “literary narratives engage us in forms of life, present us with ways of being” (132). Ruminations are presented in the novel either through free indirect discourse/second-order rumination (narratorial perspective) or through direct interior monologue/speech/dialogue of the character. Anderson distinguishes rumination from other forms of thinking like the stream of consciousness. Rumination is a form of reflection that is occasioned by an attempt to come to terms with a particular shock or disturbance. On the other hand, stream of consciousness focuses on nonlinear, idiosyncratic and over determined aspect of everyday life. She further states that ruminations “are the results of moral shock or disturbances: tragic occurrence, disgrace, status injury, injustice, alienation among friends or family members, and loss or threatened loss. They involve attempt to come to terms with these situations and often involve acute ethical dilemmas about how to act given competing claims or internal ambivalence” (133). In other words, rumination is oriented towards interpersonal and social contexts that form the background of the novel. This form of thinking reveals a character’s thought process that involves indecision, social critique, and decision (137). And the novel has the capacity to capture this rumination which is characteristically circular in process and repetitive with a sense of attachment, and present the processes of eventual acceptance or resignation. Anderson uses rumination as a form of moral thinking to understand the moral life of literary characters. Here, the concept moral is used in reparative or ameliorative sense and not merely the prism of good and bad, right or wrong (135). In a nutshell, Anderson argues that rumination as a method of analysis can engage with forms of life and ways of being

that literary narratives provide through characters and also map the moral growth of the character with the novel's emphasis for an ending or epiphany.

Taking cue from Anderson's elucidation of rumination to understand the life of literary characters and forms of experience in novel, this section will look at the ruminative thoughts of characters living in state of exception, the critique of anomie that the state of exception introduces, and the ways through which characters come to terms or cope with the exception. The titular character of the novel *Zorami* displays continuous ruminative thinking throughout the novel. Zorami's ruminations are triggered by two traumatic events: the rape incident by an Indian military man; and the military rule in the civilian space. These two events have injured her honor and instilled an intense sense of injustice. Zorami was a victim of rape committed by an Indian army man and much of her ruminations stem from this incident. As a rape victim whose honor cannot be restored, she is considered damaged goods. This is shown through her interior monologue and free indirect discourse of the narrator. The issue of her honor escalated with the prospect of marriage as she was unable to overcome her past and think through about conjugal duties. In an emotional outburst after her father, Thanchhunga, called her a damaged girl, she muttered to herself, "Damaged, damaged, damaged! I am damaged goods they want to get rid of! They want to dump me on an unsuspecting customer" (62). Although Sanga agreed to married Zorami out of love and not pity, the marriage could not erase the trauma and stain in her honor. The free indirect discourse or second-order rumination reveals,

She wondered whether he had regretted marrying her. He had decided to go ahead with the wedding after she told him about her past. Did he do it out of a momentary impulse? Or did he marry her out of pity?

Romance was missing between them, she admitted. No passionate holding hands, no exchange of special smiles, no gazing deep into each other's eyes. She had thought such things were done by newly married couples. But in their case all was mundane and matter of fact right from day one.

...The more she thought she thought about it, the more she sensed all was not well. She felt a dense shadow hanging between them, blocking their coming together heart and soul. (190)

The moral time or the slow time invested in processing a profound experience as Anderson puts it, reveals Zorami's ruminations spiraling from dilemmas to the brink of insanity. The trauma of rape becomes a barrier for pregnancy as Zorami could "never give herself to him fully. There seems to be a cold, hard core inside her that nothing can melt. She desires to melt, to flow in a gushing, splashing rivulet. Yet she stays frozen" (64). The dense shadow manifests as a black snake in her mind and on her wedding night the narrative reveals "she knew what was expected of a bride on her wedding night. She was aware of the 'conjugal duties' of a woman. It now filled her with dread. Nonetheless, she made up her mind to fulfill those duties. But. The black snake undid her. She cried out in terror" (213). This haunting imagery turns into pathological abnormality as she begins to hear voices in her head. To quote, "*Crying is useless. And you are useless. The demon continues. O yes, except for one thing, for use by men in certain way. But for that, you know, you only have to be a lump of flesh*" (245, emphasis original). Zorami's ruminations can be characterized as deflating self-reflection which is caused by injury to her honor.

Zorami's prolonged negative rumination is also the result of injustice or rather the absence of justice. The injured honor evokes rumination on the question of justice. After the signing of Mizo Accord 1986 that ended the political uprising in Mizoram, the idea of reconciliation floated. While listening to a church sermon on love that can forgive even the enemies, Zorami ruminated, "Not fair. Why should that beastly army man-she grit her teeth at the image that rose in her mind- or the likes of Ralkapa, be saved? Where's the justice in that?" (180). Zorami's sense of injustice is furthered by the circumstance of anomie. Military actions carried out during the anomie that the state of exception introduces neither execute nor transgress the law. Rather the actions are execution the suspension of law, and legal definitions for these actions lie beyond the sphere of the law (Agamben 50).²⁷⁶ Zorami's circumstance offers a social critique particularly with regard to injustice and power relations. Her interior dialogue expresses the disillusionment with society and power (which regulates life) that passed off loss of life, property and honor as mere collateral damage. It highlights a lacuna in the law that cannot be in be filled even after the restoration of the juridical order. On another level, it also highlights the irony of the state of exception which was introduced to safeguard public order but instead only safeguard men like Ralkapa (an informer) and the army man who raped her. This brings us to the view that the success of counter-insurgency cannot be measured by the methods like the success of village grouping or military rule in civilian space because it does look at success from the view of the uprooted and imprisoned (Sundar 48).²⁷⁷

²⁷⁶ Giorgio Agamben, *State of Exception*, translated by Kevin Attell, University of Chicago Press, 2005.

²⁷⁷ Sundar Nandini, "Interning Insurgent Populations: The Buried Histories of Indian Democracy," *Economic and Political Weekly*, vol. 46, no. 6, 2011, pp.47-5.

Unlike Zorami who was a direct target of violence, Haleema's interior thoughts in *The Half-Mother* are structured by the warrantless arrest and enforced disappearance of her son Imran by the Indian army. Her thought processes reveal her struggles to find Imran and to consider his fate, and cope with the form of life as a half-mother. Much of Haleema's ruminations that focused on Imran also detail her slippage into cognitive impairment, hallucination and eventual resignation. The deterioration of Haleema's obsessive mind is revealed as second-order rumination, "One morning, the first sound that struck Haleema was a faint chirping of birds. She gulped down half a dozen of coloured pills and half a glass of water after each. Once done, she locked the gate and stopped for a moment to remind herself where was headed to" (70). In another episode, the narrative reveals,

She was unsteady on her feet from the long bus journey. Her mind was full of noises and dark thoughts. She sat inside the bathroom on a low wooden stool to perform ablutions for the *magrib*. Some wet patches on the dry cement surface of the bathroom had morphed into ghostly shapes, creating an optical illusion. She studied them with awe. A ghostly figure with a wide open-mouth seemingly shouted back at her... Suddenly her mind was full of despair and frustration. *This is not going anywhere*, she thought. She had put everything at stake, spent all her time searching for Imran. (106-107)

Though overwhelmed by the odds of finding Imran, Haleema had few moments of moral growth. While waiting outside Papa II in the hope of seeing her son, the narrative reveals, "Hours passed; she waited and wriggled. Her mouth had dried up. She was feeling thirsty, hungry and suicidal. Yet each time she thought of death, she felt strictly accountable to life. It was the hope of seeing Imran that made her feel so" (87). Instance of such high moral drove her to take up the leadership role in the Association of Relatives of the Disappeared Persons and file

a *habeus corpus* petition in the court. The writ *habeus corpus* is a legal recourse where a person can file a case of unlawfully detention and request the court to summon the officer-in-charge to bring detainee to the court to determine the lawfulness of the detention. The modern usage of this law can be traced to the 16th century in cases where the applicant is in prison and is denied a bail without the prospect of a quick trial. This writ is, however, subjected to suspension in circumstances of political uprising. The American Civil War, 1861 and Fenian Rising, 1866 are instances where the writ was suspended by the congress or executive branch (Foster 665-66).²⁷⁸ In the Armed Forces Special Power Act, this legal provision has not been suspended since section 5 of the act states that any person who is arrested should be handed to the officer in charge of the nearest police station, after which court trial will follow suit. However, this has been bypassed by the army as they take the arrested person to their camp for interrogation and detention. And thus the writ in one sense become *inexecutable*, to use Agemben's word, when the person goes missing in the custody of military forces. This brings out another lacuna in the juridical system and invites social assessment.

The writ *habeus corpus* occasions a critique of a form of life called 'half-mother', an intermediary between mother and vilomah. The writ becomes *inexecutable* when Major Kushwaha is declared dead after a court session and Haleema is transformed to a half-mother. Haleema's inner thought is revealed in second-order rumination, Haleema "was stunned at hearing the news, but not relieved. She grieved at the fact that he had been the only one who could tell her what happened to Imran, and now, with the news of his death, ... She didn't even know that she had begun to weep, and everyone she passed by was awfully staring at her. *Imu* is

²⁷⁸Rufus E. Foster, "The Suspension of the Writ of Habeas Corpus," *The Virginian Law Register New Series*, vol. 3, no.9, 1918, pp. 665-672.

not alive, her heart was telling her” (154). The indirect narrative reveals the paradoxical condition of half-mother. The ‘half’ form of life is paradoxical because even though there is uncertainty about the existence of the missing person, the people looking for them do not get an official recognition of their status as there is no proof of death (Qutab 258).²⁷⁹ The life of half-mother and half-wife exist exterior to the juridical order since the law is incapable to describe or prescribe them any legal status. And the life of half-mother is no different from a *homo sacer*, a living dead man, who may be killed with impunity, since there is no concept of protest in the state of exception as the state has the monopoly on violence to suppress any protest and normalize the exception. This is particularly evident in the novel where an event to lay the foundation of memorial stone for the missing people was disrupted by the state forces with brute force, thus exposing the half-mother to violent force of law like the *homo sacer*.

Ruminations in the novel *Bitter Wormwood* accentuate a more nuanced form of life in the sovereign exception. The central protagonist of the novel Moselie is a potential *homo sacer* not only in relation to the sovereign state but also in relation to the underground state revolutionary government formed by the Naga nationalists. In the heady days of Naga nationalism, Moselie joined the Naga army to liberate Nagaland from India’s colonial rule but he withdrew after a disillusioning prospect of the movement when Nagaland became a state within India 1963. Though Nagaland became a state, military rule in the state never ceased. The Indian state used laws like Unlawful Activities Prevention Act in conduit with AFSPA to outlaw the revolutionary outfit and construed its own notion of national and anti-national. As a counter approach, the revolutionary force came up with its own understanding of patriots and traitors. This highlights

²⁷⁹Soudiya Qutab, “Women Victims of Armed Conflict: Half-widows in Jammu and Kashmir,” *Sociological Bulletin*, vol. 61, no. 2, 2012, pp. 255-278.

an extreme situation in the state of exception where the force of law can be claimed both by the state authority and revolutionary organization (Agamben 38-9).²⁸⁰ Moselie's ruminations in free indirect discourse reveal the dilemma of living in between these two parallel world orders. In the chapter 'The List', the narrative reveals Moselie's anxiety of being named in the watch list of the state investigation bureau, "Mose felt tense for the next few days. Whenever he opened the shutters of his shop, it was with a feeling of deep unease. Would this be the day they come to arrest him, he would think and just as soon as the thought came, he would try and stop its course" (131). And in the chapter 'The Violence Spreads,' the narrative reveals the sovereign form power of the revolutionary army, "these men lingered long enough to make Mose feel suspicious of them, their eyes darted everywhere, into the dark corners in the shop and followed Mose if he went into the back room to fetch something. Beady-eyed men. At first Mose thought they all dressed alike, but after some visits, he realized it was not their clothing, but their manner that that made them all look similar" (146).

When the Unlawful Activities Prevention Act and AFSPA suspend the rule of law, "a sovereign form of power re-emerge-that is, a unilateral, unaccountable, arbitrary and extra-legal form of power" (Downey 111).²⁸¹ This sovereign form of power is open for grasp by the state and the revolutionary organization. This put Moselie in a double exclusion or sovereign ban. Moselie is a potential condemned man whose name surfaces in the list prepared by the state intelligence bureau because he is a loyalist and sympathizer to the outlawed outfit. And for the revolutionary army, he is condemned as a traitor for abandoning the Naga cause. Mose's

²⁸⁰Agamben, Giorgio, *State of Exception*, translated by Kevin Attell, University of Chicago Press, 2005.

²⁸¹Anthony Downey, "Zones of Indistinction: Giorgio Agamben's 'Bare Life' and the Politics of Aesthetic," *Third Text*, vol. 23, no.2, 2009, pp. 109-125.

dilemma of living in two world orders reveals a social set up of exception where he can be banned as a condemned man to whom the law ceases to apply and be reduced to a *homo sacer* by a sovereign decision. And parallelly, he is also a *homo sacer* in relation to the revolutionary force whose decision has the force-of-law. Moselie eventually dies trying to settle an extortion scuffle between the revolutionary army and a migrant worker.

The arbitrary manner in which the military exercised the force-of-law brings forth the question of the possibility of protest and how people coped in the zone of indistinction between law and lawlessness; and life and death. With regard to protest, the novel *The Half-Mother* provides an illustrative answer to the possibility of protest in the sovereign exception. The following day after Imran was taken into custody by the security forces, Haleema and her neighbourhood gathered on the road leading to Natipora army camp. The reaction of the army is captured in the following narrative,

Initially, the troops inside the bunker at the shrine watched silently. After sometime, a trooper spoke rapidly into his sibilating, black walkie-talkie: “Alpha Charlie Alpha Tango. Charlie One Hello! Dharna, Dharna, Charlie one. Over!”

Minutes later, a picket of troops donning camo jackets arrived from nowhere...

First, they caught hold of some of the boys by their collars and kicked their behinds repeatedly, as if a football team was rehearsing its pre-match dribble. Then they began showing volleys of expletives. “Saala, attempting a sit-in huh? Saala!” (67)

Such a scene is identical to the narratives in *Zorami* and *Bitter Wormwood* and this brings us to the question of how people coped and cultivated themselves in the sovereign exception. The novels demonstrate two ways in which people coped with the traumatic experiences: one,

social coping; and two, religious or spiritual coping. Social coping refers to a strategy to cope “a stress situation by tapping resources from one’s interpersonal relationship” (Hariharan and Rath, 139).²⁸² Spiritual coping refers to turning to god or religion for emotional growth to cope with loss that is irretrievable (184). Zorami’s ruminations also reveal her self-cultivation and how she came to terms with her injured honor. Zorami’s psychological breakdown reached a breaking point when the voices inside her labelled her as only a lump of flesh (lifeless) pushing her to contemplate death. In this delirious state of mind, Zorami experienced a moment of epiphany in the biblical story of Lazarus, the man who was brought back to life from death by Jesus (250). The novel also highlights social coping marked by humor and resigned acceptance of the circumstance. The people in the village grouping center shared their horrific experience through humor as a way of coping. To cite a scene will be illustrative

“When the *vaisipai* burned our village, Pu Thanga was taking bath. As soon as he heard shouts that houses were burning, he ran out full speed, not thinking of anything else. Then he called to his wife, ‘Kungi, bring my clothes also!’ and ran on.”

They all laughed, imagining the grave faced church elder running out naked. Thanga had been trying to keep a straight face, but he finally had to join in the laughter, and said, “Pu Duha has made it all up! He was the one who ran out first from his house, grabbing a broom. It seems the broom was his most treasured possession in the house.” Another chorus of laughter. (114)

Here the community serves as a platform for support to overcome the trauma, but it also underpins their subdued subjectivity as a form of being in the state of exception. Likewise, in

²⁸²Meena Hariharan and Radhanath Rath, *Coping with Life Stress: The Indian Experience*, Sage Publication, 2008.

Bitter Wormwood the characters resorted to social coping as the means of coming to terms with the losses suffered during the anomie. Although rehabilitation steps like employment opportunity was offered to the former revolutionary army to resettle, the manner in which the constitution functions as a dual state, with the monopoly on violence as its second structure, provided no space of moral growth and lead to the ultimate resignation of life to the force-of-law. While co-ruminating on the Unlawful Activities Prevention Act, Moselie's wife, Neilhounuo, exclaimed in despair, "Oh! This conflict is eating us alive!" (122). The second structure that produces a form of life that can be easily discarded is described by Neituo, "It is just an excuse for the army to kill us, that is all that the AFSPA does" (169). These lines illustrate resigned acceptance of bare life as form of being in the state of exception, and it also underscores that when the exception becomes the rule, "the juridico-political system transforms itself into a killing machine" (Agamben 86).²⁸³ In *The Half-Mother*, the families of disappeared persons coped socially in the forum of Association of Relatives of the Disappeared Persons where they share their grievances and experiences, and also collectively resist the state's arbitrary function though legal discourse. And though the moral of the group is collectively high, they are forced to accept the uncertain fate of the victims and cope with the alterative of justice which is compensation, as the colonel who was defending the army in Imran Joo's case said, "In the end, we all have to cope with alternatives" (153). The novel illustrates the resignation of life to indecision to be a mother or half-mother as the form of being.

10. Literature and the production of sovereignty

The narratives of the bureaucrats, police and army, and the novels from the disturbed areas show that sovereignty and literature are not two distinct discourses concerning law and

²⁸³ Giorgio Agamben, *State of Exception*, Translated by Kevin Attell, University of Chicago Press, 2005.

aesthetics. The state simply does not appear in the background of the social milieu that the narratives deal with. Also the state actions do not only provide thematic connection between sovereignty and literature. The interface of these two disciplines helps in the production of sovereignty through the narratives that create cultural imagination where governmental discourses are played out and the limits of state's sovereignty is drawn territorially. As Andrew Hebard puts it sovereignty is mediated through literary conventions that helps legitimize state's actions (3). The life narrative of Wajahat Habibullah conventionalized the use of both ordinary and extraordinary laws as a part of governmental discourse. Avinash Dharmadhikari and V.R. Lakshminarayanan underscored the frontiers of India as lawless and violent to justify the use of sovereign violent exceptional power over the territory and population. Although Lalkama is critical of village resettlement as a technique of governance, his critique is not downright negative but rather illustrative of the flaw in the system. He writes, "When Defence Forces are deployed in internal law and order duties some excesses are bound to be committed. The Indian military forces had not received adequate training in the broader principles of human rights" (181). Lalkama is not dismissive of loss of life and property as collateral damage rather his critique seeks a corrective measure in the sense to improve the flaws in the technique of governance to justify India's sovereignty. In short, these narratives play a statist role in the production of sovereignty.

This brings us to the question of the role played by novels from disturbed areas in the production of sovereignty. Do they play a statist or antagonistic role? Easterine Kire and Malsawmi Jacob romanticized the idyllic rural life before the arrival of India's rule and the political movements to resist India. In Kire's *Bitter Wormwood* the technique of governance that permanently empowers the state security forces is described as a killing machine, to use

Agamben's term. And Phizo's plebiscite is narrated as a collective will of the people for a sovereign state. Similarly, in Jacob's *Zorami*, the army on whom the sovereign power is temporarily delegated is described as a fiend. And Laldenga is romanticized as a charismatic leader who can lead a revolution against India. In Bashir's *The Half-Mother*, much of the liberation movement scene is in the background; but the sovereign is conspicuously present as a spectre of torment in the form of the army that have garrisoned the valley. Although these novels are sympathetic to their regional political movements, the same sentiment cannot be used to interpret their role in the production of sovereignty. The novels narrate the stories through the rise, peak, disillusionment/factionalization/failure and ending of their respective movements within the constitutional framework of India. Often in these novels, one gets the impression that India is presented as an occupation force and its rule as oppressive and repressive. However, what needs to be emphasized is that these novels also advocate for a different form of India's sovereignty which is different from the permanent state of exception. Here literature does not necessarily play a negative role in the production of sovereignty; rather it advances a revaluation of how sovereignty is exercised. In other words, these texts argue for a form of government that is more accountable and responsible.

However, not all the fictions from disturbed areas romanticize political uprising. This is characteristic of the fictions from Punjab. Partap Sharma's *Days of the Turban* and Manreet Sodhi Someshwar's *The Long Walk Home* are novels that portray the Khalistan movement as a terrorist movement and thereby justifying state's use of exceptional violence. Sharma's *Days of the Turban* is set in the early 1980s right around the time Sant Jarnail Singh Bhindranwale was fortifying the Golden Temple as a part of political movement to secure Khalistan. Bhindranwale is portrayed as a pawn planted by Indra Gandhi in a political game that has gone rogue. In the

opening chapter 'The View From the Village' the narrative describes, "Bhindranwale's fight for supremacy was only just beginning and the demand for accurate, effective weapons would grow. These were not dacoits who would make do with a few frightening devices; these were terrorists with political aims who hoped to increase their numbers by successful use of guns, grenades, bombs and timed explosives for sabotage" (8). The central protagonist of the novel is Balbir, an educated sympathiser of the Naxal movement in Punjab but a moral figure who disapproves violence that is used widely in the Khalistan movement, a movement induced by the opium religion. Contra to Balbir is Uday Singh, Amar Singh and Bhindranwale who are portrayed not as dissents but as political deviants. Uday Singh is portrayed as an illiterate potter who would kill anyone for the cause of Khalistan. But he is also portrayed as a person who lacks discipline and commitment to the cause, as he abandons his consignment to procure guns to pursue his love interest for Gulnari, who is engaged for a photograph marriage to a person living in Canada. Amar Singh is a leader in Bhindranwale's army who takes care of the gun consignments for the movement. A university dropout blinded by the anti-Sikh policies of the government, he perceives India as a Hindu state that is hell-bent on discriminating the Sikhs. And Bhindranwale is presented as a religious fanatic who propagates that injustice against Sikhs must be avenged and the only means that the government understands is violence.

The novel also provides a critique of the Khalistan movement as an extremist movement and not a popular one backed by the people. Uday Singh in his pursuit to recruit Balbir into the movement plays the Marxist card stating that the Naxalites are supporting Khalistan. The latter responded, "But your movement is only for Sikhs. Extremist Khalistan Sikhs" (151). Later the narrative reveals that "the vast majority of the Sikhs everywhere were horrified by the statements and actions of the pro-Khalistanis who were only a small vociferous group" (169). And "even the

small group of pro-Khalistanis abroad had really only a tiny hard core of self-seeking politicians and true religious fanatics who dreamed of a separate fundamental state” (172). The novel further critiques the lack of political indoctrination into the cause except through violence. This is revealed in a debate between Amar and Balbir regarding the violent method used in the movement. Amar puts it, “Don’t you see that if we hold long enough and fight with vigor, the Sikhs masses will be aroused. They will surround the army and come to us. Civil war will break out. And our aims will be achieved” (229).

The desecration of the Golden Temple during Operation Bluebird to suppress the Khalistan movement has often been cited as the reason for the assassination of Indra Gandhi (Mahmood 326).²⁸⁴ But in the novel *Days of the Turban* the desecration of the holy temple was first done by Bhindranwale and his men. Balbir describes the scene at the Golden Temple stating that “the place is crawling with terrorists, extremists” (51). And subsequently when Balbir visited the temple, a *sardar* states wistfully, “now the place is crawling with criminals. Not safe anymore” (194). Although Indra Gandhi was blamed for turning Amritsar into “a war camp” (ibid.) by grooming Bhindranwale, the suspension of normal rule of law under Disturb Areas Act and Armed Forces Special Power Act which released an indeterminate force of violence was seized by the revolutionary force. Rather than describing the political situation in Punjab as a state of siege, the narrative describes that “the entire population was under siege to terrorism” (141).

The novel locates the holy temple as the zone of exception where killings had gone beyond religious and political differences, and “the hands of the police were tied politically: they

²⁸⁴ Cynthia Keppley Mahmood, “Sikh Rebellion and the Hindu Concept of order,” *Asian Survey*, vol. 29, no. 3, 1989, pp. 32-34.

could not enter the Golden Temple complex to investigate or arrest. But they could be depended upon to respond promptly to a call to come and clean up the stink and mess” (213). The apathy towards the movement is further reflected in Bilbar’s counter-argument to Amar’s assertion that the holy temple is the Mecca of Sikh religion and desecration by Indian army invasion and gunfire would be intolerable to the people. Bilbar puts it,

“You’re wrong! It wouldn’t be an invasion. The forces of law and order would come in to clean up the place. There are criminals here. Murders are taking place in the sacred precincts. As for this being a Mecca, you know what happened to the Muslim terrorists who took over the holy Kaaba in Mecca. The Saudi Arabian government sent in some commandos and killed every terrorist on the spot. No sensible Muslim objected to that” (228).

This foreboding is played out in the novel as the temple which was considered to be the stronghold and sanctuary against any direct assault turned out to be a nest where all the pro-Khalistanis are holed up to be wiped out in a single swoop by the army.

Someshwar’s *The Long Walk Home* chronicles Harbaksh Singh Bhalla’s recollections of his life in undivided India, land reforms in free India, linguistic division of Punjab, the emergency and the rise of Khalistan movement. The treatment of the separatist movement in the novel is somewhat mixed. Baksh, short for Harbaksh, and his wife Preet are two polarising figures that represent mixed emotions towards the movement. Baksh as the voice of reason condemns the movement on the grounds of its bigotry and use of violence. And Preet as the sympathizer of Khalistan justifies the movement as about the rights of Sikhs who were deprived of their land during the partition, the division of Punjab into three states and land ceiling act.

Baksh describes Bhindranwale's speech as "odious oratory from the mouth of a murderer" (205). Baksh also deconstructs Khalistan as a weak nation-state. He does so by critiquing its language and its geographical vulnerability. Preet romanticizes that in Khalistan, Punjabi would be the language of instruction in schools. Baksh critiques by stating that English "is a richer language. There is more literature written in it. It connects us to the rest of the world" (206). In other words, for Baksh the idea of Sikh nation-state is a regressive one that would reduce the people into a less developed state. And the reason why Khalistan would be a weak state lies in its geographical position. Baksh puts it, "If ever there was a state of Khalistan, I would certainly migrate. Besides, such an entity would never last. Because Pakistan would swallow it for dinner one night" (207). Through the critique of Khalistan as weak state, Baksh justifies India's sovereignty. And as with the narratives of bureaucrats and police, the novels from Punjab depict the revolutionaries as lacking in ideology and real cause to fight for.

Conclusion

This chapter engaged with the practice of the state of exception in post-colonial India. It looked at how sovereignty uses literary modes of realism and romance in its discourse of power. The chapter looked at two kinds of literature to study the literary representation of the state of exception in Indian literature. It analyzed the statist narratives as narratives of counter-insurgency that justify the practice of state of exception. It also analyzed the non-state narratives as a critique of sovereign exception that reduces life into a bare form.

Chapter 5

Conclusion

This dissertation looked at India's post-colonial sovereignty and how sovereign power is exercised in governing the people. By focusing on the works of Sardar Patel, the study departs from the conventional practice to look at the Indian state from the Nehruvian perspective²⁸⁵ and looked at Patel's conceptualization of *Ram Rajya* and a strong centralized state for the location of sovereign power. The concept of sovereignty is further explored by engaging with the various sub-national movements that are analyzed as counter-sovereignty movements that countered not only India's sovereignty but also sought to establish alternative forms of governance. The engagement with the discourse of sovereignty is done by engaging with literary texts and writings that come under the rubric of Indian writings in English. The study looked at how the discourse of sovereignty deploys literary modes and forms of storytelling.

The study engaged with the interface between sovereignty and literature and how the discourse of sovereignty uses various literary modes. The study also attempted to trace out the major challenges and problems that the people faced in post-colonial India owing to the counter-sovereignty movements and the state's prerogative right to proclaim sovereign exception.

This dissertation primarily looked at the research questions addressed in the opening vignette of the research.

- 1) How Sardar Vallabhbhai Patel imagined India's post-colonial sovereignty and what forms of sovereign state were envisioned?
- 2) What is the relationship between sovereignty and literature?

²⁸⁵ See Shashi Tharoor's *Nehru: The Invention of India*, and M.J. Akbar's *Nehru: The Making of India*.

- 3) What kind of narrative plot, literary form, and device are deployed by the sub-national forces to create and counter the discourse of sovereignty?
- 4) What were the rationale and methods used in counter-sovereignty movements?
- 5) How do the narratives of the subjects of law and civil society help in the augmentation of sovereignty?

Apart from the departure the Nehruvian state to Patel's strong state, the study also departs from the practice of studying sub-national movements that take into account the historical trajectory of the movement and possible solutions to settle the dispute.²⁸⁶ It instead focused on the rationale and methods used in the various counter sovereignty movements. The study also studied in tandem the narratives of the subjects of law along with the writers from disturbed areas of India. Such an approach to study together both the autobiographies of subjects of law and the historical novels from India has not been attempted before. Despite the different perceptions voiced by the nationalist, sub-nationalists, subjects of law, and civil individuals, these individuals reaffirm the dual nature of India's sovereignty that is both biopolitical and exceptional in character.

The trajectory of the research was to examine the experience of post-colonial India's sovereignty by focusing on the various aspects such as the forms of statecraft, the nationalist's reworking of India's historical past to secure national integration, democracy and secularism, the sub-national consciousness and aspiration that question the legitimacy of the state, and the forms of expression of sovereign power. These aspects are crucial in the formulation of the state's power, subjects, and de-subjugation, and they are explored in this study.

²⁸⁶ See M.S. Ratnaparkhi's *Kashmir Problem and Its Solution* and R. Vashum's *Indo-Naga Conflict: Problem and Solution*.

In the chapter titled “Fashioning the Post-colonial Indian State: The Political Imagination of Sardar Vallabhbhai Patel” the conceptualization of India’s postcolonial sovereignty is laid out. This is done through the analysis of Patel’s letters and speeches that have been anthologized. The chapter examined the two ways in which Patel envisioned the post-colonial state. The chapter analyzed how Patel formulated the *Ram Rajya* and the strong centralized state as the two possible forms to govern independent India. Through these two forms, this chapter looked at how Patel drew up a binary distinction between the colonial state and the newly independent state, and also the ideology of the new state, and the political subjectivity and conduct of the people. The works of Partha Chatterjee and Michel Foucault are deployed for theoretical consideration to reflect on the modular forms of statecraft and sovereign power.

The concept of Patel’s *Ram Rajya* is explored as a spiritual reworking that takes into account the establishment of a decentralized form of government rooted in indigenous culture and traditional practices. Drawing on Chatterjee’s theorization that in anti-national movements, the nation is first conceptualized in the spiritual domain that constitutes the cultural and traditional realms, this chapter engaged with Patel’s concept of *Ram Rajya*, which sought to reform education, caste system, develop secularism and establish Panchayatiraj, as distinct from the western modular form of statecraft. The second part of the chapter looked at the idea of a strong centralized state. It analyzed the Indian state as a development oriented state as theorized by Chatterjee and further developed it as a biopolitical state, a concept theorized by Foucault, that seeks to optimize life through and through. Here the role of the bureaucracy and the army as conceptualized by Patel to establish a strong state is analyzed as executing the biopower of the state.

The third chapter titled “Narratives of Counter-sovereignty in Post-colonial India” examined the voices of dissent in independent India. This chapter traced the genealogy of the various counter-sovereignty movements to civil society that reluctantly crossed into politics. Drawing on Foucault’s conceptualization of power and resistance, and conduct and counter-conduct, it argued that the discourse of counter-sovereignty in India rests on the invocation of a certain right to self-determination. It examined the counter-sovereignty discourse in Nagaland, Kashmir, Mizoram, Tamil Nadu, and Punjab. Rather than engaging with the political history of these movements, it engaged with the rationale and methods used in the movements to counter India’s sovereignty. The engagement with these movements showed that the resistance to India originated primarily due to the nature of accession, the unitary federal structure, primordial identity, and disillusionment with India’s nationalism and development ideology. The chapter also argued that although these movements countered the state, they also in their discourses permanently entrenched the Indian state because they relied on the state apparatuses and practices to give legitimacy and visibility to the movements.

The fourth chapter titled “Sovereign Exception: The Suspension of the Law the Creation of Bare Life in Indian Literature” examined the interface between sovereignty and literature and the practice of the state of exception in post-colonial India. It argued that the discourse of governance uses literary modes such as realism and romance in the execution of sovereign power. To analyze sovereign exception, it engaged with the theory of the state of exception as a form of sovereign power developed by Giorgio Agamben. It argued that the absolute power of the state delegated to the security forces during the emergency-like situation originated from the suspension of law and not from endowing the forces with special power, thus doing away with the conventionalized extra-judicial framework. This chapter looked at two kinds of literature:

the life writing of state bureaucrats, police, and army; and the novels produced by writers from areas that are categorized as disturbed areas. With regard to life writing, it argued that the statist undermined the sub-national aspirations of the people as movements without proper rationale and perpetuated the defense for the use of exceptional power and anti-civilian ideology along the narrative of progress. The second part of the chapter engaged with the novels from disturbed areas to illustrate that practice of the state of exception is a permanent form of government in post-colonial India. It analyzed the forms of life that the state created in its exercise of exceptional power. It also looked at whether literature helped in the augmentation of sovereignty. The dissertation concludes on the note that literature can play a statist role in the augmentation of sovereignty but also offer a critique of sovereignty and alternate forms of sovereign governance.

Limitations of the study and further scope for research:

The dissertation could not study many of the counter-sovereignty movements in Northeast India, especially in the states of Assam and Manipur. The counter-sovereignty movement in Manipur for instance has its origin in the controversial manner in which the state acceded to India. The movement is led by communist ideology, an ideology that Sardar Patel had identified as foreign to India and against the prescribed political conduct of the state. The study could also not look at the counter-conduct performed by the common civilians in Nagaland against the sub-national movement. This study is descriptive and textual in approach with the support of a definite theoretical framework and methodology, the narrative of the masses in this new phase of sub-national movement could not be included in the present work. So an ethnographical study of this counter-conduct can be identified as a potential area for future research.

This study primarily focused on the post-colonial sovereignty of India and the resistance to its sovereignty. Although the study did engage briefly with colonial sovereignty in the historical background of the various movements, it could not engage in-depth with the nature of colonial sovereignty in British India. Colonial sovereignty in Northeast India worked in the framework of exclusive inclusion going by the reforms in the Government of India Act of 1935. This has been a subject of conflicting interpretations by the Indian state and the various ethnic groups that are seeking autonomy or separation from the state. The Indian state claims that these excluded frontier regions are an inclusive part of British India, and thus constitute the frontier territories of independent India. On the contrary, the various ethnic groups consider their territories as excluded part of British India, and thus they are not part of India. An engagement with colonial gazettes and accounts of colonial officials would be insight to understand colonial sovereignty in Northeast India given that many regions in the frontiers were never surveyed and formally colonized by the British but they became parts of India. The concept of *zo* and *bios* by Giorgio Agamben in his theorization of the state of exception can be used to understand the plight of the Kashmiri Pandits. Such an approach can illuminate a new path of research in the context of Kashmir that has thus far been about ethnicity and religion.

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Sardar Patel's *Ram Rajya*: Refashioning the Indian State

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Abstract. The concept of *Ram Rajya* continues to capture the popular political imagination of India. The reason for its many renditions in the political discourse lies in the source text Ramayana, an Indian epic that idealised a kingship and demonised the other. The narrative trope provided the framework for many historical narratives from the twelfth century onwards. In medieval India, the narrative was used as a source material to eulogise a Hindu king for driving out the Muslim invaders. During the colonial period, the concept was used to praise British rule as the ideal rule at the peak of colonialism, and then later in the anti-colonial movement, it was conceived as an alternate form of government for self-rule. And in the post-colonial period, *Ram Rajya* is re-conceptualised as Hindu Raj and as a class utopia that favours only a few social groups. Despite its many renditions, *Ram Rajya* has not been fully conceptualised as a doctrine even by Mahatma Gandhi. It is important to note that *Ram Rajya* was integral to Gandhi's concept of swaraj or self-rule. In many of its assertions, *Ram Rajya* has vaguely been described as the ideal rule that will bring food security, justice, and rule of law. This paper seeks to offer a more comprehensive formulation of the concept through Sardar Patel's conceptualisation of *Ram Rajya* to reconstruct India after the Colonial rule. The paper will address the following questions: how can *Ram Rajya* be achieved, who are the *Ravanas* in this *Ram Rajya*, how does it offer a critique of colonial rule, and what are the problems in institutionalising *Ram Rajya*? The study draws its theoretical grounding from Partha Chatterjee's conceptualisation of nationalism and the nationalists' refashioning of the postcolonial state through cultural spirituality. To study the intellectual history of *Ram Rajya* and its evolution, the study will incorporate a textual method that insists on the autonomy of the text as the key to understand the meaning of the work.

Keywords. Ram Rajya, nationalism, spiritualism, self-rule, postcolonial state, Sardar Patel

Introduction

The concept of Ram Rajya continues to capture the popular imagination in the postcolonial discourse of India despite being an elusive reality over the ages. Perhaps its permanence in the political discourse lies in the assertions of the national leaders to govern the people through Ram Rajya, an ideal rule of righteousness and prosperity derived from the ancient Indian epic, Ramayana. The major resurgence of Ramayana and the quest for Ram Rajya took form with the supposed miraculous appearance of Ram idol in Babri Masjid in 1949. It is also argued that the masjid stands at the historical birthplace of Lord Ram. Decades later, the Vishva Hindu Parishad (VHP) led the Ram Janmabhoomi campaign in the 1980s to establish Ram Rajya. The objective of the campaign was to liberate the birthplace of Lord Ram by demolishing the masjid under which

the Ram temple allegedly lies. The campaign was subsequently adopted by the Rashtriya Swayamsevak Sangh (RSS) and the Bharatiya Janata Party (BJP). The BJP envisioned the Ram Rajya as Ram, roti and insaaf. Another major political ideological turn occurred in the 1989 general elections when the Indian National Congress which had erstwhile canvassed for secularism played the Hindu card by promising Ram Rajya and permitting the Hindus to lay the foundation stone of the Ram temple in the disputed land where the Babri Masjid stands (Udayakumar, 1997). The assertions to bring Ram Rajya by the various political and Hindu organisations not only envisioned a Hindu rule but also threatened other communities especially the Muslims, who are considered to be marauding intruders in the theologically sanctioned Hindu polity.

At the outset, it is important to point out that there is no uniform doctrine of Ram Rajya. It continues to be an abstract if not a vague concept in which beliefs and values can be added to appropriate and cultivate it according to one's desirability. Though it has been eulogised as the ideal rule and given a utopian visualisation, it lacks a comprehensive formulation like Thomas More had developed in Utopia. More's Utopia is an elaborate world order divided into various cities. Each city has a Prince and magistrates to govern over its people. The territory and population are thoroughly mapped and surveilled. The people are given uniform education especially in agriculture and other constructive works such as masonry and carpentry. There is no sense of private property and resources are shared communally based on needs. It also has elaborate laws and customs for deliberating war, for punishing the deviants or criminals, and for the slaves to redeem themselves (More, 1965). It is precisely this lack of a uniform world order that has contributed to the interpretation of Ram Rajya in various forms that conservatives and liberals have designed it to serve their ideas, beliefs, and interests.

This paper seeks to understand Sardar Vallabhbhai Patel's conceptualisation of Ram Rajya and also outline the intellectual history of Ram Rajya. The awakening of nationalistic fervour towards the end of the nineteenth century transformed into a mass movement of both the peasants and high echelons of the society in the twentieth century. This fervour later developed into an organised cry for self-rule or independence. The transition period between demand for independence and its actual realisation was marked by many imaginations of what the new nation of India must be refashioned into. Patel envisioned two ways in which the new nation can be governed: one, Ram Rajya; and two, a strong centralised state with an elaborate bureaucracy and army. Patel envisioned the establishment of Ram Rajya through the development of national education, Hindu-Muslim unity, abolition of caste, self-sufficient economy and Panchayat Raj. He founded his vision on the idea of a pan-Indian culture that would become the new face of the Indian nation Rajya that must replace British India as its rightful heir. Here, Patel visualised a

reworking of elements of Indian 'culture'—caste, religion, language, gender, history, and the system of governance—that would come to force in the modern state. Through this India would retain its “uniqueness” rooted in its indigenous origins and practices.

Sardar Patel makes an interesting case for the study of the postcolonial sovereign state because he is one of the founding fathers of India's republic who had played an instrumental role in the political integration of India and in drafting the Indian constitution. As a nationalist, he was deeply engaged in the various movements of Indian nationalism deployed by Mahatma Gandhi that included Satyagraha, Quit India, and Swadeshi movement. And as a member of the Congress Working Committee, Patel was deeply influenced by Gandhi and his Constructive Programme that was foundational in his formulation of Ram Rajya. The paper will particularly focus on Patel's speeches delivered during the period of 1947-1950 which have been transcribed and published in multiple volumes as *The Collected Works of Sardar Patel*, edited by P.N Chopra and Prabha Chopra. The study will approach political speeches as texts that have historical agency and function.

Theoretical framework

Postcolonial writers have focused on the fact that not all nationalisms are the same. Partha Chatterjee in *The Nation and Its Fragments* argues that nationalisms in Africa and Asia are not mere imitations of certain imagined community modular forms provided by Europe and America. Quite contrarily, he asserts that the most creative results of the nationalists' imagination in Asia and Africa's anti-colonial nationalism rely on the assertion of difference with the modular forms of the national society propagated by the modern West. In addition to this, Chatterjee states that the conventional approach to the understanding of nationalism is limited to political movements that start with the struggle for power and end with the attainment of sovereign power. According to him, anti-colonial nationalism creates its domain of sovereignty before it begins its political battle for power, and it does so by dividing the social institutions and practices into two domains: the material and the spiritual. The material refers to the outside world domain of statecraft, science and technology, modern arts and economics, in which the western world is dominant and the East is subordinated by the imperial powers. The spiritual refers to the inner domain constituted by markers of cultural identity. Chatterjee argues that it is in the inner spiritual cultural domain that the imagined community of a nation is brought into being. This necessitated the nationalists the urgency to articulate the distinctiveness of the spiritual culture for they followed that “as long as India took care to retain the spiritual distinctiveness of its culture, it could make all the compromises and adjustments necessary to adapt itself to the requirement of a modern material world without losing its identity” (Chatterjee, 1994, p.120). The spiritual domain becomes the sovereign territory of the

nationalists and also the domain which is superior to the West that must be kept away from colonial intervention even for reforms. It is also in the spiritual domain that the nationalists launched the most powerful, creative, and historically significant project that is to refashion a modern national culture for the Indian state that was essentially different from the West.

Chatterjee asserts that the historical project to refashion a modern national culture took shape in several areas of the spiritual domain. The nationalists' interventions were to counter the European criticism of India as backward and barbaric that justified colonial dominance to train the natives in the art of modern state governance. The spiritual cultural areas that the nationalists intervened to refashion the national culture to suit the modern state includes language, school education, family, national history, woman, and the outcastes. Contrary to Benedict Anderson's theorisation of print capitalism as the catalyst for the growth of modern national languages and then imagined communities in Europe, Chatterjee argues that this national trajectory was quite different in the Indian case. The East India Company and the missionaries introduced print capitalism but it only established English pedestal position over the native languages and it became the language of bureaucracy and intellectuals. The crucial moment in the development of modern native language was "when this bilingual elite makes it a cultural project to provide its mother tongue with the necessary linguistic equipment to enable it to become an adequate language for modern culture" (Chatterjee, 1994, p.7). Language for the bilingual native elites vis-à-vis nationalists belong to the "inner domain of cultural identity, from which the colonial intruder had to be kept out; language therefore became a zone over which the nation first had to declare its sovereignty and then had to transform in order to make it adequate for the modern world" (Chatterjee, 1994, p.7). Towards achieving this end, a new network of printing presses, publishing houses, newspapers, magazines, and literary societies, and an emerging public sphere were created.

The proposition to develop a modern native language was coupled with the plan to mobilise national school education and curriculum with a suitable educational literature that will provide the space where the native language and literature can be normalised. This educational space also provided room to improve the spiritual domain of the family, especially the condition of women who represented the home in the larger dichotomy of the material and the spiritual, the outer and the inner, the public and the private, and the world and the home. To ameliorate the women from the problems of widow immolation, widow remarriage, polygamy and child marriage, the nationalists adopted selective apparatus of western modernity. Schools were opened for women where educational literature and teaching materials were in their mother tongue to prevent the development of memsahib culture and love for luxury and comfort that western education produced. Chatterjee writes, "the nationalist construct of new women derived its ideological strength from

making the goal of cultural refinement through education” (Chatterjee, 1994, p.128) without disturbing the domain of her home. The nationalists’ interventions in the spiritual cultural domain aimed to limit the influences of the colonial state and the missionaries in the national culture.

Chatterjee conceptualised nationalism as a mediating process in which the principal agents were the educated middle class. The role of this middle class that constituted the nationalists was not just to guide and lead the masses but also to mediate the national ideologies and politics, and the dominant national culture and social institutions to transform the spiritual cultural domain. Integral to this task of mediation to reformulate the national culture to make it adequate for the modernising world was the construction of national history that was suitable to the new forms of public discourse and cultural modernity. The task of the nationalists was to rewrite a national history different from the account of colonial historians such as Vincent Smith who described India as a “battleground of races and religions since time immemorial” (cited in Chatterjee, 1994, p.16). To counter the colonial narrative, the nationalists constructed a rich classical past. This construction was a mode of classification that “could comfortably incorporate as particulars the diverse identities in ‘Indian tradition’, including such overtly anti-Brahmanical movements such as Buddhism, Jainism, and the various deviant sects” (Chatterjee, 1994, p.73). The national history that was constructed was overtly Hindu but it could accommodate Islam in the history of the nation as a foreign element “domesticated by shearing its own lineages of a classical past” (Chatterjee, 1994, p.74).

Another area of the spiritual domain which the nationalists had to reformulate in its cultural project of modernity was the institution of caste. The colonial state looked at the institution of caste as the primary reason why the Indian society could not acquire virtues of modernity and nationhood. Chatterjee puts forth the idea that the nationalists deployed two strategies to this end. One group of nationalists denied caste as an essential characteristic of Indian society. This group of nationalists, influenced by the bourgeois’ liberal legal political principles of liberty, equality, and justice, condemned “caste as an oppressive and antiquated institution inconsistent with a modern society” (Chatterjee, 1994, p.174).

Contrary to this strategy was the construction of a synthetic theory of caste. According to this theory, caste is an essential element of Indian society and it “makes India essentially different from the Western. What is denied, however, in this nationalist argument is the charge that caste is necessarily contradictory to, and incompatible with, a modern and just society” (Chatterjee, 1994, p.174). This approach looked at caste system in its ideality and argued that “the fourfold varna scheme was meant to be a non-competitive functional division of labour and did not imply a hierarchy of privilege” (Chatterjee, 1994, p. 174). And what holds the four varnas together is the ideological force of Dharma. This force assigned each jati or caste a position in the system

based on “simultaneous unity of mutual separateness and mutual dependence” (Chatterjee, 1994, p. 175). This was despite the evident caste identity based on the distinction between pollution and purity. Chatterjee criticises the synthetic theory of caste stating that such theory “claim that the conflicting relations between the different parts of the system (namely, jati) are effectively united by the force of Dharma, so that the caste system as a whole can continue to reproduce itself” (Chatterjee, 1994, p177). This nationalist project is also evident in Sardar Patel’s vision of Ram Rajya. In his vision of real swaraj vis-à-vis Ram Rajya, the nation should have its own national character built around its indigenous traditions.

Methodology

The study seeks to outline the intellectual history of the concept of Ram Rajya in India. Anthony Grafton in his essay “History of Ideas: Percept and Practice, 1950-2000” writes that the practice of intellectual history as a method can be traced back to classical Greece. Greek philosophers drew up doxographical histories of philosophy, painted polemical portraits of their predecessors, and occasionally pursued systematic inquiries into the growth of astronomy or anatomy. This practice continued in the Mediaeval and Renaissance periods. The method was at work for formal inquiries into evolutions of certain philosophical arguments, into the history of disciplines such as astronomy and mathematics. And, in the nineteenth century, the history of ideas was used to study the conflict between science and religion. As a modern discipline, intellectual history became popular in the post Second World War American academia. Courses on intellectual history were offered in the American universities to study western civilisation, and to understand the existing social and political order. Integral to this discipline was the debate on the proper methodology to approach and interpret the text. The debate revolved around the question of the proper way of interpreting a text. The text oriented and context oriented approaches clashed with each other. The two dominant methods: textual and contextual are methodologically oppositional to each other. The former depends on the formal ideas in the text, and the latter considers textual reading as unhistorical and uses the contextual historical method to understand a text (Grafton, 2006).

Quentin Skinner in his essay “Meaning and Understanding in the History of Ideas” argues that the two orthodox methods: textual and contextual are inadequate. Skinner posits that the textual method suffers from certain historical absurdities and mythologies. Mythologies arise in textual method when some scattered or incidental remarks by a classical theorist is considered to be his ‘doctrine’, when historians fail to recognise the doctrine and criticise the author for failing to provide one, and when historians assume coherence in the ideas of the author even if the text lacks the coherence. With regard to the contextual method, the first fundamental mistake is that the

study of context to determine the meaning of the text undervalues the intention of the author. The study of context may reveal the meaning of the text but not the intended illocutionary force of the author. And as a result, this methodological practice ends without any real understanding of the given text. The second mistake on which this methodology appears to rest on is on the assumption that 'meaning' and 'understanding' are correlative terms. The understanding of statements presupposes a grasp not merely of the meaning of the given utterance, but also the effect of an action. This paper will use Skinner's alternative method to the conventional understanding of the textual and contextual method of reading the texts. Skinner's alternate method emphasises linguistic attention over historical context to avoid anachronism and to understand the original author's intention and meaning. The essential aim to understand any utterance must be to recover the complex intention on the part of the author and then to trace the relations between the given utterance and the wider linguistic context as a means of decoding the actual intention of the given writer. Here, the context will not be treated as the determinant of the meaning of what is said. Rather it serves as a framework for helping to decide the conventionally recognisable meanings in a society and the author's intended meaning to be communicated (Skinner, 1969).

Intellectual history of Ram Rajya

The concept of Ram Rajya is derived from the ancient Indian epic Ramayana referring to the glorious rule under the Hindu Lord Rama exemplified by security to life, peace, justice, equality, and prosperity. Though a system of governance of ancient antiquity, it had and continues to provide a framework for the articulation of political discourses of India. Sheldon Pollock in his essay "Ramayana and Political Imagination in India" dates the practice to encode historical political events within the framework of Ramayana narrative to the twelfth century. This period witnessed a sudden activity of building temples dedicated to Ram that corresponded with the practice of describing the king in the likeness or image of Rama. Pollock posits that the Ramayana became a framework to interpret political discourses due to two features: the ideology of kingship and the demonisation of the other. Unlike the epic Mahabharata that revolved around a fraternal struggle for political power, the Ramayana offers a divinised solution to the problem of sovereign legitimacy in the Indian epic literatures. The Ramayana enables a new mediation of the religious and the political as the order of the everyday is governed by a divinised king Lord Rama. This divinised king formulates a new social and political theology where divisive political interest is missing and unthinkable. The second feature is the demonisation of the others that are outside the theologically sanctioned polity as sexually, dietetically and politically deviant. The inscription that explicitly illustrates the divinisation of the king and the demonisation of the other is in the inscription dated around 1168 at Hansi, a town of

strategic importance to control the invading force of the Muslim Turks to Delhi. The inscription records King Prthviraja and his maternal uncle Kilhana to check the Turk invaders. In the inscription, Kilhana is described as “Having soundly defeated the Turuska, He built a tower of gold, like a crown of the dwelling of Somesa. And that Rama has without doubt become Prthviraja the great king, and certainly Hanuman has become you, great hero, a man of miraculous deeds” (cited in Pollock, 1993, p. 273). This framework subsequently became a common frame to record historical encounters with the Ghaznavids, Ghurids, and Khiljis, and the identification of the Sultanate and Muslims as the demonised others. This narrative trope of the invader as the demon and the defender as the divine king Rama of pre-modern India is used to frame the political and historical experience in modern India although with some alterations with regard to the sovereign.

The colonial rule in the subcontinent in the second half of the nineteenth century was nothing short of spectacular with the East India Company’s (EIC) voracious annexation of territories, the rumoured military armament modernisation that led to the mutiny, the British Crown takeover, and surveillance that followed the mutiny, and the survey, mapping, and census that shaped India. Sudhir Chandra in *The Oppressive Present: Literature and Social Consciousness in Colonial India* illustrates that this period of colonialism has been eulogised in Hindi literature of the nineteenth century as Ram Rajya. This praise is mostly in the context of development and the liberation that the colonial rule brought to the Hindus from the Muslims. In the literary arena, Premghana wrote a play *Bharat Saubhagya* that praised the British colonial state art of governance as Ram Rajya. The play is set in the background of the Revolt of 1857 which was seen as a disturbance to the peaceful colonial rule. The main characters are Bharat and British Nation, who governs the country with the help of his three agents: British Policy, Education and Freedom. The colonial rule through the character British Nation is portrayed as the rule of law that ensured security to life after a long period of exploitation and oppression under Muslim rule. Overwhelmed by the British liberal virtues and sense of justice, Bharat praised the Viceroy Lord Ripon, “By giving us surfeit Joy, you have given us dyspepsia” (cited in Chandra, 1992, p.35). And characteristic of the colonial ideology, the Indians were dismissed as incapable of self-governance through the scathing remark of the character Freedom, “What vain thinking it is that those who cannot hold together their loose dhoti will govern the country” (cited in Chandra, 1992, p.35). Likewise, Pratap Narain Mishra in his poem serialised in *Brahman* described the British government as the saviour of the Hindus who had been subjected to exploitation under the tyranny of the Muslims. The British rule is further described as Ram Rajya in which people “experience joys and sorrows accordance to their Karmas” (cited in Chandra, 1992, p. 43). The conceptualisation of the British rule as Ram Rajya was also a popular trend among the Indian historians of the period. The historical periodisation follows

the tropes of dividing the period based on the religious orientation of the rulers, a schema developed by the colonial state in their historical accounts of India. The early history that is the Hindu period was seen as a period of prosperity and cultural growth. This was followed by the period of Muslim rulers which saw the growth of mercantile trade accompanied by tyranny and cultural decay with the exception of Akbar's reign. Maganlal Vakhatchand (1830-68), a Jain historian, in his historical account *Amdavadno Ithihas* (History of Ahmedabad) published in 1851 called the British rule as *Ram Rajya* that brought safety, justice, education, prosperity, and technology and infrastructure development (Isaka, 2002). The common threads we notice in these texts are the decadence of India's glorious culture and past under the Muslim rule, and the restoration to the glorious path by the British albeit on the tropes of a modern state. However, the eulogisation of British rule was not the same among the Urdu Muslim writers. The content of Urdu Muslim writers of the period was keyed around the theme of 'Islam is Dying' (Lehman, 1970).

The eulogisation of the British rule as *Ram Rajya* took a sharp turn in the twentieth century as the anti-colonial nationalism grew from its nascent stage with the formation of the Indian National Congress (1885) to become a national movement of the masses with the *Swadeshi* and *Non-Cooperation* movements. The British had by then been characterised as despotic and exploitative with the nationalists' critique of the British liberal democracy and the economic critique of colonialism. Mahatma Gandhi re-conceptualised *Ram Rajya* as the ideal form of *Swaraj* or freedom from colonial subjugation. *Ram Rajya* is not "an imitation of the British House of Commons or, the Soviet rule of Russia or the fascist rule of Italy or the Nazi rule of Germany. They have systems suited to their genius. We must have ours suited to ours" (cited in Prabhu & Rao (Eds.), 2007, p. 326). Gandhi gives a secular outlook to his concept by stating that *Ram Rajya* does not mean Hindu Raj but the divine rule of truth and righteousness, and that the Rama he is referring to is not the historical son of Dasharatha, the king of Ayodhya. His *Ram Rajya* is the ancient ideal of *Ram Rajya* which "is undoubtedly one of true democracy in which the meanest citizen could be sure of swift justice without an elaborate and costly procedure" (cited in Prabhu & Rao (Eds.), 2007, p. 326). This *Ram Rajya* would ensure rights to both the prince and the pauper without distinction. Gandhi's vision of *Ram Rajya* works on the spiritual domain and not on the imitation of the material domain in which the west dominates.

A modern retelling of the Ramayana is the novel *Narata-Ramayanam* (1955) written by C. Virudhachalam under the pen name Pudumaipithan. The text has two fragments or parts: the first, set in the ancient period of Ayodhya; and the second, set in the anti-colonial movement in the 1920s. Pudumaipittan describes Rama as a zealous adventurer but a less zealous king unable to adjust to courtly life, "For Lord Rama, who was always performing heroic deeds in war, from

destruction of the Tataka to the battle with Ravana, living in this very peaceful place made time hang heavy on his hands” (cited in Richman, 2007, p. 47). Rama moves back to the forest for a second stint after fulfilling his son’s matrimonial duties. There he is disillusioned with the lack of adventure. After the failed second stint he returned home, and “he had no work in life-not even listening to the senseless speeches of his court ministers or sitting on the Lion Throne that jabbed him in the back. He kept pondering what had changed the string of days into a wasted emptiness spreading before him” (cited in Richman, 2007, p. 48). The narrative then reveals that it was at the lowest moment of Rama’s life that the recitation of Ramkatha started along with Hanuman. To quote, “At first, to make time pass, they began to speak of old stories. Then as time went by, they made this task their work and conducted old battles with their words, regaining happiness from it” (cited in Richman, 2007, p. 48). Here, the moral of the epic narrative is completely reversed as the ideal rule is portrayed as idle. In the context of the anti-colonial movement, Pudumaippittan belittles Ram Rajya through a caricature of Gandhi’s Swadeshi movement to show its sporadic success. Here the character Bharati closely resembles Gandhi and the critique of the Swadeshi movement is done through the protagonist’s trade of making local snacks: dosai and idli. “At first the price was one gold sovereign per item. Nevertheless Bharati insisted that they should eat these snacks for the sake of the poor people. People laughed at him and. Some people bought them. After ten years passed, he was able to produce a dosai that wasn’t too bad. And the price decreased a little” (cited in Richman, 2007, p. 56). This was the economic critique of the Swadeshi movement that attempted to develop a self-dependent economy but falteringly failed to provide good quality clothes at cheaper prices compared to foreign goods. And as a result only a few rich Indians could afford the clothes and support the movement against the larger mass mobilisation expectation.

Another modern retelling of Ramayana is the play *Rama’s Kingdom of Justice: Sacrifice of Shambook Muni Balidan* (1964) by Swami Acchutanand. The play highlights the unjust aspects of Ram’s rule through the character Shambook. In the play, Ram executed Shambook, a Shudra who is accused of performing a ritual reserved for the higher caste Brahmin. Shambook was not executed for crossing the caste line but as penance sacrifice for a drought in his kingdom on the advice of a Brahmin priest. Contrary to the historical account, Shambook is portrayed as the original inhabitants of the land before the arrival of the Aryans that constitute the higher castes (Amardeep, 2016). This retelling of the Ramayana challenges the pre-modern Indian narrative frame of the Muslims as the invaders and the Hindu kings as the defenders of the land. In addition to this rendition of Ram Rajya, the postcolonial interpretations of the imagined ideal rule lean towards criticism rather than for its vision of a perfect rule. Ramakrishna Bhattacharya in his essay “Utopias and Class Utopias in Ancient India: A Comparative Study of Uttarakuru and Ramrajya”

argues that Ram Rajya is not a perfect rule or utopia as imagined or theorised but a class utopia that favours a certain class or caste. Though it has some features of utopia such as rule of law and peaceful coexistence, all the citizens do not enjoy equal rights and privileges as it adheres to the four-Varna (caste) system in which the Brahmins and Kshatriyas are the chief beneficiaries. The hierarchy establishes it as a class utopia that perpetuates structural inequality of the citizens (Bhattacharya, 2016). Bhattacharya's conceptualisation of Ram Rajya as a class utopia is evident in the political discourse of India. In postcolonial India, one of the earliest attempts of bringing Ram Rajya was initiated by the Ram Rajya Parishad (RRP), a feudal conservative political party of Gujarat. The RRP wanted to revive a Ram Rajya in which the concept of Dharma was predominant with no reform in the caste system except for the exception of providing the lower caste with jobs in the sanitary department (Upadhyakumar, 1997).

The various renditions of Ram Rajya hinge on the material domain which is the art of governance. The mediaeval inscription and Indian literature of the nineteenth century versions of Ram Rajya revolve around the material realm- the struggle for political power, statecraft, modern arts, science and technology. However, such renditions of the idea of Ram Rajya have their own alienating processes. The "othering" of Muslims is contradictory to the idea of a just and ideal rule that is Ram Rajya. The other renditions of Ram Rajya of the twentieth century also oscillate around the material realm but their interpretations either parody the concept of Ram Rajya by highlighting the spiritual wants of Indian culture or reproduce the very condition of barbarism of the caste system that the British used it to justify colonial rule. Here the exception is in the case of Gandhi whose vision of Ram Rajya was a secular one. The next section will analyse Patel's Ram Rajya as the spiritual domain in which the nation is imagined and culturally reworked.

Patel's Ram Rajya

Patel's formulation of Ram Rajya takes into account the "spiritual" domain of the Indian population as described by Chatterjee. In this understanding, Patel is focused on the language, national education, gender, history, and religion that constitute the spiritual cultural domain of the nation which the nationalists preserved from colonial interventions. However, Patel's Ram Rajya also reworks the public domain of statecraft and refashions it to complement the spiritual domain. To begin with the spiritual cultural arena of language and education, Patel foregrounds national education as a key medium to experience a unique independence. His idea of national education for the newly independent state emphasised the necessity to revolutionise the education system, especially in the areas of language and education literature. He advocated the use of Indian languages as the medium of instruction over the English language and wanted Hindi to be the

national language. Here a quote from Patel will be insightful, “one should not forget that the medium of education should be a student’s own language. We are faced with that problem. We have to educate the students and make them competent for running the country. For that, a medium of foreign language is a burden. Along with that one should not forget the national language. It should be taught as a compulsory language” (Chopra & Chopra (Eds.), 1999, p. 298). Using Skinner’s analytical framework to understand the intention of the utterance in relation to the wider linguistic context and historical context, what is discernible from Patel’s words is his desire to retain or rather to reclaim the spiritual cultural distinctness that includes the native language which is the sovereign domain of the people, their true identity and also a source to forge an imagined community. His authorial intent in the wider linguistic context of the importance of mother tongue is to make the people use their own language that suits their genius because the English language owing to its foreignness is a burden for cognitive understanding. Patel is mediating the idea that if the mother tongue could be used as a medium of instruction, it would not only benefit the native people but also promote and uplift the language. Given the context of nation building of a new state, Patel’s assertion is a mediation of the decolonisation process in which the colonised become independent of the colonising state and free themselves from colonial influences.

The nationalists’ cultural modernity project was to develop educational literature and teaching materials in Indian languages. With regard to the body of literature taught in school, Patel endorsed Gandhi’s view that the British education system was not leading the Indians to the right path because it encouraged the development of foreign culture and taste. For Patel, this alien feature and the industrial scale in which colleges work in multiple shifts are making young Indians desert their villages and flock into cities, thus deviating the people from the path of real swaraj which lies in villages. He also doubted whether healthy education was provided, considering the condition in which education institutions work on multiple shifts. His solution for the nation to prosper and to increase its standard of living was to transform the Indian villages (Chopra & Chopra (Eds.), 1999). He asserted that “the present system of education does not equip young men to stand on their feet in the world. After getting degrees, students go out in search of jobs, which do not exist. Frustration at not getting jobs often makes them join extreme parties. The education system should be so re-oriented that young men were taught to do things with their own hands in the agricultural and industrial fields” (Chopra & Chopra (Eds.), 1999, p. 219). And with regard to the cultural domain of the home, especially the condition of women, Patel also prescribed the concept of ‘new women’ of the nationalist. He advocated that the purdah system be discarded and education should be given to women so that they can realise their duties to the motherland (Chopra & Chopra (Eds.), 1998c). Patel’s reformulation of the education system sought to institutionalise the education system with

Indian languages and materials, and preserve it from the remnants of the colonial state. Here it can also be pointed out that the nationalist formulated a different modular form of national society through its education system. The colonial education system was inclined towards building industrialised metropolis cities, the locus of modern statecraft; and the nationalist education system leaning towards the villages, the true domain of culture and real swaraj.

The construction of a classical historical past that was accommodative in nature was integral for the nationalists' project to formulate a national culture and ideology to meet the framework of a modern state. This was essential to wield sovereign power in the spiritual domain before the nationalists could stake claims in the material domain. The establishment of Ram Rajya requires a classicisation of history to foster communal harmony especially between the Hindu and the Muslim for the governance machinery it offers to work. Patel's account of the national past draws on two cultural and spiritual areas: religion and philosophy to provide the ideological framework to view India's historical past characterised by the fusion of civilisations and socio-cultural growth. Patel described India as "a land of varieties- varieties of religion, culture, traditions, habits, and languages. Yet throughout history it has evolved a synthesis, harmony and oneness which has been the admiration of the world and the secret of its preservation" (Chopra & Chopra (Eds.), 1998b, p. 255). This pluralistic character is possible because "many people have come to this land, persecuted for the sake of religion. Jews have come. Parsees have come. They have settled down and made India their home" (Chopra & Chopra (Eds.), 1999, p. 156). And of the many other races that have come into this country, "some have become conquerors, some became our own and some against us; but India goes on her own way. She has never had and will never have any aggressive intention or design on any country. She will never conquer any country except by the spread of culture and civilisation. In the past too, if she has ever spread her culture, she has never done so by force. Right up to Japan, Buddhism had its sway and in Afghanistan and over the border of Afghanistan, Indian civilisation spread. But India has never taken the sword beyond her borders" (Chopra & Chopra (Eds.), 1999, p. 139). And contrary to the common historical narrative of Muslims as invaders and whose loyalty to the nation is always in doubt, Patel asserted that "India is one and indivisible... The Muslims have their roots in India. Their sacred places and their cultural centres are located in India." (Chopra & Chopra (Eds.), 1998a, p. 153). In this narrative, the Muslims have naturalised themselves in the subcontinent and they constitute an indivisible fabric of the imagined community. Patel's articulation of national history portrays India as a land of flourishing civilisations, resolute to non-violent methods, and also protective and nurturing. In other words, India is a land of tolerance where every religion is endured and safe. This is possible because the

Hindu society has kept its doors open for the religiously persecuted communities and adjusted with changing conditions (Chopra & Chopra (Eds.), 1999).

Patel's construction of India's national past is a secular historiography which incorporates the various identities to fit the framework of the modern state, although it can also be considered as subtly Hindu. Patel's selective popular description of India in the national cultural project of modernity reflects what Chatterjee theorises about the modernisation project of the national elites that "turn itself into an exercise of self-discipline" (Chatterjee, 1994, p. 36) in the course of its nationalism journey. The popular imaginaries of unitary, tolerant and non-violent that Patel drew up as the timeless quintessential national culture characters serve a disciplinary function to erase "all marks of vulgarity, coarseness, localism, and sectarian identity. The very timelessness of its 'structure' opens itself to normalisation" (Chatterjee, 1994, p. 73). Patel's assertion on non-violence and tolerance make the two the dominant virtues for the people to conduct and discipline themselves to assuage communal violence especially between the Hindus and the Muslims and to ensure the permanence of the national spiritual culture to lay claim over the material domain of statecraft.

Another aspect of spiritual nationalism that Patel sought to reform or revolutionise to establish Ram Rajya was the caste system. Patel's approach to the problem of caste was based both on western liberal virtues and spiritualism. Trained as a barrister in the English legal culture and acquainted with liberal democracy through the course of nationalism, Patel viewed India's independence as incomplete without the Harijans rights to complete equality (Chopra & Chopra (Eds.), 1998c). He reasoned that in India the Harijans are not free because Indians are enamoured by slavery (Chopra & Chopra (Eds.), 1998a). Addressing the Harijans to assure them of an honourable place in independent India, Patel said, "I will be highly pleased if Harijans are given their quota in administration. I will be most happy if they are put in safe charge of administration. The state cannot abandon the responsibility of state administration. Sometimes laws enacted by the state remain on paper. Anti-untouchability laws have been passed but not properly implemented. Society is also to be blamed for such a state of affairs. State should cancel the licences to run buses, and hotels which do not allow Harijans the right to travel or eat. We should be impatient to eradicate untouchability" (Chopra & Chopra (Eds.), 1998a, p. 49). Patel viewed caste boundaries as hampering India's growth, and the institution of caste as exploited by the British to satisfy their theory that India was a caste-ridden society for the ideological justification of colonial rule and for administrative purposes such as census which used elaborate caste tables (Chopra & Chopra (Eds.), 1999). Patel's solution to these naturalised or normalised identities was self-discipline and spiritual examination. Patel said, "You have the problem of Brahmin, non-Brahmin, Lingayats, non-Lingayats. But these small differences must be forgotten and we should all think we

are all Indians... The differences between high and low must disappear. Opening temples by itself will not solve the problem of untouchability. Legislation will not mend society” (Chopra & Chopra (Eds.), 1998c, p. 69). Patel’s intention in his utterance was for the people to overcome caste boundaries. In the linguistic context of caste, Patel was mindful of the language used to distinguish a certain group from another and he advocated against the usage of terminologies that carry beliefs, prejudices, attitudes, and religious strictures of high and low or purity and pollution. And in the social context of the rising demand of the right of equality and rights against exploitation, Patel’s reformulation of national culture prescribed the people to undergo a spiritual disciplining challenge to develop a new subjecthood, an Indian identity, impersonal to the caste system.

Patel’s Ram Rajya also takes into account the material domain of governance within the framework of the spiritual domain. This governance is to be managed at a micro level that is Panchayati Raj which is based on the classical tradition of India. For Patel true sovereignty lies in the Panchayati Raj. He asserted that, “if we want real swaraj it must not be of the English type but of our old Panchayat type” (Chopra & Chopra (Eds.), 1998a, p. 21). This Panchayat is a committee of elderly persons of the village where every community has representatives and without rivalry (Chopra & Chopra (Eds.) 1998a). The Panchayat system functioned in two ways. First, it challenged and criticised the Western British form of centralised statecraft with elaborate mechanisms of power in the forms of the bureaucracy, the police, the military, and the judicial legal system. Second, Patel visualised a more decentralised form in which every village was developed into a self-sufficient unit with a self-governing Panchayat that looks after the village and also settle disputes. In other words, the system is a non-police or non-military one. Patel posited that in the Panchayat system, “everybody big or small and poor will be able to get the benefit. Our concept of swaraj is that even the poorest people should be served” (Chopra & Chopra (Eds.) 1998a, p. 29). Patel believed that the village Panchayat would save the villagers from the extravagant and unnecessary expenditure involved in the British system of administration (Chopra & Chopra (Eds.), 1998b).

Here an overview of the spiritual domain in which Patel created his own imagined community reveals that the national culture around which the sovereign state has to be built also advances its own political ideology that has a certain set of ethical ideals, social principles, historical myth or past and institutions. This set of ideals, history, and institutions serve as a medium of self-discipline to conduct the people with a certain set of rationality and governing institutions. Ram Rajya as a form of governmentality constitutes the rationale and the institution through which the conduct of the people can be regulated and disciplined. Here conduct manifests in three dimensions: one through the knowledge system which is designed to conduct the people through Indian languages and literature based on Indian realities. Two, it seeks to govern the people through the

philosophy of non-violence by referring to a classical past and also normalise the various identities of Indian citizens into a single Indian identity through the abolition of caste and introduction of a uniform national language. Three, it attempts to govern the people in the village unit through the indigenous governance system of Panchayat Raj. Like in the many conceptualisations of the Ram Rajya that operate on the trope of eulogising a certain group of people as divine or heroic and the “othering” of a certain group as demons based on their alien characteristics, Patel’s Ram Rajya also has in its own Ravana. Here the much maligned characteristics of Ravana are not attributed to a particular community for its otherness, rather it is attributed based on political conduct. Ram Rajya which is developed on the moral philosophy of truth, non-violence and good conduct considered the rule of anger and violence as the ways of Ravana. In this political framework, the Communists, RSS, and Muslim National Guards that used violence as a method to propagate their ideologies are condemned as the demons vis-à-vis Ravana (Chopra & Chopra (Eds.), 1998b).

Sardar Patel formulated his concept of Ram Rajya in the spiritual domain of nationalism. His reworking on the spiritual cultural areas such as language, education, history, and caste institutions aimed to produce a national culture that fits into the framework of the modern state. This spiritual domain is the realm in which the colonised could assert its supremacy over the West, whose spirituality and culture were decaying due to indulgence in materialism and worldly pleasures. Patel’s deliberations to reformulate the national culture focused on reviving the indigenous aspects and recreating a past to suit the heterogeneous population and preserve the sovereignty over the spiritual domain while simultaneously removing or reducing the influences of the colonial state. Unlike the other renditions of Ram Rajya, Patel’s vision is without self-contradiction. The other visualisations of Ram Rajya as the ideal and righteous rule suffer from their practices of exclusion and othering. In the versions of Ram Rajya where it is envisioned as Hindu Raj, the normalised others are the Muslims. Likewise, in the Ram Rajya that works on the ideological force of Dharma, the socially excluded others are the untouchables. Patel’s Ram Rajya does not suffer from such contradictions as his nationalistic project of building a nation accommodates the outcastes, the lower castes, and the deviant Muslims through legislation and domestication of the foreign classical past. This rendition of the Ram Rajya despite its conservatism to uphold Indian consciousness and traditions through Patel’s method of selective modernisation acquires the popular, liberal, and secular outlook that suits a modern state.

Perhaps what is left to dwell on is why Patel’s Ram Rajya despite its structural and conceptual soundness did not translate into the system of governance? The idealised and romantic vision of Ram Rajya caught up with the citizenry in the formative years of India’s independence so much so that people have expressed dismay over its absence in the political domain. Intellectuals of

the period such as Bodh Raj Sharma expressed the failure of Indians to view Ram Rajya as India's original contribution to political philosophy that deserved academic attention to enable the incorporation of Ram Rajya in the constitution and also enhance the advent of this form of government (Sharma, 1954). Here a reflection on the failure to institutionalise Ram Rajya deserves a focus. Chatterjee posits that in the discourse of nationalism, the nationalists cultivated the techniques of western modern statecraft while it preserved its distinct spiritual culture from the colonial state. Could this cultivation of the western form of governance be the reason why Ram Rajya could not be institutionalised? Patel reasoned that the scheme of self-sufficiency of the villages would be difficult owing to the then existing global conditions: the Cold War and hostile relation with Pakistan. The immediate threat to the Indian nation was the balkanisation attempt by Pakistan which mandated the need for an alternative form of governance in the form of a strong centralised state with a strong national army to preserve its territorial integrity (Chopra & Chopra (Eds.), 1998c). He argued that there was a threat from aggressive foreign ideologies (especially the communist) which demanded industrialisation and the need for modern army and armaments, failing which the nation could become a dependent, and possibly come under the influence of a foreign ideological bloc. He further argued that if the world succeeded in bringing about conditions in which no country would require an army, then the scheme of self-sufficiency village would be the ideal form of governance (Chopra & Chopra (Eds.), 1999). For Patel, freedom was not merely independence from foreign dominance, but the establishment of Ram Rajya.

Conclusion

This paper looked at Sardar Patel's conceptualisation of Ram Rajya. The study shows that Patel's Ram Rajya is built around the establishment of national education, Hindu-Muslim unity, abolition of caste practice, and self-sufficient village under the Panchayat Raj system. Patel's vision is a striking contrast to the other versions of Ram Rajya developed on the narrow ideology of caste and religious affiliation. Deeply rooted in India's traditions, he attempted to formulate a national culture and a modular form of government to govern the staggering diversity of India at a period when colonial rule had just ended and the newly formed nation could disintegrate through the assertion of primordial identity. But what is lacking is the proper channel through which this rule can be translated into reality as the strong centralised state gets institutionalised permanently for the governance of the people. Also, Patel's formulation of Panchayat Raj as the real swaraj lies in its ideality as the institution of Panchayat is not without discrimination as he claimed it to be. Perhaps such factors contributed further to regard the ideal rule of Ram Rajya as an elusive reality.

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UNIVERSITY OF HYDERABAD
NOTIFICATION OF RESULTS

UH/PHD/CW/Exams/List3/2021/115

Date: 27.01.2021

Sub: Ph.D. Coursework Result Notification

**Ref: 1. With reference to the Notification no. UH/DRAE/2020, date: 16-06-2020 issue by CE's office (Recommendations of the committee constituted to look into the PhD coursework related issues).
2. VC's approval dated 23/12/2020.**

XXX

The following results are notified with retrospective effect in accordance with the recommendations in reference (1) as per clause C (5) mentioned below:

5. Those who have done the coursework in the Dept./School but was not formally notified.

The Concerned Heads/Deans may submit all such records to the CE's office with justification for not having sent the results in time and with evidence that the courses were conducted and evaluated, for taking VC's approval to notify the results.

Deadline: 30th August 2020 | Action: Head/Dean Concerned

S.No	Reg. No.	Name of the Student	Sem	Course Code	Course Name/Title	Credits	Result Pass/Fail	Type of exam	Month	Year
1	16HEPH01	Boniface Gaiguilung Kamei	1	EN826	Victorian Literature and the Law-I	4	Pass	Regular	Nov	2016
2	16HEPH01	Boniface Gaiguilung Kamei	1	EN829	Between Law and Literature	2	Pass	Regular	Nov	2016
3	16HEPH02	Moumita Chowdhury	1	EN801	Critical Approaches	4	Pass	Regular	Nov	2016
4	16HEPH02	Moumita Chowdhury	1	EN802	Research Methods & Dissertation Writing	2	Pass	Regular	Nov	2016
5	16HEPH03	Rameesa PM	1	EN824	English in India: Development of Indian English Literature	4	Pass	Regular	Nov	2016
6	16HEPH03	Rameesa PM	1	EN 830	The Indian Diasporic Novel	2	Pass	Regular	Nov	2016
7	16HEPH04	Asima Baral	1	EN831	An Introduction to Dalit Literature	4	Pass	Regular	Nov	2016
8	16HEPH04	Asima Baral	1	EN821	Bengali Dalit Literature in Translation	2	Pass	Regular	Nov	2016
9	16HEPH05	MD. Samsujjaman	1	EN 828	Introduction to Life Writing	4	Fail	Regular	Nov	2016
10	16HEPH05	MD. Samsujjaman	1	EN823	Introduction to Nationalism	2	Fail	Regular	Nov	2016
11	15HEPH01	Monica Kanga T	3	EN822	British Women Poets	4	Pass	Regular	Nov	2016
12	15HEPH01	Monica Kanga T	3	EN827	Reading Carol Ann Duffy	4	Pass	Regular	Nov	2016
13	15HEPH02	Vinita Teresa	3	EN833	Representations of waste in Literature	4	Absent	Regular	Nov	2016
14	15HEPH05	Vishnu Priya T P	3	EN825	On Modernity: Power,	4	Pass	Regular	Nov	2016

					Lower, Self Territory and Narrative					
16	14HAPT02	Muhammad Vasil V N	3	RS574	Region, Identity an dviolence in contemporary South Asia	4	Pass	Regular	Oct	2015

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Month & Year: April'2017
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2	16HEPH02	MOUMITA CHOWDHURY	-	PASS	-	-	-
3	16HEPH03	RAMEESA PM	-	AB	-	-	-
4	16HEPH04	ASIMA BARAL	-	-	-	-	-
5	16HEPH05	MD.SAMSUJJAMAN	-	-	PASS	-	-
						PASS	-

Course No. Title of the Course

EN- 871 Sovereignty and Literature: Readings -4
EN- 872 Revisionong Postcolonialism -4
EN- 873 Introduction to Bengal Dalit Short fiction -4
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