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Resonance Of Environmental Laws And Policies In Indra Sinha's *Animal's People*

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Abstract

Bhopal gas tragedy was a remarkable event in the history of India which challenged the life of innocent people due to the man-made disaster in India. Various policies and law reform measures were enacted as a response to the Bhopal gas tragedy and its impacts. The tragedy created numerous interactions and representations both nationally and internationally. It was discussed and covered by journalists, documentaries, films and narratives. Indra Sinha's *Animal's People* is one such adaptations that captures the plight of the affected people and how they are victimised again due to the issues in lack of proper environmental laws and enforcement of the already existing ones. The article analyses how Indra Sinha's *Animal People* reflects the need for well-defined environmental laws and policies to avoid the victimisation of innocent people.

Keywords: Resonance, Environmental Law, Policies

1. Introduction

The Bhopal disaster occurred on the deadly night of 2nd and 3rd December 1984 at the Union Carbide India Limited (UCIL), a pesticide plant in Bhopal, Madhya Pradesh, India. It is considered to be the world's worst industrial disaster. Over 500,000 people were exposed to methyl isocyanate (MIC) gas that was leaking from the factory and millions of people lost their lives. Many people are still exposed to the poisonous gas over the period of thirty years. Bhopal gas tragedy is considered world's worst industrial disaster. On the winter night of December 2 and 3, Methyl isocyanate (MIC) leaked from the factory and it reached the city. It killed thousands of life instantly and millions of people still suffer as a result of the tragic incident. The chemical spill turned the factory into a gas chamber. The people were running and dying (Murthy, 2014).

Indra Sinha has campaigned and fundraised for the poisoned citizens of Bhopal. He was known for his campaign advertising for charities such as Amnesty International. He also co-founded the Bhopal Medical Appeal that offers free medical care to victims of Bhopal gas tragedy (Tranter, 2008). Indra Sinha has been an active campaigner for the victims of Bhopal gas tragedy since 1993. He created an advertisement for the Bhopal Medical Appeal using the photograph of a buried child taken by Ragu Rai and this helped to raise money and to build a clinic to provide free treatment to the victims. Sinha has been a hard hitting critic on the DOW Chemical Company, the multi-national owner of the Union

Carbide. He has given many interviews and has written various articles regarding the Bhopal issue. His novel *Animal's People* presents the aftermath of the disaster where the people are entitled to prolonged suffering. SOFII provides a detailed study of the fundraiser, Sinha initiated. As he commented in Bhopal Medical Appeal, "Many have been forced into destitution, some of the world's poorest people beggared by one of the world's richest corporations from which came platitudes and evasions but no help" (Indian Legal Solution).

His *Animal's People* is based on the Bhopal disaster. He lost his interest in commercial advertising and this idea of his is presented in the conversation between a journalist and Animal. The journalist is interested in advertising the difficulties of Animal as a victim of Bhopal disaster in the opening pages of the novel and Animal is against it as,

... many books have been written about this place, not one has changed anything for the better, how will yours be different? You will bleat like all the rest. You'll talk of rights, law, justice. Those words sound the same in my mouth as in yours but they don't mean the same... (Animal's People 3)

This can also be traced as the evidence of the mental development of Sinha from the campaigner of the Bhopal disaster to a writer. He presents a different perspective of the same age old presentation of the tragic story. He wants to establish an answer to the question of Animal. As a result the story provides a psychological insight in the lives of the victims with a storyline that is conscious and alert to the problems of the victims. The novel has aspired to present a clear understanding of the customs of the people and it gives certain unknown facts of the victims previously unexplored by other writers.

Animal's People was started in 1996, as a sketch for a screenplay and Sinha wanted to name the notes as 'Green Song'. It intended to describe the people living in the dark aftermath of a great disaster. The idea of writing the novel arose in the author in the year 2001 as he was trying to find a concept for his second novel following *Death of Mr Love*. The imaginary city mentioned in the novel is Khaufpur, according to the author it is a place of terror and also a counterpart of Bhopal. *Animal's People* was published in the year 2007.

Sinha points out that Animal is still corresponding with him regarding the rights of the book and says that he owns it. The book is dedicated to Sunil Kumar, who died in 2006. Sinha met him during his time in India. Sinha is conscious that the character of Animal was not based on him but some elements of the story match with the author's encounter with Sunil (Rath, 2013). Sunil lived on 4 rupees a day, and had a sense of humour just like Animal. He has once called Sinha "an auto-riding superstar" (*Animal's People* 175) and Animal calls Elli by the same name in the novel. Sunil was a victim of Bhopal disaster and he had to support his younger siblings by being the breadwinner of the family till his death. Sinha's foundation Bhopal Medical Appeal also resembles the American doctor Elli Barber's clinic for the victims of Khaufpur disaster. The climbing of Animal on the pipes of the factory is again the personal experience of the writer. These are certain notable autobiographical elements in the novel.

Animal is the narrator of the novel as he records his narrative in tapes. It is divided as twenty three tapes in total. The editor's note is interesting in a way that it assures the self-reflective reality of the novel. The Editor's note says that the tape was recorded in Hindi and nothing had been modified concerning English translation just like Animal desired. Moreover it assures the reader that they can verify www.khaufpur.com for further details. The narrative is bawdy and Animal uses many obscene, indecent words and wants them to be retained in the translation as he says to the journalist who comes to visit him at the starting to get his story.

Animal lives with Ma Franci. She raised him from 'that night' of the disaster when he was born. She lost her ability to recognise any language other than French, and says that she sees angels and demons. Animal loves Nisha who has helped him out of begging and she introduced him to Zafar. She loves Zafar who provides a job to Animal. Zafar is a picture of an ideal person. He is a social activist helping the disaster victims and he fights for justice against the case on the Kampani (as Animal calls the

company). When Elli Barber, an American doctor enters the scene Zafar naturally suspects her to be sent by the Kampani and asks Animal to spy on her. Meanwhile Animal tries to poison Zafar with Faqri's pill which gives him recurrent stomach pains.

The plot moves fast when the kampani lawyers try to make a deal with the Chief Minister but a mysterious woman in black burqua set poisonous gas into their hotel room. Out of sorrow for the rumoured death of Zafar and Faroq as they fasted till death for justice, Animal eats those pills believing that he fastened Zafar's death as Zafar was sick earlier because of the pills. On the hallucination, he accidentally sets fire to the factory grounds. Once again poisonous gas is set ablaze and this time everyone is evacuated except three people, Ma Franci and the old couples who lost their daughter to the illness caused by the poisonous exposure, died in helping others.

Animal meets Ma Franci once before her death and he also sees the protesters burning Elli's clinic. He later retreats to the forest and hallucinates for days. His friends come to his rescue and say that they are alive as the hunger strike came to an end when the chief minister promised not to approve the deal with the Kampani without them. Once everything gets settled, Nisha's father Somraj marries Elli in America. Animal receives a letter asking him to come to America for surgery to recover his twisted spine.

On the development of the plot, the author presents the sufferings faced by the victims and how the poison has entered their day to day life. As in one incident a mother refuses to breast feed her child saying that the milk itself is poisoned. The people of the city lack good drinking water as the Kampani has not been cleaned and the water sources are poisoned. The plants that grow on the grounds are also venomous in nature. Though twenty years have passed since the disaster and the after effects of the poison, the American Kampani and Anderson all become a part of the people's daily routine.

People experience various reproductive problems. Moreover, due to the law suit mentioned in the novel, the people of the city do not get enough compensation to tackle the medical bills that mount every day. 'That night' was a winter and there was mist around the city and the people were not aware of the forthcoming misty gas. Those gases have damaged the people beyond words. Thousands of them died on the spot. Millions of people were exposed to the toxins and the diseases are passed to their next generation. The antidote cannot be identified because of the composition of the gas. The Kampani refuses to tell the composition by claiming it a trade secret for more than twenty years in Khaufpur.

The poor people are always afraid that the tragic night might repeat itself because the shock of 'that night' was too much of a surprise. The people believe that one night the factory will rise again to take their lives. They are made to live in a constant fear. The information they get about the unclean hazardous wastes lying on the grounds of the factory is a distant truth to them as the effects are slow and unpredictable, mostly because they are not aware of it.

The health problems can be identified when Zindabhai told Animal about his condition and the conditions of his neighbours. He experiences loss of eye sight, chest pain, and numbness in his left leg. With all these illness he has to suffer on a daily basis though he stays alive. His neighbours are poorer than him and so they suffer more.

Safia undergoes woman's problem and the doctor has advised her to drink milk and to eat fruit. She could not afford to them and thus asks help from Zindabhai who gives her guavas for debt but she dies before paying him back. Sahara dies at the age of forty-six due to cancer, as one day blood started to come from her womb. Rafi spends all his money on medicine even when he does not have enough to buy food. He still died though all his money was spent on the medicines.

Shambhu was a two times victim of the Kampani like many other people. He had breathed the poisons of 'that night' and he had used the water from the poisoned wells in his neighborhood. His body is full of pain and he feels difficult to breathe. His wife cannot afford to buy him oxygen due to their poverty. There is an old man who suffers due to Ulcer.

An ulcer weeps, it makes the skin all around putrid and this goes on day and night the pain it's unceasing, with such pain you can't think, you cannot read your prayers or work or sleep, nothing except I've survived, and after many days and nights blur into a dream, you say, well I am still here, but so in the pain, in truth it makes you mad. (Animal's People 148)

Animal is also a victim of the tragedy. His back is crooked and he is forced to walk on four limbs. Animal's parents were killed on 'that night'. He was taken to an orphanage where his back started to bent low. He was born on 'that night' and thus the effect of the poison was severe on him. He could have died on 'that night' like other young children, but he got a hunchback body instead. He suffers both psychologically and physiologically. He is forced into begging as no one will treat him as a normal person due to his abnormality. As a result of constant teasing he develops double mindedness and he claims that he hears voices in his head.

The court case regarding the proper compensation for the victims is already twenty years old. The earlier compensation was not enough for the people who are suffering for a lifetime. With that compensation the people cannot even buy a proper meal per day because it is very less compared to the damage done to the people. The entire system of the court has become stagnant. Nisha says that she was four when the case began and now she is twenty and still there is no progress in the case. The judges come late which shows how the judges and the court are not serious about the case that has been going on for twenty years.

Zafar points out that there are two sets of defendants in this case, first there are the local respondents who are the employees of the Kampani and their personal defense lawyers are present. The others are the 'Amrikan' big bosses who took crucial decisions on 'that night'. For the past eighteen years these Amrikan defendants have not appeared before the court. They stay in Amrika saying that this court has no jurisdiction over them. The court proceedings are dragging on and on while the people of the city are denied and delayed of the justice that they are supposed to get.

Zafar points out that on 'that night' thousands of people died. The factory was abandoned and it is full of chemicals that are poisoning the water for thousands of people. Furthermore, he states that the Kampani chooses to ignore the court, but it has so many business and subsidiaries trading in India. He requests the judge to issue summon to the Kampani and the named bosses in Amrika asking them to appear for the trial before the court. If they do not appear in accordance with the law, the Kampani's assets in India should be attached. After so many years of the same petition said before various judges (who are changed often), the petition was accepted.

The people are happy over their small step towards victory which had cost eighteen years to achieve. Zafar retains the hope of the people by saying that the Kampani may try to wear them down over the years of struggle but they will not succeed. This is Khaufpur and the people have no power. As they do not possess, they do not have anything to lose. Hence, hope prevails and they will continue their fight for justice.

...the Kampani has everything on its side, money, powerful friends in the government and military, expensive lawyers, political masseurs, public relations men. We people have nothing, many of us haven't an untorn shirt to wear, many of us go hungry, we have no money for lawyer and PR, we have no influential friends. (Animal's People 54)

Zafar is fighting for a long time and that is the reason to suggest the boycott of Elli's clinic. He thinks from the Kampani's point of view, what it will do to refute the claims of the people's petitions. The Kampani will say that the situation in Khaufpur is not as bad as said. The diseases that are present are the result of hunger and lack of hygiene. Zafar says that they will need case histories, health surveys to prove the right motive of Elli's clinic. Though the claim is just an opinion, it is right when their prolonged struggle for justice is considered.

Zafar points out a case to show the dark side of the Kampani. On 'that night' when the poisons came from the Kampani's factory, the victims were alive, fainting with fits and pain and coughing blood. They cannot see clearly and had breathing trouble. They were given a medicine called thighs-of-fate as a relief. The treatment was stopped as some influential person slipped this news to the Kampani bosses. They had rung up the politician and told to stop the thighs-of-fate. People were getting the injection in a huge row and some doctors moved into a shack near the factory to give injections. Then the police came and wrecked the shack and beat up the doctors. Zafar says that the people had to be careful before trusting the clinic because the Kampani could go to any extent. The relief from these injections shows that effects of the poisonous gas are genetically transferred and thus the factory wanted to stop the process.

Animal questions why the Kampani is doing all these things to prevent them from their rightful justice and their basic need. "'They're rich, they have everything. Why do they deny us even health?'" (*Animal's People* 112). Zafar provides hope to the people to stay with confidence and to fight back to show the Kampani that they are not going to lie down and die but they will fight without giving up.

As a result of the petition being sanctioned, the Kampani's lawyers arrive to the city. There are four lawyers and their appearances show how rich and prosperous they are. Bhoora says that he would die for the snake skinned boots that one of the lawyers is wearing. They stay at Jehannum where the poor people cannot even dream to afford. In the entrance of the hotel a door keeper salutes them which provokes Animal. The place the door keeper lives is poisoned wells and many people including his family are suffering as a result of the poison. The author evokes the irony in the situation by pointing out how the victim is supposed to salute them because he is working in the hotel for money.

Once the lawyers arrive, they plot in silence to sign a deal with the politicians of Khaufpur to settle the case. This news reaches the people and they stage a protest in front of the house of the Chief Minister. Later Zafar and Farouq undergo a fast unto death to get the case on the court. In the ensuing violence and protest the politicians want Zafar to control the mob and in return he says that the politicians will not sign any deal without Zafar and others.

The factory catches fire for the second time and the people are asked to vacate the place. After everything comes back to normal, the politicians and the lawyers plot a signing of the deal. As they were sitting inside a hall, gas enters the room through the air conditioning vent. They evacuate the room at once to get fresh air and so they are seen by the press. The signing of the deal is revealed and the lawyers accuse the people of the city calling them terrorists. Everything goes back to normal. The Kampani tries to find a way to not appear before the court. The people of the city suffer and the fight continues.

The government had no idea how to help the affected people. The plant was controlled by UCIL which is a subsidiary of the company UCC (Union Carbide Corporation). The company did not take any serious steps to deal with the ongoing tragedy. The main problem was that nobody knew anything about its antidote or how to treat the toxin. The people suffered from various kinds of ailments such as anaemia, tuberculosis, etc. No one could find the complete health effect that was caused by MIC. The treatment research was even more complicated by the fact that the children born to the mothers exposed to the gas were also the victims. Another factor which makes it worse is that even after 35 years there has been no closure in the report on what actually caused the disaster. Negligent management and poor maintenance standards can be considered a cause of the disaster (Shrivastava, 2010).

Bhopal gas tragedy can be considered as one such case where environmental justice was put to question. The disaster took the lives of thousands of people and injured thousand more to suffer for a lifetime. In March 1985, the government enacted the Bhopal Gas Leak Disaster Act to ensure the dealing of claims arising after the incident speedily and equitably. This made the government as the only representative of the victims in the legal processes in and outside the country. The settlement was made by the Supreme Court of India with UCC in which UCC agreed to take the moral responsibility and paid a claim of \$470 million to the government which was negligible compared to a multi-billion dollar lawsuit which was filed by an American lawyer in a US court. This amount of \$470 million was based

on the disputed claim that only 3,000 people died and 1,02,000 suffered permanent disabilities. According to Bhopal Gas Tragedy Relief and Rehabilitation Department, by the end of October 2003, compensation was awarded to 5,54,895 people for injuries received and to the 15,310 survivors of those killed. After this settlement, the matter was placed entirely under Indian jurisdiction. The government was blamed for not having appropriate laws for environmental safety and for settlement of claims through the establishment of liability. If this kind of proper laws would have prevailed earlier, then the victims of the incident would have got better compensation and it would have been difficult for UCC to get off the matter so easily (Tripathi, 2019).

Narayan Sinha comments on enforcement of law citing the case of Union Carbide plant and the Bhopa Gas leak as an example. He states that the major objective of enforcing a law is to make the people to accept the applicable law. And out of the

two main components of enforcement, which are monitoring and sanctioning. Polluters, who stand to lose money, may try to frustrate monitoring of the applicable laws. And the more sophisticated and complicated the process of applicable law, the easier it is for polluters to find ways of evading it (Sinha 23).

Bhopal Gas Tragedy was an incident which opened the eyes of the legislature and made their attention available to the environment and its protection. Even before this tragedy, laws such as Water Act of 1974 and Air Act of 1981 existed but EPA (Environmental Protection Act) provides an umbrella to the Central Government for the coordination of various state and central authorities that are established under these previous laws. Therefore it would not be wrong to state that if the country had a proper legislative framework then, either this tragedy would not have occurred or the sufferings of the people could have been made less. The CEO of the accused UCC has died and the lawsuit against him has been shut down forever. Lack of proper and sufficient laws resulted in the loss of the lives of thousands of people while thousand more suffer and have to live in pain because of the after-effects of the tragedy.

The legacy of UCIL is still haunting the people of Bhopal. Fifteen years before the disaster, it continued to dump process waste and other hazardous by products in and around the area of the factory. Since then more than 350 tonnes of waste has been kept leaking at the site and it is still lying there. Nobody is ready to pay for the disposal of the waste and the government and the factory are playing the blame game on each other. This has resulted in adulteration of the ground water in a 3km radius around the premises of the factory. The test results have been found toxic for the fish. If not taken proper care this Bhopal gas tragedy 2.0 threatens a greater number of people than the previous disaster, because some of these chemicals can remain there up to 100 years unless taken care of and the site is decontaminated.

After the tragedy, the Indian government passed and implemented The Environment Protection Act of 1986 under Article 253 of the Indian constitution. Its purpose was to implement the decisions of the UN Conference on the Human Environment Act of 1972 and to provide protection and prevention of hazards for humans, plants and other living creatures. This act strengthens the regulations on pollution control and environment protection by hazardous industries.

The act provides the Centre with a lot of power to take all necessary actions required for the protection of the environment. It enables the executive wing to issue notifications and orders which becomes guidelines for the administrative agencies. Basically, it provides the Centre with the power to make rules for environment protection. The act has seven schedules specifically laying down the rules for emission or discharge of pollutants from industries, prescribing emission of smoke, from vehicles and it provides a list of authorities to be approached in case of any discharge outside the prescribed levels and standards.

Under the provision of Section 25 of EPA, 1986 another set of rules was passed, Hazardous Waste (Management and Handling) Rules, 1989. It includes the management of 18 categories of waste

basically all toxic chemicals which could be stored in industries and used for different purposes. Some categories of waste which are included in this category are metal finishing waste, waste containing water-soluble compounds of lead, copper, zinc, etc. It issues the notification that the one generating this type of wastes or the one operating the facility which generates this type of wastes is responsible for the proper management and handling of the waste.

The Environmental Impact Assessment Notification of 1994 includes almost all kinds of activities which could harm the environment in any way. Through this notification, an impact assessment of any project becomes mandatory. The Central Government is required to carry out an environmental impact assessment on a large scale before passing any project listed under the notification. It also established a Right to Know, that is, public hearing through which the common man who would get affected by the project is given the chance to speak out and is made aware of the project. A lot of transparency was included in the system for the validation of any developmental project.

2. Conclusion

Unsustainable exploitation, consumption and pollution of natural resources have drastic impacts on the ecosystem. This would question the survival of the human species in the future. The awareness and precautions regarding any environmental disaster or possible issues with legal assistance should be provided to the people who are prone to risk with the presence hazardous industries. The novel through the representation of the Bhopal gas tragedy acts as a warning towards environmental risks and demands assessment and management in the future. The novel represents the class disparities in the process of conquering the disaster and how the rich people have higher resilience towards the disaster compared to the poor. The disaster does not create equal impact on all the people, the poor people suffer more while the rich continue to live recovering more quickly. This presents the need to accommodate the enforcement of laws and policies equally providing special focus on the marginalized and vulnerable people towards equity. In the case of Bhopal tragedy the laws were flexible and so proper compensation was not provided. Only after the tragedy, proper laws were established by the government. This should be taken as a lesson for the future. The people should not wait for a tragedy to happen and the government should make law in advance and preserve Nature. People should fight for the conservation of natural resources by establishing urban eco systems for all the classes of people.

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