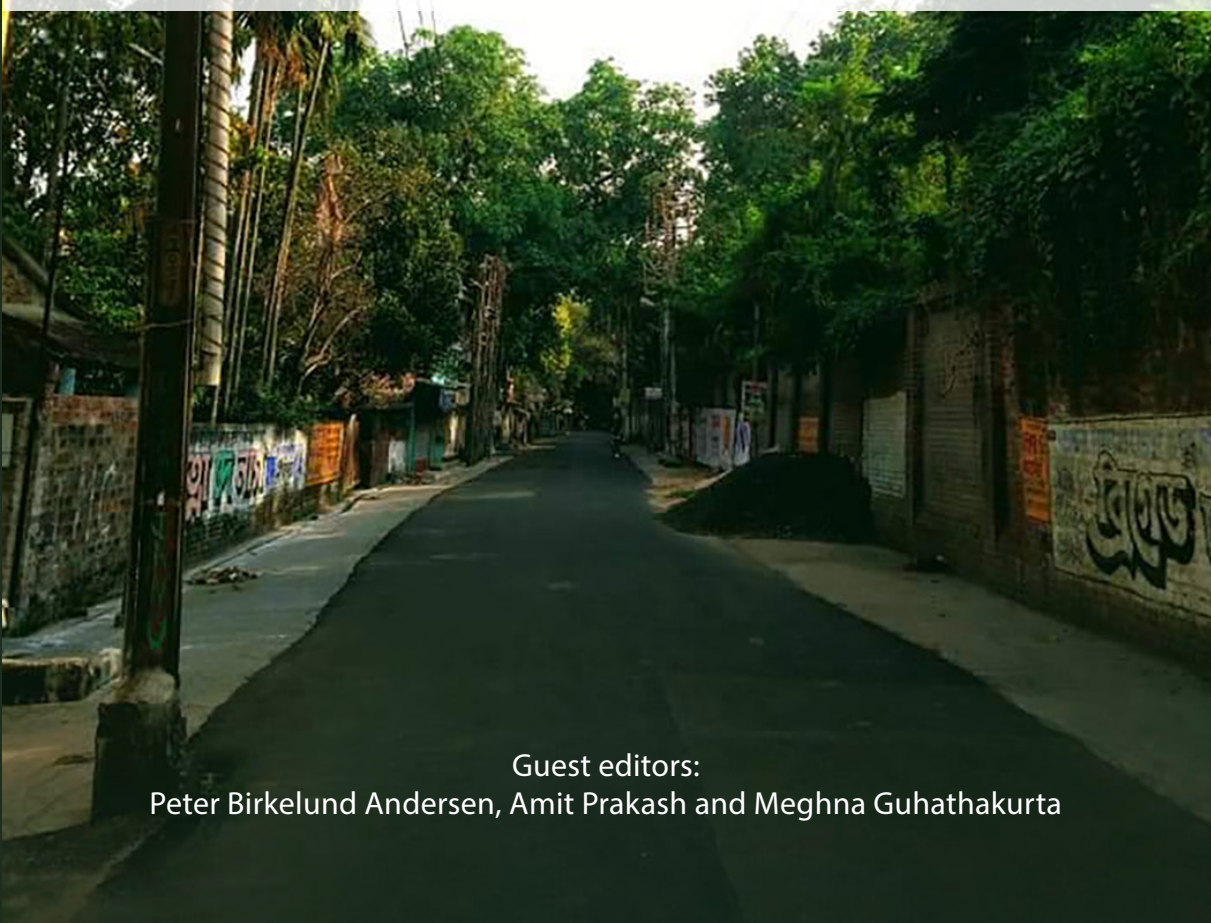
NAVEIÑ REET: Nordic Journal of Law & Social Research
An Annual Interdisciplinary Research Journal, Number 12, 2022

SPECIAL ISSUE

COVID-19 AND CIVIL SOCIETY IN INDIA, BANGLADESH AND SRI LANKA



Guest editors:
Peter Birkelund Andersen, Amit Prakash and Meghna Guhathakurta

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Foreword

It is perhaps in the nature of the matter that the current issue on 'Covid-19 and Civil Society in India, Bangladesh and Sri Lanka' is a slightly unusual production and editorial process. However, I considered it important to publish the articles, despite general reservations from several reviewers that some of the contributions have a more 'opinionated' and 'highly politicized' character than is normally the case for our scientific research journal. We provide the space for the feasibility of various viewpoints in the journal but persist to keep the core criterion of scientific research. With this specific issue, it is also important that the journal comes out before too long. Speed played a big role in the publication of "In the Realm of Corona Normativities".

I greatly appreciate the guest-editors' hard work and their efforts to make it as scientific and objective as possible. Nonetheless, at the end of the day current issue provoke an opportunity to open debate and to contemplate on challenges of being scientific, objective and neutral that we come across repeatedly, and specifically in times of the Corona virus which like other pandemics and epidemics has the potential for opening up cleavages in society.

First and foremost I am thankful to two anonymous peer reviewers for providing timely feedback in a limited period of time. I am also very grateful to the head of Department of Cross Cultural and Regional Studies at the University of Copenhagen, Annika Hvithamar, who took time from her busy schedule and by streamlining different perspectives, became a driving force to materialize this publication. Copy editor David Stuligross deserves appreciation for his performance starting from the beginning until the end of this publication. Last but not least I am obliged to Hanne Petersen and Helle Blomquist for providing me personal support.

Editor
Rubya Mehdi

Introduction to the Issue

When we opened the call for this thematic issue on 'Civil Society in the Time of Covid–19' in Autumn 2020, the world was still suffering under the impact of then-still-new waves of Covid–19 and the question of how Covid–19 would change the world seemed pertinent. It still does. We chose to pose our question about Covid–19's impact on civil society broadly, including social and governmental regulations that organise civil society and the public sphere.

The issue is divided into four sections. The first includes a single article in which we, together with Siri Hettige, try to balance this question. Here we compare the South Asian situation with Slovaj Žižek's strong and sweeping prediction of the end of the neoliberal order. Neoliberalism remains strong in South Asia, but we see that some of Giorgio Agamben's concern for introducing a state of exception might be happening during the pandemic. However, there is also evidence of deepening the fraught lines between ethnic, religious and caste groups in each country. One may only hope that the governments will work to level these trenches in the long run, even though some governments have fueled and even taken sides in the conflicts.

The following section regards 'Invoking Tradition', where the first article, by Sanjukta Das Gupta, considers 'From "Folk" to Digital: Transformation of Bengal *Paṭacitra* Art in the Times of Coronavirus'. Das Gupta documents how the rural and urban scroll painters in West Bengal took their art to the internet when Covid–19 lockdown prevented their usual business of selling their scroll paintings to tourists and narrating the stories on the paintings. The local performances that turned global through the internet may well be termed glocal, in the terminology of Rolland Robertson, stressing how the global always is in interaction with the local.

Even if a pandemic in its conceptualisation is global, its effects are always local, and in 'Consequences of Covid–19 and Role of Gram Panchayats in Tackling the Pandemic Situation: Some Highlights from West Bengal' Sujit Kumar Paul demonstrates how the local municipal institutions, the gram panchayats, took initiatives to protect the inhabitants. On the one hand, the gram panchayats acted in line with the instructions given from the district, state and national levels; on the other, the national and state levels approached the issue differently.

Marianne Qvortrup Fibiger turns to the changes in the religious situation, stressing Indian society's traditional religious openness while pointing to indicators of a decline in this regard. Her article on 'Responses to Covid–19: New Paradigms of Exclusion and Inclusion in Indian Society' highlights the different government and media interpretations of super-spreader actions by different religious groups during the pandemic, and the appearance of a new Corona Goddess (Corona Devi).

Traditional caste rules are also extended to Bangladesh, where the *Rabidas* and *Patni*s, low-caste Dalit minority communities, suffered severely and largely on their own during the pandemic. Matiur Rahman provides extensive documentation of their plight in his article, 'Surviving and Coping with the Pandemic: Minority Dalit Groups in Northern Bangladesh.' His focus is on how they lost their incomes and were prevented from creating other sources of income due to the lockdowns and, importantly, highlights how little support NGOs were able to extend and the difficulties faced by *Rabidas* and *Patni*s when they attempted to obtain government support.

The next section, 'Invoking Civil Society', documents how neoliberal economic strategies have led some governments in South Asia to cut down on the public sector and the negative situation this gave rise to for the weaker sectors of society, but also how some of the governments involved civil society organisations during pandemic relief work.

In their article 'State, Market, and Prospects for the Public Sphere: A Study of Sri Lankan Higher Education during the Pandemic', Pradeep Peiris and Hasini Lecamwasam investigate how the seeping of market rationality into the university space has eroded the inclusivity, commonality, autonomy and criticality that define the public sphere that is assumed to comprise the university. Pandemic-related developments led to a weakening of the public sphere.

In Bangladesh, civil society's engagement with overseas migrants' issues successfully influenced the state to mobilise its resources in support of these people when Covid–19 forced them to return from their host countries. Governed by values such as autonomy, solidarity and partnership, civil society activities here resemble supplementary and adversarial models of state–civil society relations. These findings, presented in Syeda Rozana Rashid's article on 'Civil Society's Response to Covid–19-Affected Migrants: The Case of Bangladesh', offer useful insights into the construction of 'civil society' in a South Asian setting and its ability to support vulnerable communities during a crisis.

The delicate balance between planned and 'unplanned' or 'unauthorised' urban development and the implications for inhabitants are documented by Chitrakshi Jain in her article, 'Examining the Response of Resident Welfare Associations'. During the Covid–19 Jain delivered Covid-related services as authorised by the Delhi government, they favoured RWA members, property owners, at the expense of others who lived and worked within their boundaries. Jain links their priorities to the neoliberal ideology behind the government's initiative to establish the RWAs.

The neoliberal ideology as the organising principle of the market and its role in influencing the socio-economic and political spheres of society is at the core of Zeba's article on 'Neoliberalism and the Challenges of Social Justice: Covid 19 and Migrant Labour Crisis in India.' Zeba analyses the role of the state, as envisaged in the neoliberal framework, in delivering on promises of welfare and social security for marginalised people and, specifically, for informal migrant labourers in India who were placed in a terrible situation due to the sudden introduction of the first lockdown. She argues that it might be impossible to reclaim social justice for the vulnerable within a neoliberal framework. She suggests that a paradigm shift in constituting and re-imagining new political rationalities, embodied in a political discourse of rights and dignity of labour, might be required as a prelude to redefining the principles of social justice from the vantage point of vulnerable groups. Issues pointing towards the inclusion and exclusion of citizens in modern states are also addressed.

The last section of the issue concerns 'Re-interrogating "citizenship"'. The link to Covid–19 in the section's first article is that some events occurred during the lockdowns. Still, it may also be seen in the light of Agamben's concern for the government's introduction of a state of exception in politics legitimated as pandemic responses. Sukanya Bhardwaj also addresses this theme in 'Citizen–State Relations and State Impunity in a Pandemic: The Case of Changing Citizenship Laws in India.' Bhardwaj shows how far India has moved away from an inclusive concept of citizenship and how religion, to some degree, has become a formal determinant of citizenship. She also observes that the majority population in Assam, while Hindu, objects to the new national law's welcoming of Hindu migrants. For them, Assam should privilege the Assamese community, first and foremost. In light of these developments, the article raises the question of whether India's growing majoritarianism can be opposed and its constitutional values preserved, which remains to be seen.

Over the years, the Tamil and Muslim minorities in Sri Lanka have been targets of repression, and Malini Balamayuran and Nadarajah Pushparajah document the uneven impacts of the Sri Lankan government's response to Covid–19 in their article on 'The Impact of Covid–19 on Ethnic Minorities in Sri Lanka.' The authors express their concern that this situation will continue well into the post-pandemic recovery stages. They argue that Sri Lanka needs to undertake a coordinated consultative process founded on the principles of equality, equity, social justice and human rights, to develop policies and strategies to address issues that rendered the sufferings of ethnic minorities severe during both the pandemic and the post-pandemic recovery stage.

It is not yet possible to estimate how far the Covid–19-pandemic has led to lasting changes in civil society in South Asia and, if so, if the changes will yield civil societies that are more inclusive or more restricted. This issue presents the situation after two years of spread, lockdown and regulation. In some cases, governments have joined hands with civil society organisations; in others, governments have restricted the unfolding of activities in the civil society and the public sphere. As CSOs and the public sphere mediate relationships between governments and citizens, we can only hope that the respective governments, in collaboration with civil society, will formulate policies that work toward the inclusion of all citizens on equal terms.

July 2022, Peter B. Andersen, Amit Prakash and Meghna Guhathakurta.

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Covid–19 and the Civil Societies of South Asia

Peter B. Andersen, Amit Prakash, Meghna Guhathakurta and Siri Hettige

Abstract

This article presents the liberalisation of the economies of Pakistan, India, Bangladesh and Sri Lanka as having downscaled the degree of support for public health care and systems for the needy in the countries of South Asia. Civil society organisations (CSOs) stepped in. Still, they often could not establish sufficient funds to fill the gap and, in many cases, the governments suppressed CSOs and the media due to their critical voice. In many cases, CSOs have toned down such critical voices and limited themselves to improving specific social situations as such activities have been allowed and in some cases supported by the governments. The outbreak of Covid–19 led to ad hoc mobilisation of the civil society and temporary changes in the working situation. Despite this, most governments have limited ability of CSOs to work during the pandemic. In a larger perspective, Covid–19 has not created anything approaching the kind of neoliberal crises predicted by Slovaj Žižek, but the new level of restrictions introduced leads one to consider if they will be turned back after the pandemic, or if the restrictions will be retained, as predicted by Giorgio Agamben.

Keywords: Covid–19, South Asia, Civil Society Organisations, CSO, Neoliberal economy, Slovaj Žižek, Giorgio Agamben.

The outbreak of Covid–19 dates to the first week of December 2019, when patients with a then-unknown form of pneumonia with 'uncommon symptoms' presented themselves at a hospital in the Chinese city of Wuhan. By the end of December 2019, the virus had been identified as a unique variant of Coronavirus and the news media reported that, in January 2020, Chinese authorities were struggling to contain its dissemination by restricting the freedom of movement in ways that had never been seen outside of wartime or inside of prisons. All over the world, people remembered the SARS (Severe Acute Respiratory Syndrome) epidemic, which appeared in Asia in 2002 but lost strength and had disappeared from the public eye by 2004. This was not to be the case with Covid–19. On 30 January 2020, the WHO declared a world health crisis, which it upgraded to a pandemic on 11 March 2020.

Bangladesh responded early to Covid–19 by imposing travel restrictions in January 2020 and South Asia's first comprehensive lockdown, from 23 March through 30 May 2020. Covid–19 reached Pakistan at the end of February 2020. In India, the first case of Covid–19 was identified on 30 January 2020 and a complete lockdown of the country was imposed from 25 March. [1]

The aim of this thematic issue on *Civil Society in the Time of Covid–19* is to study the spread of the pandemic with its resulting cases of death, terror and anxiety due to loss of income or employment, together with the large demands it put on governments and civil society in South Asia. This article aims to introduce some general themes in a more systematic fashion. First, we consider a scholar who wrongly predicted the fall of the neoliberal world order, and then a scholar whose concerns reflect ours. Then we will turn to the pandemic's meaning for civil society as it developed in India, Pakistan, Bangladesh and Sri Lanka.

Revolution against the Neoliberal Order or Imposition of a Perpetual Crisis from Above?

Several scholars have argued that the Covid–19-pandemic during 2020 and 2021 has transformed the world as neoliberal economic governance proved incapable of providing sufficient protection for the populations. To open the discussion with a very strong position, we may turn to Slovaj Žižek, living in Slovenia, in Europe. He argues for a fundamental change in the neoliberal economic systems and for developing a new balance between states and individuals in the economic system. In fact, he foresaw the Covid–19 pandemic as the catalyst for a full-fledged reawakening of communism in a new, collaborative international order. Žižek circulated his argument on the internet and in the media well before he published the first of his three books on the *Pandemic* on 24 March 2020.

From a global perspective, political consequences in this direction have not been observed. Although some governments have fallen partly due to their handling of the pandemic, [2]

1 Partly based on Prakash et al., 2021, Prakash 2021 and Andersen et al., 2021. Wikipedia's continuous updates on the Covid–19 in Pakistan, India, Bangladesh and Sri Lanka offer further information.

2 Inept handling of the pandemic has been forwarded as a reason for Donald Trump's defeat in the USA presidential election in November 2020.

the policies of their successors have not proven to be much more effective. In the long run, democratic or authoritarian regimes may fall due to their handling of the pandemic. Democratic regimes may move towards authoritarian forms and authoritarian regimes may become more democratic. Such changes are significant from a within-country point of view, but it is increasingly evident that they will remain within the borders of states or unions of states. Nonetheless, the full systemic impact of this interface of governmental systems' management of the pandemic is still to emerge, wherein the role of civil society organisations (in all their variations and complexities) is likely to play a central role. Scholarly attention to the direction of such changes should be constant and critical.

However, it does *not* follow that Covid–19 has passed through the world without leaving any impact on the systems. Another European resident, Giorgio Agamben of Italy, has put forward a continuous critique of lockdowns around the world. He fears that the governments are using the pandemic as a cover for implementing policies that solidify their hold on power, at a minimum, and might enable them to obtain absolute power (since February 2020, Agamben 2021). For Agamben, the goal 'for the government is all about maintaining control' (28 March 2020, quoted in Agamben 2021:28). And he argues that the epidemic has provided a 'way to cultivate a climate of panic, establishing a state of exception that imposes severe limitations on mobility and suspends the normal functioning of life and work' (26 February 2020, Agamben 2021:11). In his view, his prediction had come to pass as early as 28 March 2020:

> The epidemic has made clear that the state of exception, to which our governments have actually accustomed us for quite some time, has become the normal condition. People are so used to living in conditions of perpetual crisis, that they seem not to realise that their lives have been reduced to a purely biological condition that has lost not only its political dimension, but also what is simply human (28 March 2020, quoted in Agamben 2021:28).[3]

And he underscored his argument by adding:

3 As evident, Agemben has not taken WHO's upgrading of Covid–19 to a pandemic into his language.

> A society that exists in a perennial state of emergency cannot be free. We live in a society that has sacrificed freedom for so-called "security reasons" and has hence condemned itself to living in a perpetual state of fear and insecurity (Ibid.)

We note, however, that his formulation from 'quite some time' into 'a perpetual crisis' and 'a perpetual state of fear and insecurity' took place over only a few weeks, retrospectively turning the preceding weeks into eternity and predicting that the present authoritarian moment would be extended ahead for another eternity. Agamben's anxiety is related to his long-stated critique of the social consequences of the state of exception. Even if Agamben's general anxiety has turned out to be overstated, it is highly relevant to consider how various governments responded to the pandemic in relation to their civil societies. We can see that state impositions of various kinds of restrictions and controls over individual life triggered strong social reactions at different places in the world, but we can also see that many states have revoked numerous restrictions as the pandemic eased. We hope that the pandemic will now be kept under control and we will not see closedowns or curfews of the kind witnessed in 2020, 2021 and, in some places, 2022. Though it may happen, it is better to structure investigations of the impact of the pandemic on civil society in ways other than Agamben's all-embracing position.

The following will introduce the changes in *civil society since the transformation towards neoliberal economics*, and how the earlier collaboration between the states and civil society moved stepwise towards *new forms of control imposed on civil society*. Developments that hollowed out health systems and weakened civil society in the immediate pre-Covid period. After that, we will turn to the developments during Covid–19.

Neoliberal Economics and Civil Society

Neoliberal economic theory, which has gone through a number of transformations over decades, has had a direct bearing on civil society in the countries of South Asia, which have deregulated and opened their economies to foreign investment in various tempi. Sri Lanka was the first, opening its economy in the late 1970s, followed by India, Pakistan and Bangladesh in the 1980s. All four joined the World Trade Organisation (WTO) at its creation in 1995. In each, deepening global economic linkages corresponded with a rise in the Gross Domestic Product and a decline in the poverty level. However, these positive results concealed that the structural changes in the economy left some groups behind.

Overall, India's rural-urban development gap got worse and regional gaps became more pronounced (migration article in this issue). Further, many groups have criticised governments for privileging commercial conglomerates in their competition with smaller businesspeople and farmers. These policy choices have generated civil society responses in the form of organised protests and heated debates in the public sphere. Recently, significant and sustained protests followed the passing of market-deregulating policies for agricultural products in September 2020. Whereas the government promoted the liberalisations in price formation, market and commerce as socially and economically beneficial, the many protesting farmers saw them as giving large commercial actors unfair advantages over workers and farmers. This and similar protests against market liberalisation are instances of classical mobilisation, in which civil elements join to inform the government in no uncertain terms of the difficulties created by certain policies and urge the government to reconsider them.

Several authors argue that the Covid–Pandemic has increased the inequalities associated with market deregulation and liberalisation. Further, neoliberalism-inspired changes in administrative structure have reduced the government's ability to help citizens in need (Malini Balamayuran and Nadarajah Pushparajah, Zeba, and Pradeep Peiris and Hasini Lecamwasam). Another question is how far the pandemic has transformed civil society. To come to grips with this question, we have to look at the longer trends in the relations between the states and civil society. Here we will address the formation and regulation of various kinds of Civil Society Organisations (CSOs). Against the backdrop of the fall of the authoritarian regimes in Eastern Europe under Soviet hegemony, many governments and global governance structures like the WTO and the World Bank saw an opportunity to impose neoliberalism throughout the world. They saw CSOs as a crucial element of this process. In 1997, the World Bank decided to include Nongovernmental Organisations (NGOs) in the activities it supported, envisioning the possibility that CSOs would join 'the world of advocacy, lobbying, human rights, and politics in general, groups and their goals', and the NGOs included interest groups, veto groups, grassroots movements, social movements, and protest movements', as all 'these discrete classifications could as easily be subsumed under the rubric NGOs' (Ibrahim 1999:7).

While this seems to be an endorsement of civil society as traditionally understood, one can observe that the emerging international CSOs embedded neoliberal values in their mission statements and their collaborations with domestic CSOs emphasised projects that furthered neoliberal goals. Even at the civil level, the ability of organisations to serve the

most vulnerable population segments was curtailed. This organisation-level change was complemented by changes in the way governments regulated CSOs.

In India, the process of '[t]ightening of NGO regulations [...] has been slow, ongoing and deliberate' as stated by Patrick Kilby (2011:15), with continuous references to foreign support for subversive agencies since the 1970s (ibid.). In 2010 the *Foreign Contribution (Regulation) Act* of 2010 raised new administrative obstacles for the local NGOs and branches of international NGOs (INGOs). During the last decade, many organisations continued their work, but it has become increasingly difficult to obtain the permissions needed to receive foreign contributions, especially after the promulgation of the *India Foreign Contribution Regulation (Amendment) Act*, 2020 (Ghosh 2022).

The military has had a large say in Pakistan since Independence, to the extent that Pakistan is sometimes termed a garrison state (e.g., Ahmed 2013); other classifications, like overdeveloped state focus, on the impact of the state on development at all levels (e.g., Whaites 1995). In any case, the government has prevented formal NGOs from working for education and improving conditions for women and workers. Since 2001, Pakistan has worked to include CSOs in the local development process, but this is within an overall authoritarian approach, and it is up to discussion whether the inclusive process has been successful (Rosilawati et al., 2018). As far as the control of the CSOs is concerned, Pakistan has demanded since 2013 that both local and international CSOs have to re-register, and the registration process has steadily become more burdensome. The formal argument for these obstacles is 'national security', but the experience of the CSOs is that a lot of irrelevant documentation is demanded (Ahmad 2021:66–7).

Bangladesh has developed a vibrant civil society over the years. But lately, the space for CSOs has faced new constraints, imposed by the dual trends of market economy and authoritarianism that are seeping into its polity. This has been especially so in the case of CSOs that focus on issues associated with human rights and freedom of speech. Nonetheless, Bangladesh is continuing its tradition of accommodating 'service delivery NGOs', which it sees as partners in development. This strategy perhaps is due largely to the realisation that neither state nor society, alone, is capable of serving Bangladesh's huge population.

As mentioned earlier, Sri Lanka's economic liberalisation process was set in motion by a right-wing government elected in 1977, preceded by nearly two decades of state-led

development under left-of-centre regimes. Those regimes had attempted a structural transformation of the largely agrarian economy, to pave the way for a more diversified economy. Still, they were challenged by inadequate capital formation, and by pressure from a fast-growing population that demanded livelihood opportunities and welfare provisions. A slowly growing economy and increasing costs of public services like education, health and transport did not leave much surplus to be invested in capital goods such as imported intermediate goods needed to develop agriculture, industry and services. Persisting high levels of unemployment, particularly among youth, and widespread poverty led to unrest among disadvantaged, unemployed rural youth, culminating in a major youth uprising against the state in 1971 led by a radical youth political party, the People's Liberation Front (Janatha Vimukthi Peramuna). The incumbent left-of-centre government became unpopular among the people, despite some efforts to respond to their grievances.

Against the above background, the right-wing, private sector-oriented United National Party, campaigning on an economic liberalisation platform, secured a landslide victory in the 1977 parliamentary elections. Unlike in neighbouring India, where the national leaders were reluctant to embrace neoliberal ideas and open the country's economy to foreign capital, the leaders of the newly elected Sri Lankan government were quick to adopt an open economic policy. The impact of this policy not only on the economy but also on social sectors has been drastic, resulting in economic, social and even cultural transformations. Increasing participation of local and foreign capital in the economy and other sectors reduced the state's role, leading to a more significant role for the private sector in both economic and social sectors. These developments resulted in greater income inequality and consumption-based social disparities across Sri Lankan society. These developments underpinned a second wave of unrest in the late 1980s among disadvantaged segments of the population, especially the disaffected youth. However, unlike in 1971, the ideological orientation of the uprising in 1988–89 was more complex, due to the influence of ethnicity-based identity politics that became a significant aspect of national and sub-national politics in the country. This tendency was also a reflection of the segmentation of Sri Lankan society on ethnolinguistic lines brought about by education and language policies adopted by successive post-independence governments. What should be noted here is that a militant, anti-state Tamil youth movement had been active since the mid-1970s and soon evolved into an armed struggle for a separate state in the north and east of Sri Lanka.

On the other hand, one also must recognise the role played by the post-1977 social and economic neoliberal transformation in creating structural conditions that underpinned youth uprisings in Sri Lanka. In this regard, increasingly unequal opportunities and rural–urban disparities in education and employment have been highly significant (Hettige 1996; Hettige and Gerhard 2015). These trends were further reinforced by the increasing economic and social significance of the Colombo metropolitan region following post-1977 neoliberal economic reforms. Given the growing role that private capital began to play, not only in promoting economic growth but also in the expansion and diversification of social sectors like education and health, the role of public investment in education and employment creation became less significant (Peiris and Lacamwasam in this issue).

Covid–19

In Bangladesh in Covid–19 times, governmental interventions failed to reach the broader population regularly or systematically. Civil society organisations generally tried to direct whatever resources they could muster to address the pandemic. The government generally gave free rein to CSO interventions that focussed mainly on service delivery. It even permitted empowerment strategies cultivated by CSOs, especially when these supported awareness-building and strategising protection on pandemic-related issues. From the government's perspective, these activities were not in opposition to the establishment, as the pandemic was not considered a '*partisan*' issue. That is, though there were criticisms against various strategies taken by the government on Covid–19, (for example, hiding the actual rate of school attendance or the malpractices of health institutions in the early phases of Covid–19), these did not amount to a direct threat against the party in power. The government was confident that the population understood it was doing its best in an impossible situation.

In post-reform Sri Lanka, development assistance agencies began to assign a greater role to non-governmental organisations in the spheres of development and social welfare. On the other hand, interventions by non-governmental organisations, almost entirely dependent on project-based assistance from international development partners, could hardly match the range, regularity and depth of welfare programs implemented by mature welfare states in other parts of the world. This naturally left many areas of welfare and social protection inadequately addressed either by the state or the development NGOs, including private charities that emerged in the neoliberal era.

Civil Society Organisations

Civil societies in South Asia have undergone significant structural transformations since the 1980s. Where the organised CSOs aimed to solve social problems or change state social policies, they could be seen as independent of the governments. But with the influence of neoliberal economic theories, governments began to include CSOs in governmental management of social problems and turned them into tools of the state. Sometimes it was done in order to downsize the state in line with the neoliberal ideology, sometimes to engage people who were in close contact with the needy and could address their problems more precisely than the existing government programs. In both cases, CSOs adapted their strategies to fit funding options opened by the governments (Chitrakshi Jain in this issue).

Since the mid-1980s the government of India has initiated a policy of funding Indian NGOs insofar as they are politically neutral and work with targeted programs, for example, for rural development (Kilby 2011:17), income generation, literacy, and women's empowerment. This has led to an increase in the number of NGOs but strongly limited their critical potential, as they are compelled to work along the lines of government policies. Even so, politically neutral target areas are identified by politicians who aim to be re-elected, and areas selected typically do include vulnerable populations in social development processes.

NGOs in Bangladesh have played a continuous role since the country's emergence as an independent nation in 1971. Their part as development partners began to rebuild a war-damaged economy, then focussed on agro-based production, and more recently in protecting both urban and rural workers' rights, promoting gender equality and advocating anti-discriminatory policies for socially excluded communities. The prominent and pervasive role of NGOs in the earlier years was due to the weak private sector, limited government outreach to remote areas, intervening military regimes that denied a system of public accountability, and lack of connectivity in a country with a famously high population density. As these factors were addressed in the government's development policies, the role of NGOs became more controlled and institutionalised, to a point where CSOs are feeling the pinch as, gradually, their space is being constrained.

In Sri Lanka, NGOs active at the national level became more visible, influential and vocal following the adoption of economic liberalisation policies and the consequently declining role of the state in addressing issues of poverty, inequality and marginalisation of minorities. However, they increasingly reflected their funding partners' liberal and

international outlook, which did not please more ethno-nationally oriented civil society groups. As a result, nationalist regimes over the last several decades have increased their monitoring and regulation of NGOs.

The Public Sphere

By turning NGOs into politically neutral development agencies and curbing collaborations between local NGOs and INGOs, national governments in South Asia have restricted the potential for civil society movements to advocate for some government policies and protest against others. Nevertheless, many kinds of public spheres co-exist.

Formally, the media are basically free, but there are many attempts to press media editors and journalists. In Pakistan, in particular, this can be violent (Bhattacharya 2016).

Scholarly and literary contributions can be published freely all over South Asia, yet we see many individual moments when writers are intimidated in an attempt to bring their work in line with government policy, or just to turn them silent. Intimidation is sometimes pursued through the legal system, and carried out by independent non-state actors at other times.

Civil Society under Covid–19

At the arrival of the Covid–19-pandemic, civil society had no choice but to take on roles abdicated by patently incapable and unwilling states. While little argument can be made against this assertion, all was not rosy in this sector. Components of civil society followed the lead of the states' lockdowns or curfews and arrogated policing functions that can never be seen to lie properly in their domain (Chitrakshi Jain in this issue).

Nonetheless, one cannot overstate the yeoman service that civil society – in all its expressions and organisational forms – performed to offer succour to the ill, hungry, dying and indeed, the dead. Civil society's haphazard effort found the depth to feed millions of poor, stuck without work or food. Happily, civil society swiftly mobilised ad hoc structures to secure and distribute food, medicine and medical oxygen to the sick. And many reports attest to CSOs engaged in disposing of the dead in the face of family members themselves being hospitalised. It is not an overstatement to argue that civil society in its disparate forms was present across South Asia, even as several governments took inappropriate steps. In addition to institutionalised CSO responses to the Covid–19 emergency, there were also examples of individuals spontaneously coming together in the

public sphere, to deliver food and non-food items to remote places, liberally using the help of technology to, for example, make connections through social media or use cellphone-based money transfer mechanisms (bkash for Bangladesh).

Governments everywhere took a two-pronged approach to pandemic management: reduce spread by enforcing lockdowns, social distancing and mask use; and reduce mortality by expanding the health services. They imagined their efforts to be successful during the first wave, but their sense of achievement proved to be misplaced when the horrific second wave arrived. There was simply no hospital bed to be had for love or money, and medical oxygen and other medicines were in tragically short supply.

It must also not be overlooked that civil society was being asked to fight with one hand tied behind its back. As we have seen, civil society in much of South Asia had been all but hollowed out under the policy shifts by a hollowing out of liberal freedoms in the years before the pandemic. Funding for CSOs was squeezed, notably by disallowing foreign sources or making transfers from them burdensome. Numerous steps were initiated to ensure compliance of statist diktat by CSOs while each and every articulation of an autonomous argument was seen as suspect. This fact takes us back to the question of the truncation of citizen rights (in this issue, see Sukanya Bhardwaj, and Pradeep Peiris and Hasini Lecamwasam). In Bangladesh, however, banks simplified the transfer of international remittances to individual accounts tagged for Covid–19 relief purposes. Likewise, at least for a short period, Pakistan opened for easier recognition of NGOs and INGOs.

These factors need to be closely considered in any analysis of post-pandemic order because the organisational and institutional changes that emerged (such as aggrandisement of state power for a curfew lockdown) might not end with the pandemic; here, we share some of Agamben's concerns. In some of the countries of South Asia, a state–civil society relationship chapter begun during the pandemic may become the standard template for post-pandemic claims of rights, contestation of statist policies and indeed, demands for welfare functions and policies for the poor or health for all. Unlike Žižek, we do not foresee a fall of the neoliberal order, much less the creation of a new economic order based on communist ideas. We do not see indicators for such developments, nor for the creation of a new international, collaborative order, in any South Asian country. These countries appear to be uncapacious with respect to taking on large-scale welfare functions

or being able to regulate capital. These factors, when read together, forbode a period of contestation during which civil society promises to play a starring role.

Covid–19 in South Asia

The sudden appearance of the Covid–19-pandemic forced governments throughout South Asia to make quick decisions in the fight against the pandemic, some of which might have long-term effects.

India's prime minister announced a short curfew on 19 March 2022, which was quickly extended to an extensive, intrusive three-week ban on leaving home. This first lockdown rendered vast numbers of people unemployed and without any means to move from the major cities to their families in rural areas. The very strong and sudden initial lockdown, including much of the public transport system, compelled many workers to take to the roads and walk towards their far-flung family homes (Zeba in this issue). As they had no funds and the state was unwilling or incapable, civil society came to the rescue as CSOs mobilised ad hoc activities to feed and shelter the internal-migrant workers.

All state-level powers were subsumed by a national order that simultaneously centralised power and resources, even as responsibility was decentralised to the states, leading to different strategies for involving local administrative bodies and civil society organisations.

In the middle of April, the country was divided into zones and pandemic management was based on the assessed threat level for each zone. Consequently, states developed their own strategies to mitigate the pandemic's impacts and their own approaches to collaborating with local institutions and/or local civil society organisations. In West Bengal and Kerala (Naz and Joseph, 2021; and Sujit Kumar Paul in this issue) Panchayati Raj (local governance bodies) institutions were activated and seem to have successfully mitigated the sufferings of people, especially migrant workers, in many places. Kerala has been singled out for praise (Sandanandan 2020). Similarly, Delhi depended on a peculiar form of CSO, the Resident Welfare Organisation, for lockdown surveillance and management, and for the provision of some public services (Chitrakshi Jain in this issue).

In other instances, the government referred to the pandemic as it shut down ongoing civil protests. This was the case with the protests against the implementation of the *Citizenship (Amendment) Act, 2019* (CAA), which introduced a new pathway toward citizenship for

many international migrants, but effectively excluded Muslim migrants from consideration for Indian citizenship and provided a mechanism, the National Register of Citizens, that could lead to the expulsion of Muslim families who had been in the country for generations (Sukanya Bhardwaj in this issue).Tharoor (2020) sees this as one of many steps taken by India's government in a process of 'etiolation' of democratic institutions, and wonders whether they will be allowed to return to their former, strong condition. Tharoor is agnostic. On the basis of a long number of issues, he argues that the government utilises the pandemic, in part, to legitimise its quashing of civil protests. In this regard, he is in line with Agamben's concern that a state of exception, once introduced, will be retained.

In Bangladesh, the civil society's influence on the government's response to Covid–19 varied. Civil society was highly successful in influencing the state to mobilise its resources in support of Covid-impacted migrant workers, who constituted the largest source of foreign exchange earnings through remittances and hence got high-profile media attention when they were forced to return to Bangladesh (Syeda Rozana Rashid in this volume). On the other hand, among socially excluded communities like the *Rabidas* and the *Patni*s, two Dalit groups in northern Bangladesh, state intervention was minuscule and negligent. Their ability to come up with coping mechanisms in the face of extraordinary misery and suffering is a testimony to their resilience (Matiur Rahman in this issue).

In Sri Lanka and elsewhere, decades of neoliberal economic and social policies produced structural inequalities that left the country ill-prepared to face a major public health challenge and cushion the vulnerable segments of the population, already in a precarious situation because of lack of good governance. Among the many steps the government took against Covid–19 we note that the civilian government integrated military leaders into civilian governmental institutions and allocated some of its authority directly to the military. As a result, the military was directly involved in both supportive and coercive management roles in the country's northeast, where the Tamil population continues to view it with suspicion (Malini Balamayuran and Nadarajah Pushparajah in this issue). Within education, the shift to online learning had disastrous effects for the many students who did not have access to the necessary technology, thus deepening pre-existing social divides (Pradeep Peiris and Hasini Lecamwasam in this issue).

Pakistan's federal government sensed the need to involve CSOs in the fight against Covid–19. This led it to open a fast track for registration of INGOs who already collaborated within Pakistan. INGOs that wanted to address the Covid–19 emergency

were exempted from the usual demands for a No Objection Certificate (NOC), which enabled them to receive funds from abroad.[4] As stressed by Warraich **(**2021: 228), '[s]uddenly, the "enemies within" progressive civil society were government allies'. This opening, however, was discontinued only a few months later, in July and August 2020. Representatives for the NGOs united under the Pakistan Development Alliance criticised many aspects of the government's pandemic management. On the organisational level, they criticised the lack of collaboration between the federal and provincial governments: unilateral federal actions led to mistrust. Regarding needs for the most exposed sectors, they pointed to the lack of protective equipment for agricultural sector workers, and to the fact that many inhabitants had been excluded from seeking cash grants, as Computerized National Identity Cards (CNICs) had not been issued to them. Warraich (2021: 229) foresees post-pandemic CSO conditions that are similar to those of pre-Covid–19 times. His analysis differs from Agamben's in two ways. First, the government of Pakistan did *not* tighten its hold on civil society organisations. Second, the loosening was temporary; some freedoms had already been curtailed earlier and others are expected to be curtailed soon. At the same time, skills and connections developed during the pandemic, notably those associated with internet-based opportunities, may improve the situation, particularly from the CSO perspective.

Taking a comparative look at South Asia, Covid-19 has had a range of impacts on the relations between governments and civil society. First of all, new forms of social interaction have increased, that regard the internet and ad hoc organisation of relief activities – changes which may lead to long-lasting limits on government control over civil society. On the other hand, we see that Sri Lanka's military, which was allocated the authority to enforce Covid-19-restrictions, performed its duties in ways that deepened existing ethnic conflicts. The government of Pakistan also tightened restrictions on civil society in non-public-health ways. For its part, India introduced new citizenship regulations during the pandemic. The developments in India may be in line with a long-standing policy, but Covid–19 made critical responses from civil society more difficult than they would have been without Covid–19.

4 Much information on Pakistan is based on Warraich (2021), who refers to the undated announcement of 'New Guidelines for the INGOs to Work with NDMA / PDMAs In Covid 19 Crises' **<**https://ingo.interior.gov.pk/**>.**

Religion

Religious bodies rather than religious communities may well be considered as CSOs insofar as they are separate from the government. This does not mean that states and governments do not attempt to enlist religious bodies and their followers to support state and government politics. Pakistan is an Islamic republic, while India, Bangladesh and Sri Lanka are secular states that formally divide the realms of state and religion. The Sri Lankan Constitution blurs this formal line, stressing that the state shall 'protect and foster the Buddha Sasana' and gives Buddhism 'the foremost place' (Article 9), while asserting 'the freedom [of every individual] to have or to adopt a religion or belief of his choice' (Article 10). In Pakistan, the federal government has regularly supported and collaborated with Sunni Deoband madrasas (Islamic schools), whereas relations with Barelvi madrasas have been minimal, and the government often has worked against madrasas related to Ja'afri Shi'a Islam, such as by banning TV channels that promote Shi'a positions.

The split between the different groups is reflected in the fact that Barelvi authorities in Pakistan supported the lockdown, while some leading Deobandis demanded an early opening of mosques. Weak coordination between Deoband in Pakistan and India is evident in the fact that the Sarul Uloom Deoband in India issued a fatwa that allowed mosques to remain open, as long as no more than five people were present at a time.

There were critiques of travellers bringing Covid–19 with them back to Pakistan from visits as for instance of Shi'a Muslims returning from *Zavaari*, visits to the Imams and holy places in Iran (Warraich 2021). From a larger perspective, it seems that the pandemic situation entered through many channels, including people returning from Saudi Arabia and Great Britain, and the choice of whom to criticise revolved more around politics than public health. This tendency also was seen in India, as analysed by Marianne Qvortrup Fibiger in the current issue.

Though the current regime in Bangladesh claims to promote and protect secular values, the country's Muslim majority projects itself deeply and powerfully at the societal and community levels. Hence faith-based institutions like mosques, madrasas and even faith-based CSOs play an important role in securing the well-being of people at the community level. This has been especially so in crisis-ridden moments like floods, cyclones, droughts and the recent pandemic. The pandemic, however, was different from other kinds of crisis, as it affected the total community and country, as opposed to certain sectors or regions. This meant that resource reserves in the family, community and society were constrained

and quickly depleted; when everybody is in need, traditional channels of borrowing and helping are ineffective (Matiur Rahman in the current issue).

India's constitution underlines that the country is a 'socialist, secular, democratic republic' (Preamble). In practice, this means that, for many years, state and central governments have collaborated with all religions but privileged none (Tharoor 2020:155). This has been a core value of the Congress Party since its founding in the 19th century, but has also been supported by atheist parties as well as most of the parties that support the Hindu right. Recently, however, the principle has been challenged by the National Democratic Alliance (NDA), which has governed the country since 2014. During the early part of the Covid–19-pandemic, there was a backlash against the Muslim world, and Muslims in India often were held responsible for dissemination (Tharoor 2020:233). In this light, Hinduism has been placed in a complicated relationship with the pandemic: a new Corona Goddess emerged and is understood both as the creator of the virus and as crucial to a successful fight against the illness. Some people reporting on her emphasise that she appeared as a reaction to bad governance of state governments against the central government. Still, in other regards she may be understood as linked to Hindu nationalist points of view (Marianne Qvortrup Fibiger in this issue).

In Sri Lanka the minorities of Muslims and the Tamils, most of whom are Hindus, experienced harsh treatment from the police and military also during pandemic times (Malini Balamayuran and Nadarajah Pushparajah in this issue).

Fine arts and media

All over South Asia, artists responded to the pandemic in pictures. Facades were plastered with encouragements to keep distance and disinfect, and numerous are the photos of real people in front of such murals, thus offering extra dimensions to the original artwork. Rohingya artists in refugee camps fought fear through murals and music to calm their fellows, waiting for inoculations. One Sri Lankan poster shows a man with the Sri Lankan flag as a mask protecting him against infection. The general feeling is that the posters supported the protective measures prescribed. Artists of low and high standing joined the effort to encourage people to follow public health advice. Adivāsī (tribal) scroll-painting and performance artists, however, faced loss of income, because the lockdowns separated them from their clientele. NGOs and private donors did a lot to help them at first, but relief funds for them dissipated as the second wave of Covid–19 hit. Some of these artists

turned to social media and, in at least one case, the story accompanying a scroll painting 'went viral' in the Internet sense. (Sanjukta Das Gupta in this issue).

On the other hand, the media were not blind to inconsistencies and contradictions embedded within the imposed politics. An article forwarding a strong critique of the Indian prime minister's willingness to celebrate the Kumbh Mela, a pilgrimage involving millions of people, was illustrated with a photo backing the protective means the PM had just side-lined. The photo shows a mural of a young boy wearing a mask and an oxygen flask on his back as he plants a sapling, and a real health worker in a newly inaugurated oxygen wing for Covid–19 patients in Kolkata (*FP* India, 23rd May 2021, photo Dibyangshu Sarkar). The conflict between the considerate illustration promoting caution and the article's text attacking the PM for being incautious is striking. Here we meet some of the divisions raised in India due to Covid–19, namely the attempts, partly successful, to reify Hinduism and Islam as conflicting communities. A position supporting Hindu nationalism and seeing China as the producer of Covid–19 and the Muslims of India as the provider also had significant dissemination (Marianne Qvortrup Fibiger in this issue).

Conclusion

The developments in South Asia do not support Žižek's expectation that neoliberal economies would collapse due to their own incompatibilities in handling the social demands raised by the Covid–19-pandemic. Nor are there convincing indicators of the appearance of a new, just, distributive, unified, welfare-oriented state anywhere in the world. We have seen that South Asia's neoliberal systems often delivered poorly during the Covid–19-pandemic, albeit somewhat differently in each country, but there are no indicators of a severe challenge to the extant neoliberal state. This does not mean that the many and sometimes violent social, ethnic and religious movements in South Asia have been eliminated. Not at all, but the different governmental systems seem to come out of the Covid–19-pandemic with a level of control that matches or even exceeds pre-pandemic times. Of course, neoliberalism-supporting regimes might be toppled at some point, and their handling of Covid–19 might be on the list of such a government's failings, but the neoliberal *state* is not under threat.

The governments of Bangladesh and Pakistan softened their control over civil society at the beginning of the pandemic, and one might have hoped this trendline would continue into an extended turn towards more open and inclusive societies. This does not seem to be

the case and, in this regard, we share some of Agamben's concerns. We do not foresee the introduction of a state of exception, but rather a return to the former level of restrictions on the civil society as imagined by Warraich on Pakistan, or perhaps a further dismantling of the institutions of governance, as feared by Tharoor for India. These are long-term developments where the pandemic enabled the governments to press towards various states of exception. Critical parts of civil society and the media will have to press for the upkeeping of the rule of law.

In this regard, it is relevant to consider the new ad hoc mobilisation of civil society during the Covid–19-pandemic. This may point toward new ways of action in the future.

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From 'Folk' to Digital: Transformation of Bengal Paṭacitra Art in the Times of Coronavirus

Sanjukta Das Gupta [1]

Abstract

This article looks at the fortunes of traditional craftsmen, the scroll painters – *citrakar*s or *paṭuẏā*s – of Bengal during the novel coronavirus pandemic. It first examines how ideas regarding coronavirus were propagated and represented through *paṭacitra* folk art. Secondly, through an analysis of the *paṭacitra*s of Medinipur and Kālighāt, it seeks to trace the ways *paṭacitra* art has been adapted and reinvented in the digital space, arguing that the pandemic is a milestone in the long history of the transformation of Bengal *paṭacitra*s. Since the last decade of the 20th century, the market for *paṭacitra*s has become increasingly urban and even global, and partly dependent on governmental and NGO support, art fairs and cultural centres. The pandemic opened up *paṭuẏā* art to cyberspace: direct contact was established between the village-based scroll painter and a worldwide virtual audience. NGOs with dedicated Facebook pages on popular art and the possibility of live performances effectively transformed a 'rurban' cultural practice into a 'glocal' phenomenon. Finally, the article explores whether this new performance-cum-marketing space will lead to any change in the income-earning capacity of traditional artists.

Keywords: *paṭacitra*, pandemic, *paṭuẏā*, Bengal, *Nayā*, *Kālighāt*

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Introduction

Listen [to me], oh merciful one,
How do I narrate the story of coronavirus?
It breaks my heart, what can I say?
Grief has overshadowed the earth;
It is there in every household.
A father cries, so does a mother,
A son is there abroad.
Grandmothers cry and ask how they can live.
The virus came from China to the human body.
It spreads from person to person –
Or so I hear again and again.
How could you give birth to such a poisonous virus?

Swarna Chitrakar[2]

A month after the announcement of the first coronavirus lockdown in India on 24 March 2020, Swarna Chitrakar, a *paṭacitra* artist and performer or *paṭuyā*, as they are commonly known, of Nayā village in the Indian state of West Bengal, became an internet sensation through her narrative storytelling with scroll paintings (*paṭs*). The song accompanying the scroll paintings unfolded the story of the turmoil caused by the pandemic, lamenting how a virus that originated in far-off China had come to afflict households worldwide. The

2 *Śono śono ogo dayāl*
Tomāy jānābo kemane?
Koronābhāirāser kathā śune
Buk pheṭe yāy re
Tomāy jānābo kemane?
Bisba juṛe śoker chāyā
Prati ghare ghare
Kāro bābā kāṃde, mā-o kāṃde
Bideśe āche kāror chele
Ṭhākumārā keṃde bale
Kemon kare bāṃci re?
Tomāy jānābo kemane
Cīn theke elo e bhāirās
Mānuṣer śarīre
Ek'janer theke anyajaner hay
Śun'chi bāre bāre
Emon biṣākta bhāirāser janma
Tumi dile keman kare?

The video is uploaded https://www.bengalpatachitra.com/performance/Coronavirus/, accessed on 20 May 2021. Unless stated otherwise, all translations from Bengali are mine.

video, uploaded by the non-governmental organisations HipamsIndia and Banglanatak Dot Com, rapidly became viral on social media, and focused international attention on depictions of the pandemic in folk art. Several other *paṭuẏā*s then created social media *paṭacitra* performances that stressed the necessity of the lockdown and the precautionary health measures to be practised.

The pandemic, in fact, featured in a wide variety of folk arts across India. In some cases, non-governmental organisations working with folk artists encouraged the latter to spread awareness about the novel coronavirus through traditional art-forms. At the initiative of Dastkar, one such organisation, *madhubanī* artists of Bihar and *kāvaḍ* painters of Rajasthan produced artwork that stressed the importance of maintaining social distance, wearing facemasks and hand sanitising. Traditional themes were extended and adapted to underline this message. For instance, *phaṛ* painters of Rajasthan, who conventionally depicted royal processions and wars on large cloth panels, took up these new themes while *paṭacitra* painters in Raghurajpur, Odisha, showed characters from Indian mythology and Hindu gods wearing face masks (Tilak 2020). At a more utilitarian level, certain local communities refashioned traditional crafts to create innovative alternatives to personal protective equipment. Lacking both easy access to medical facilities and the means to buy surgical face masks, the Adivāsīs of the Bastar region in central India took the initiative to make their own masks, using leaves from plants with medicinal properties, in an attempt to keep Covid–19 at bay (Dwary 2020; Mehta 2020). Yet another instance of depicting the pandemic in folk/popular art was in the temporary pandals put up during the Durgā Pūjā festivities in the city of Kolkata. Often decorated by traditional artisans to promote folk art among an urban population, many of these pandals sported the theme of the slaying of 'Koron*ā*sura', i.e., coronavirus imagined in the form of a demon or *asura*. In some popular Durgā Pūjā venues, 'Koronāsura' replaced the traditional idol of *Mahiṣāsura*, the buffalo demon slain by the goddess Durgā.[3] Similarly, in the Kasaragod region of northern Kerala, Yakṣagaṇa Bombeyātā puppet-show videos showed the slaying of Koronāsura by Dhanvantarī, the Hindu god of medicine (Poikayil 2020).

The varied forms in which the coronavirus pandemic has been portrayed in the artisanal arts and crafts encourage us to re-examine what constitutes folk art today and how traditional mythological themes, the usual subject matter of folk arts, have been expanded

3 The Koronāsura was depicted in various forms. In some pandals, the head was made to resemble the Sars-CoV-2 particle, while in others the demon was depicted in green (Ellis-Petersen 2020).

in the context of the pandemic. This also leads to the question of what constitutes a community. The parameters of community identity today have widened to embrace not only regional, but also national and sometimes global dimensions. As Rituparna Basu points out, the 'folk' today has found a new identity as an integral part of elite urban culture (Basu 2008: 6). The urban turn to folk art – partly for aesthetic reasons, partly for survival and partly as the outcome of the search for a national identity – has heralded a new tradition, especially in the context of the contemporary globalised space of unrestrained consumption. Hence, while folk traditions are necessarily embedded within the affective and moral world of a community, the redefinition of the community has resulted in the expansion of the sphere of the 'folk' to cover interests and expressive cultures which were previously outside it, leading to experimentations in the modes of storytelling and expression. For instance, some contemporary folk arts have come to demonstrate the same self-reflexivity that is the characteristic of modern art (Chatterji 2012: 30–31). This transition becomes even more marked when a folk-art form is exhibited within the virtual space.

This article examines these issues with reference to the adaptations of the Bengal *paṭacitra* in the context of the pandemic. The discussion is limited to two forms of *paṭacitra*: those produced in Western Medinipur district of the state of West Bengal, centred around the village of Nayā in Pinglā Block, and the Kālighāt *paṭ*s of Kolkata. It argues that the *paṭuyā*s or *citrakar*s, the 'picture-showmen' (Jain 1998), who had already developed into a 'rurban' community since the last quarter of the 20th century, inhabiting a partly rural, partly urban professional space, have become a 'glocal' community thanks to the pandemic, which further expanded their sphere of activity into the virtual world. I suggest that this should be considered a milestone in the development of this art-form. The digitalisation of the *paṭacitra* further emphasises the individualisation of *paṭacitra* artists/performers who are now increasingly identified by their personal repute, rather than as a community. Not only is the art now exhibited before a global audience, but digitalisation with the help of non-governmental agencies, academic institutions and museums has also opened new income-earning avenues. While this is still in an incipient stage, the introduction to the virtual world may empower the *citrakar*s financially and professionally. These arguments will be discussed in the following sections, which trace the historical trajectory of the evolution of *paṭacitra*s since the early 19th century and analyse the lockdown and pandemic *paṭacitra*s of Nayā and Kālighāt respectively.

Paṭacitra Traditions in Bengal: Evolving Trends

Historically, *paṭuẏā*s or *citrakar*s[4] were itinerant picture-storytellers coming from both Hindu and Muslim communities, but predominantly Muslim by faith (Bhowmick 1995: 40). They travelled from village to village within their locality and region, narrating tales based on Hindu and Islamic traditions and tribal folklore along with pictures painted on scrolls. The *paṭ*s had been made of cloth or cheap canvas,[5] but since the late 19th century, *paṭacitra* came to be painted on paper. Bengal *paṭ*s have three formats: the square-shaped *cauka paṭ* (which displays a single picture), the *dīghal* or *jaṛāno paṭ*, and the *āṛelāṭāi paṭ*. The former consists of a series of picture frames, usually ten to fifteen in number, painted vertically and attached to two wooden sticks at either end, while picture frames in the latter are horizontal in nature. The scrolls are unrolled frame-by-frame in accompaniment with the song narrating the illustrated events.

Traditionally, the repertoire of the *paṭuẏā*s consisted primarily of stories from Hindu mythology, the *Rāmāyaṇa*, the *Maṅgal'kābya*s – *Manasāmaṅgal*, *Caṇḍīmaṅgal* and *Dharmamaṅgal*, *Kriṣṇa Līlā* or various episodes from the life of Krishna, and stories of the miracles performed by the Muslim saints Gājī Pīr and Mānik, which were firmly anchored within the moral values of the rural communities. Surviving as they did on the fringes of orthodox rural societies, *paṭuẏā*s produced art and performed for both Hindu and Muslim patrons. Hence, they drew upon the social and cultural practices of both communities (Ghosh 2003: 865). The entertainment provided by these morality tales also imparted lessons on ethics and religion.

In the Adivāsī villages of western Bengal, *paṭuẏā*s, known as the *jādupaṭiẏā*s (the *paṭuẏā*s dealing with magic) play a significant role in the mortuary rituals of Santals.[6] The *jādupaṭiẏā*s visit households where death has occurred, carrying with them the *cakṣudān paṭ* in which human figures are drawn with the eye left incomplete. It is believed that, lacking eyesight, they roamed about blindly and could not find their way to heaven. The deceased is then identified in the *paṭ* and the bereaved family offers the *jādupaṭiẏā*s gifts

4 While they are popularly referred to as *paṭuẏā*, the picture storytellers identify themselves as *citrakar*, 'the one who paints'. Colonial ethnographers distinguished between *paṭuẏā*s/ '*paṭidār*s' and *citrakar*s, believing they constituted distinct caste groups (Hunter 1876: 169–70; Risley 1981: 206), while Gurusaday Dutt believed them to be identical (Dutt 1939). More recently, Beatrix Hauser argues that *paṭuẏā*s and *citrakar*s constitute two different categories (Hauser 2002: 107-108).

5 Hence the name *paṭacitra*, from the Sanskrit *paṭṭa*, or cloth.

6 For further details on *jādupaṭiẏā*s in contemporary Bengal, see Hadders 2008.

and money, in exchange for which they paint the missing eye of the deceased on the *paṭ*, thus releasing his soul to heaven (Sen Gupta 2012: 68).

In the course of the 19th century, *paṭuẏā* art underwent a significant change with the growth and development of the city of Calcutta, the capital of the British empire in India. Like other rural artisans, *paṭuẏā*s migrated to Calcutta in search of a livelihood. They settled near the famous Kālī temple in Kālighāt, where they performed before large crowds of visiting pilgrims. This resulted in a reversal of their role from itinerant storytellers, wandering from village to village in search of patrons, to a sedentary group performing before a mobile audience. The urban environment also brought about other changes in their craft (Banerjee: 1989: 131). With the availability of cheap paper from Serampore from 1800 onwards, *paṭuẏā*s gradually replaced canvas for paper scrolls. They used paper to make *cauka paṭ*s to sell to pilgrims as souvenirs, which supplemented their income from live performances. There was also an expansion of their subject matter, which now came to reflect the new morality of the urban landscape. In addition to mythological and religious themes, *paṭuẏā*s depicted contemporary themes such as the news and scandals of the times, for instance, the sensational scandal of the affair of Elokeshi and the Tarakeshwar *mahanta*,[7] as well as satiric portrayals of foppish Calcutta *bābu*s. The latter, in fact, served as a sharp critique of the morals of the Calcutta elite as perceived by the city's lower orders. Thus, Kālighāt *paṭ*s, in their reincarnated forms, reflected class and community morality much in the same way as their rural counterparts.

Towards the end of the 19th century, Kālighāt *paṭ*s began to decline in the face of competition from German oleography and photography, both of which enabled the swift and cheap reproduction of pictures. As Sumanta Banerjee has shown, the novel photographic realism weaned away the subaltern and lower-middle-class patrons of Kālighāt *paṭ*s (Banerjee 1989: 134-135). By the early 20th century, most of the noted *paṭuẏā*s had migrated to other regions and many had taken up new occupations. In the countryside as well, *paṭacitra* had become a dying craft, as the civil servant and folklorist, Gurusaday Dutt (1882–1941) noted in the early 1930s (Dutt 1939). With the growing influence of modern industries and urban education, rural patrons lost interest in the art-form and *paṭuẏā*s took to wage labour to eke out a living. As a Collector posted in

7 The *mahanta* or head priest of the Śiva temple at Tarakeshwar seduced a female devotee, Elokeshi, who was then murdered by her husband, Nabin Chandra Banerjee. A highly publicised trial followed, popularly dubbed as the Tarakeshwar murder case of 1873.

the district of Birbhum in 1930, Dutt embarked on a mission to revive this art-form and established the *Baṅgīẏa Palli Sampad Rakṣā Samiti* (Bengal Association for Preservation of Rural Resources) in 1931 to foster research in popular culture in the countryside. He also organised the first public exhibition of folk arts and crafts in 1932 at the Indian Society of Oriental Art in Calcutta, followed by a second exhibition in 1934 (Ibid.). Besides a personal collection of scrolls that today are housed at the Gurusaday Museum in Kolkata, Dutt published *Paṭuẏā Saṅgīt*, an anthology of *paṭuẏā* songs in 1939. Dutt's efforts to attract the attention of the urban elite to popular culture were part of a contemporary intellectual movement that looked to an idealised rural world of the peasants as the basis of an authentic national identity (Korom 1989: 76). The propagation of folk culture, moreover, was intended to raise nationalist awareness among the Bengali middle-class (Hauser 2002: 111) and reinvigorate their moral life by reorienting them towards their rural roots (Basu 2008: 268).

Elite intervention in *paṭuẏā* art picked up again in the 1970s through collaborative efforts of governmental and non-governmental agencies such as the West Bengal Crafts Council and the Daricha Foundation, which aimed at the revival and development of the traditional art-form through protective and promotional initiatives. Institutions, such as the Centre for Studies of Folk and Tribal Culture and the Folk Culture Research Society were established to promote research into various folk arts and crafts. Noted artists of the time participated in this project to nurture the artistic talents of *paṭuẏā*s. For instance, the sculptor Meera Mukherjee organised visits to Calcutta's Ashutosh Museum to reacquaint some of the skilled *paṭuẏā*s with the stylistic finesse of old *paṭacitra* (Hauser 2002: 118). In the following decades, the village of Nayā in West Medinipur district, situated about 60 kilometres from Kolkata, emerged as the most important hub of *paṭuẏā* art. In 1986 and 1991, the Handicrafts Board of the Government of West Bengal organised workshops in Nayā to 'retrain' rural artists.

Women in particular were encouraged to attend the training courses. Male *paṭuẏā*s did not participate because the stipends offered at the training sessions were meagre and insufficient for their livelihood needs. They sent their wives instead (Hauser 2002: 118), which led to the subsequent proliferation of women *paṭuẏā*s in the 1980s. While economic needs drove their initial response, participation in exhibitions and art fairs opened a new cultural space before them. As the woman *paṭuẏā*, Manimala Chitrakar stated,

> The scrolls seemed to appeal to foreigners, and I thought that the income might help to stabilise my family situation... I couldn't have gone to the United States if I hadn't learned this craft. I tell all the young people in Nayā to learn this skill if they want to travel and earn a living. My abilities have allowed me to develop a broader sense of the world – my life has not been restricted to the confines of Nayā.[8]

Several co-operatives were established by and for the *paṭuẏā*s of Nayā, including *Nayā Paṭuẏā Mahilā Unnaẏan Samiti* (Nayā Paṭuẏā Women's Self-Help Association). The rural artists of Pinglā Block formed the Chitrataru Cluster in West Medinipur to promote the cultural tradition. Its activities include the annual *paṭacitra* festival, Poṭ-Māẏā, which promotes, sustains and markets *paṭuẏā* art and thereby engenders the general development of their region.[9] The Cluster also got a Geographical Indication (GI) tag for the art-form in 2018.

*Paṭacitra*s today are largely shorn of their rural roots and have little relevance within the rural milieu, where most entertainment is provided by cinema, television and *yātrā* (traditional theatre). While the government and NGOs have occasionally commissioned *paṭacitra*s on specific themes for propaganda, including spreading awareness on health, hygiene, family planning and women's education (Korom 2011), the rural audience no longer needs to look to *paṭuẏā*s for news or information. The foremost purveyors of *paṭuẏā* art, therefore, are the urban and the global markets where *paṭacitra*s have been reified as 'authentic folk art'. As a result, the *paṭacitra*s have come to reflect urban sensibilities and international events to a large extent, information for which is provided by outside agents. For instance, we may refer to Moyna Chitrakar's *paṭ*s on the 9/11 bombing of the World Trade Center (Chatterjee 2012: 62–107), as well as Rani and Jamuna Chitrakar's tsunami *paṭ*s of 2005. The artists thus inhabit a 'rurban' space, where they broaden their vision to encompass the moral universe beyond the immediate environment.

8 Fruzzetti and Östör 2007, cited in Ponte 2015.

9 For details on *paṭuẏā* co-operatives and NGO initiatives in the late 20th and early 21st centuries, see Korom 2006; Ponte 2015; Bhattacharya 2022.

The Art of the Pandemic

Although the urban patronage of *paṭacitra* art did rejuvenate the art-form and popularise it on a national and global scale, the condition of the *paṭuẏā* community remains precarious. While *paṭacitra* art is an important source of income for both men and women in Nayā, this in itself is not sufficient to sustain their families. In many cases, the male members of *paṭuẏā* families were forced to give up painting scrolls and take to other occupations such as masonry and driving trolley vans. Furthermore, since there is no local demand for the *paṭ*s, a division of labour also developed in the village of Nayā whereby the women painted the *paṭacitra* and did the housework within their village, while the men went out for work and for marketing the products (Chandra 2018: 270–71).

The pandemic further worsened the economic situation of the *paṭuẏā* community. The lockdown and the subsequent closure of the urban market, the absence of tourists in Pinglā, and the lack of art fairs, domestic and international exhibitions, and workshops, effectively rendered them incomeless. While NGOs and private patrons made personal loans and donations during the first lockdown of 2020, these dried up during the second wave. In May 2020, the cyclone Amphan destroyed many of their houses and artwork, creating further hardships. Although the West Bengal government provided some rations to low-income groups, these did not suffice for their entire families and, as a result, *paṭuẏā*s were forced to borrow for their subsistence needs. Many of the poorer artists gave up painting and returned to farming in the hope of making ends meet (Belanus 2020). Following the coronavirus's second wave in 2021, their financial woes were compounded by the fact that almost every *paṭuẏā* had become indebted to moneylenders. 'Almost every artist has taken debt from moneylenders or has bought things on loan. I have a debt of Rs 20,000 ... We have to buy vegetables, oil, sugar, fruits so we have to take a loan', said Rahim Chitrakar, who has to support a five-member household (Tripathi 2021).

In this context of an uncertain future, some *paṭacitra* painters created *paṭ*s demonstrating the origin and spread of the coronavirus, the recommended health and hygiene practices, and the need to maintain a lockdown. Swarna Chitrakar,[10] the first artist to create pandemic *paṭ*s and songs, stated, 'I know the lockdown is essential, but so many people have been left without jobs and are being pushed into poverty. So, I thought it was important to highlight why no one should die of hunger while already being scared of the

10 Born in 1974 to a family of *paṭuẏā*s from the village of Nayā, Swarna Chitrakar learnt scroll painting and *paṭuẏā saṅgīt* from her father. An experienced artist, her work has received critical acclaim in India and abroad.

disease' (Das 2020). It is significant that, unlike previously commissioned *paṭacitra*s where themes were suggested by urban clientele, Swarna's pandemic-themed *paṭ*s were conceived and created by the artist herself. These *paṭacitra*s were then promoted on social media by NGOs, particularly by Banglanatak Dot Com, which focused national and international attention on the folk art of the pandemic and created a new virtual space where *paṭacitra* artists could perform, display, market and showcase their *paṭ*s.

It took Swarna fifteen days to write the lyrics, compose the music and paint the coronavirus scroll. An elaborate seven-frame scroll shows the coronavirus in the form of a demon or *rākṣasa* attacking humankind (Fig. 1), a motif that she previously used on her scrolls on HIV-AIDS and tuberculosis. The song, which lasts over seven minutes, highlights that while the virus originated in China, it caused suffering worldwide and bound together all of humanity through shared pain. The second part of the performance draws attention to the precautionary measures that people need to adopt, including initiatives taken by the government to flatten the curve and selfless work by medical professionals, effectively weaving together the shared global and local concerns. Swarna's daughter, Mamoni Chitrakar, likewise depicts the coronavirus as a demon and accompanies her scroll painting with the song, '*Koronābhāirās kathā śune, cokhe dhārā bahe yāẏ*' (listening to the story of coronavirus, tears start flowing). She eschews the tradition of painting foliage in the scroll margins and chooses instead to fill in the decorative margin with faces and wings of bats as a reminder of the virus's origin. In one synoptic section, the scroll portrays Indian Prime Minister Narendra Modi announcing the lockdown, with the police with loudspeakers, proffering aid to the needy (Fig. 2).

Similar efforts to encourage the artistic depiction of the pandemic through traditional art-forms and thereby create new income opportunities for *paṭuẏā*s were undertaken by the Indian Institute of Technology at Kharagpur (Ghosh 2021). The department of Humanities and Social Sciences carried out an outreach programme with a number of Nayā's *paṭuẏā*s, including Gurupada Chitrakar,[11] Bahadur Chitrakar, Swarna Chitrakar and others, in order to spread awareness about Covid–19 and to promote hygiene habits among the local people around Kharagpur through *paṭacitra* performances. The songs composed under these auspices are informative in tone and make an earnest appeal to

11 Sadly, Gurupada Chitrakar passed away on 29 June 2021 as a result of Covid–19 complications.

people to follow government norms. The following song by Rahim Chitrakar set the leitmotif and reappeared in various forms in subsequent performances:

> We must together be aware, oh people,
> We must together be aware.
> India's government has announced
> A 21-day lockdown is necessary.
> The virus will then not spread.
> We will then defeat it, oh people.
> So we have to be careful,
> All the time, oh people.
> The government doesn't want us to be harmed;
> Give your consent to the lockdown.
> Follow the government's words, oh people ...
> We will all be locked at home,
> No public meetings,
> We will live ourselves, and let others live,
> Take this oath.[12]

Another version of the song, composed by Gurupada Chitrakar calls upon people to obey the lockdown rules and doctors' advice, as there was no effective treatment for the disease.

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12 *Sabāi mile haba sacetan, o janagaṇ,*
Sabāi mile haba sacetan
Kar'la jāri Bhārat sar'kār,
Ekuś diner lak'ḍāun dar'kār
Charābe nā bhāirās dedār
Kar'ba er daman, o janagaṇ
Sāb'dhānatā tāi abalamban
Karo sarbakṣaṇ, o janagaṇ
Sabāi miley haba sacetan
Sar'kār moder cāy nā kṣati
Lak'ḍāune dāo go mati
Mene calo śīghragati sar'kārer bacan, o janagaṇ
Sabāi mile haba sacetan.
Gṛhabandī haba sabāi
Bṛthā āḍḍā bandha karo tāi
Nije bāṃci, par'ke bāṃcāi
Eiṭi karo paṇ, o janagaṇ.

Listen [to me] everyone, listen attentively,
Maintaining the lockdown is necessary for all.
If you follow the lockdown, oh listen [to me] brothers,
To save oneself, we have to practice safety.
This virus has such power, I'm telling you all,
From one person to four hundred, there is no escape.
Let's all of us stay at home together, not create problems for others.
In case of coughs and fever, we'll go to the hospital
And seek the advice of the doctor-babus.
The doctor-babus say, oh listen [to me] brothers,
Repeatedly with soap, we must wash our hands.
Conducting tests many times, the learned ones say,
There is no cure at the moment.
So do take precautions now, oh friends.[13]

The *paṭacitra* displayed in accompaniment to the song portrays medical personnel as the central figures. Significantly, unlike Swarna Chitrakar's compositions, the songs quoted above are more direct in nature and shorn of the customary invocation to divinity, or lamentations on the fate of the hapless man.

It was argued that it would be easier to connect with local people and ensure their compliance if government regulations were presented in local dialects by social peers. How efficacious this was as a means of disseminating and promoting local awareness would seem questionable, given the fact that *paṭacitra* performances rarely have any rural audience

13 *Śunen śunen sarbajane, śunen diyā man*
Lak'ḍāun mānā kintu, sabār prayojan
Lak'ḍāun mān'le pare, śunen sabe bhāi
Nijeke bāṃcāte gele, seph'ṭi rākhā cāi
Ei bhāirās jeman śakti, sabāre jānāi
Ek'jan theke cār'śa janer, kono mukti nāi
Tāi binā prayojane ām'rā, bāhirey yāba nā
Thāk'ba ghare sabāi mile, anyer samasyā kar'ba nā
Kāśi jbar haile pare, hās'pātāl yāba
E ḍāktār'bābuder kāche, parāmarśa neba
Ḍāktār'bāburā bale, śunen sabāi bhāi
Bārey bārey sābān diye, hāt dhowā cāi
Samīkṣā kare bāre bāre, bal'che gyānīguṇī
Kono cikitsā nei ekhuni
Tāi yataṭā pāro sāb'dhāne thāka, ogo bandhugaṇ.

See the video here: https://www.youtube.com/watch?v=Xk-PG0Oea7U.

today. However, the *paṭacitra* performances appeared to be fairly successful in attracting the attention of local spectators and fellow community members who had gathered to collect relief materials. Gurupada Chitrakar observed,

> When we came to IIT Kharagpur and stood in a line arranging our *paṭ*s, people wondered what we were up to. But when we started singing, gradually people listened carefully and wanted to see the pictures and listen to the songs. Those waiting in the queue began to pay attention to whether they were standing too close or lowering their masks even though they know about Covid already.[14]

The *paṭuyā*s also started public awareness performances on their own initiative. Both Gurupada Chitrakar and Anwar Chitrakar[15] played a significant role in this respect. Initially, they put up pandemic-themed *paṭ*s, like banners, on either side of the street in the neighbourhood, to educate the local people about preventive measures. With the permission and encouragement from local police and the Block Development Officer of Pinglā, Anwar organised small groups of 10 to 12 *paṭuyā*s to stress the necessity of maintaining social distancing by displaying the social awareness *paṭacitra*s. The Chitrataru Cluster set up the *Koronā Mokābilā Sacetanatā Bartā* (Awareness Campaign to Combat the Coronavirus) which arranged programmes at the marketplace at Nayā to raise public consciousness about hygiene and social distancing. Several *paṭacitra*s and songs were composed for this purpose, most of which begin with the traditional lamentation. One song, for instance, states that,

> A silent torment is going on throughout the world.
> [One's] heart breaks, but there are no words,
> Such is the sorrow.[16]

14 Gurudpada Chitrakar's interview, reported in Ghosh 2021.

15 The son of the *paṭuyā* Amar Chitrakar, Anwar Chitrakar was born in 1980. He paints on diverse themes ranging from depictions of Radha and Krishna to contemporary concerns such as environmental degradation, political corruption, Maoist insurgency, HIV, child marriage and surrogate motherhood. He has held exhibitions in Kolkata, Delhi, Mumbai and Chennai. He is the recipient of the West Bengal State Award (2002) and the National Award (2006).

16 *Sārā biśbe cal'che śudhu nīrab yantraṇā*
Buk phāṭe to mukh phote nā,
Eki bedanā.

Another song declares,

> O residents of this world,
> I present [before you] the tale of the coronavirus;
> Lakhs of people are dying.
> No one has the time to take count.[17]

These songs appear to be variations on earlier compositions but are inferior in artistic merit. Some of the songs were set to the music of popular folk songs recorded by well-known professional urban artists, probably to attract the attention of passers-by. That the *paṭuẏā*s took this seriously can be seen from the innovative means they adopted to drive home the message to the audience. The recitals were followed by a quiz on the coronavirus and a prize was given to the highest scorer.[18] In order to reach a national viewership, some of the *paṭuẏā*s also composed and sang songs in Hindi, instead of Bengali.[19]

A few songs also gave an account of the countries affected by the pandemic. Rahim Chitrakar, for instance, composed and performed a song that traces the spread of the virus from China to America and to India.

> Corona took birth in the land of China, oh listen everyone,
> The game started in China and corona spread everywhere in the country.
> So many people died in China, oh listen everyone.
> Corona killed people in America, the government was perturbed.
> Alas, hundreds and hundreds were infected, oh listen everyone,
> The American government worried about when the cure for corona would be found.
> Both doctors and the government worried continuously, oh listen everyone,
> The coronavirus reached India and first attacked people of Kerala ...
> Mamatadidi is thinking, if this lockdown continues
> How will village people earn their living?

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17 *Ogo biśbabāsī go*
Koronābhāiraser kathā kari nibedan
Lakṣe lakṣe mar'che mānuṣ bhāi
Hisāb nikāś karār mato kāror samaẏ nāi.

18 See the video here: https://www.youtube.com/watch?v=RSXJgoZVwml.

19 See the video here: https://youtu.be/Zv10_RfnyJo.

> Didi announced on tv and the internet that everyone will get rations of rice and flour,
> It will be given free to all people. [20]

The song quoted above drives home the point that the Chief Minister of the state of West Bengal, Mamata Banerjee, popularly referred to as 'Didi' (elder sister), was doing all she could to ameliorate the living conditions of those affected by the lockdown, in particular the rural poor, through provisions of free food rations. This leads to the speculation that the *paṭuẏā* programme of mass information was not entirely free of political patronage.

Like Swarna, Anwar had created *paṭacitra*s on the Covid–19 crisis. He explained this as being true to his calling, since the *paṭuẏā* traditionally performed the task of disseminating information among people, especially during times of crisis. Like Rahim and Gurupada Chitrakar, Anwar dispenses with traditional invocations and appeals directly to the people: 'Listen to me everyone, listen to me with attention, I will narrate the tale of this epidemic disease'. [21] Anwar also painted several *cauka paṭ*s in the Kālighāt style, which were notable for their humorous tone and particular style of amalgamating tradition with modernity. A series of 13 *paṭ*s on the lockdown were displayed in the online solo exhibition 'Tales of our Times' on the Emami Art Gallery website in July 2020 (Chitrakar 2020). In one *paṭacitra* entitled '*Mukhor dhārī*' (Muzzle-clad), Anwar transposes cow heads onto human bodies and vice versa. Cow-headed humans wearing muzzles look at the human-headed cows, indicating altered perspectives (Fig. 3). Another *paṭ* entitled '*Śakti rūpe*' (Goddess of power), more serious in nature, depicts a nurse in the form of goddess Durgā vanquishing the coronavirus demon (Fig. 4). Yet another satirical *paṭ* shows a Bengali *bābu* dancing with a wine bottle that serves a dual purpose as a hand sanitiser.

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20 *Cīn deśete koronār janam, śono sarbajan*
Cīn deśete khelā halo, koronā sārā deś charịẏe gelo
Cīner mānuṣ mar'la kato, ogo janagaṇ, śono sarbajan
Koronā Āmerikāẏ mānuṣ mare, sar'kār'bābu cintā kare
Ākrānta hayeche śaye śaye, hāyre āmār man, śono sarbajan
Āmerikār sar'kār kare cintā, koronār auṣadh ās'be kon din'ṭā
Ḍāktār sar'kār, ubhayjanā, bhābe sarbakṣaṇ, śuno sarbajan
Koronābhāirās Bhārat'barṣe pauṃche gelo, prathame Kerālār mānuṣ ākrānta halo
Mamatādidi cintā kare lak'ḍāun cal'le pare
Grāmer mānuṣ roj'gār kar'be keman?
Didi ṭibhi neṭ-e kar'la ghośaṇā reśane āṭā chāl pābe pratijanā
Bine paẏsāẏ pābe mānuṣ'jan.

21 See the video here: https://www.youtube.com/watch?v=ay73TG665vE.

Unlike in Nayā, *paṭacitra* artists are rarely found today in Kālighāt, as most have given up their traditional craft to pursue other occupations. Bhaskar Chitrakar, who over the years experimented with the traditional Kālighāt *paṭacitra* to create a distinctive style of his own, is the sole surviving Kālighāt *paṭuẏā*.[22] His *paṭ*s feature the symbols of modernity, but true to tradition, his subject matter remains the Bengali *bābu*. Bhaskar has painted a series of *cauka paṭ*s on the *bābu's* domestic life during lockdown (Fig. 5). The coronavirus is shown to mutate in shape and colour and grow in size with the progression of the quarantine. In one of the *paṭ*s, the goddess Kālī destroys the fully developed coronavirus with her divine light (Fig. 6). Unlike the *paṭacitra*s of Nayā, Bhaskar injects gentle satire and a sense of frolic in his *paṭ*s instead of focusing on tragedy and human suffering.

These artistic depictions of Covid–19 focused media attention on the *paṭuẏā* community and their art. Some established artists, including Swarna and Gurupada Chitrakar were invited to conduct workshops and live performances. For the poorer, struggling *paṭuẏā*s, however, the market has remained restricted to the traditional channels. Despite this, *paṭuẏā*s in general, have become adept at using social media, particularly WhatsApp and Facebook, to establish contact with new clients and display their artwork. Whereas earlier they had been resistant to the idea of performing on digital platforms, the lockdown induced them to turn to it for survival.

Concluding Remarks

The long-term evolution of *paṭacitra* art in Bengal since the 19th century includes two distinct trends. While the 19th and 20th centuries witnessed the transformation from a performative to a visual art (Hauser 2002), since the 1990s there was a gradual move to reclaim performative oral tradition. The initiative came from the *paṭuẏā* community itself. As Manimala Chitrakar recalls, her grandfather, the senior artist Dukhushyam Chitrakar,[23] was dissatisfied with the selling of *paṭacitra* solely as an item of visual art which he feared would lead to the extinction of the age-old tradition of *paṭer gān* or *paṭuẏā saṅgīt*.[24] Despite this, the main function of *paṭuẏā* art remained largely decorative, restricted

22 Bhaskar and Anwar Chitrakar are among the few *paṭuẏā*s who add their signature to their art. Author's interview with Bhaskar Chitrakar, 23 August 2021.

23 A master *paṭuẏā* at Nayā, Dukhushyam Chitrakar was one of the most respected *paṭacitra* artists of Medinipur. He held exhibitions in Italy, Australia, Bangladesh and all over India. He passed away on 9 March 2022.

24 Fruzzetti and Östör 2007, cited in Ponte 2015.

within the limited spheres of workshops, museums and exhibitions, often dictated by the sensibilities of a largely urban and often international clientele.

The coronavirus pandemic and the ensuing lockdowns forced *paṭuẏā*s to think anew. Through innovative measures, they widened the audience base for their performative art. On the one hand, consonant with their traditional role, they appealed to local audiences on local issues, such as precautionary health and hygiene measures. On the other, through their reinvention in the digital space, they reached out to the larger global community on the universal issues of shared suffering. Thus, the pandemic *paṭacitra*s convey a contemporary moral message much in the same way as the older pre-modern *paṭacitra*s reflected the moral universe of their times. By overcoming the restrictions of distance, digitalisation not only widened the *paṭuẏā*s' sense of belonging to a global community, but also imparted a degree of longevity to their performances. Will this lead to the erasure of spontaneity and reification of their performance art? Perhaps, but it is more likely that their innovative skills will enable *paṭuẏā*s to adapt and adjust their art to emerging technologies. Thus, the coronavirus *paṭacitra*s have strengthened the trend of anchoring global concerns within local sensibilities and folk metaphors and, in this sense, constitute a milestone in the evolution of this art-form.

Will digitalisation improve the economic status of *paṭuẏā*s, or will it increase the control of new brokers and middlemen? As of now, despite their financial precarity, new technology has enabled *paṭuẏā*s to reach out to a global market and combat the challenge posed by fake *paṭacitra* that currently flood the online markets. Publicity through social media has undoubtedly widened their viewership. Only time can tell if the virtual space leads to further sustainability.

Figure 1: Swarna Chitrakar with her coronavirus paṭ.
Photo credit: bengalpatachitra.com.

Figure 2: Mamoni Chitrakar's coronavirus paṭ.
Photo credit: bengalpatachitra.com.

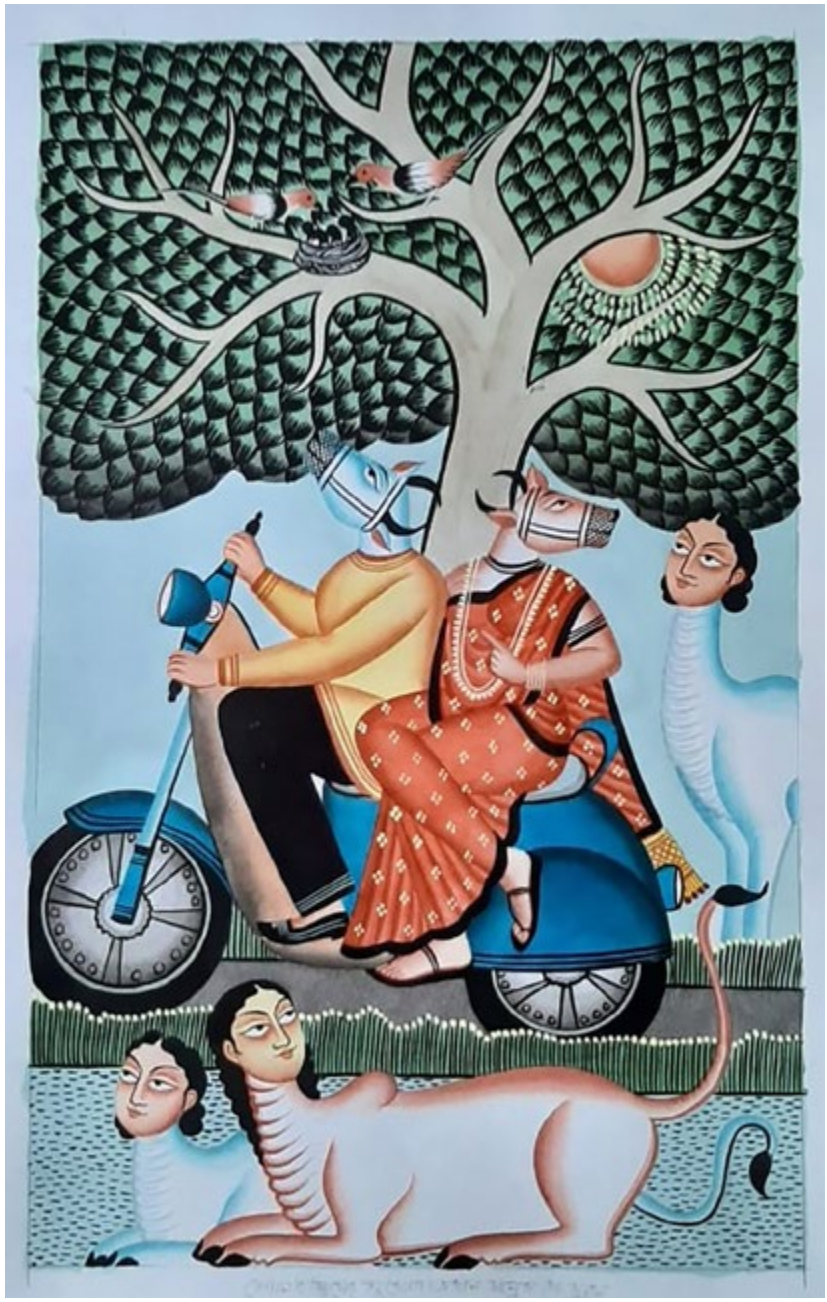

Figure 3: Mukhor dhārī.
Photo credit: Anwar Chitrakar and Emami Art Gallery.

Figure 4: Śakti Rūpe. Photo credit: Anwar Chitrakar and Emami Art Gallery.

Figure 5: The bābu, the bibi and the coronavirus. Photo credit: Bhaskar Chitrakar.

Figure 6: Goddess Kālī vanquishing the coronavirus. Photo credit: Bhaskar Chitrakar.

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Consequences of Covid–19 and Role of Gram Panchayats in Tackling the Pandemic Situation: Some Highlights from West Bengal

Sujit Kumar Paul[1]

Abstract

After the outbreak of Covid–19 in India, the government of India at the central level promoted several measures to tackle the pandemic situation in the country. While implementing broad socio-economic development programmes and promoting awareness and other support, Delhi also realised the importance of local governance at the grassroots level and suggested that state governments take measures as required at the state and local levels. Considering the specific issues raised at the local level, the state governments appointed their local governance institutions, gram panchayats[2] and municipalities to lead implementation and sensitisation processes. The result was excellent. This article attempts to discuss the consequences of the Covid–19 pandemic and the role of gram panchayats in tackling the pandemic situation, especially in West Bengal.

Introduction

Coronavirus disease (Covid–19) is an infectious disease caused by a newly discovered virus. The International Committee on Taxonomy of Virus labels SARS-CoV-2 (SARS – Severe Acute Response Syndrome) 'virus induced corona virus disease' (Covid–19) and evidence indicates that it emerged from an outbreak in Wuhan, China in January 2020 (Wu, et al., 2020). At the time of writing (27 January 2022), more than 364,191,494 people globally have contracted Covid–19, and there have been 5,631,457 deaths (WHO, 2022), and

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2 A gram panchayat (village council) is the village-level self-government organisation in India. It is a democratic structure at the grassroots level, and its role is to create rural infrastructure and provide socio-economic growth opportunities for people in rural areas.

counting. Covid–19 spreads mainly by droplets produced when a Covid–19-infected person coughs or sneezes. The coronavirus can infect people of all ages. Older people and people with pre-existing medical conditions (such as asthma, diabetes and heart disease) appear to be more vulnerable to becoming severely ill with the virus. Looking at the impact of the coronavirus on the world population, the World Health Organization announced on 11 March 2020 that it could be described as a pandemic, due to the extent and pattern of its spread.

The Government of India confirmed India's first Covid–19 positive case on 30 January 2020 in the state of Kerala. Almost immediately, new public health regulations began to be proposed and sometimes enforced in the country's Covid-19 affected regions. As the number of Covid–19 positive cases crossed 500 on 19 March, Prime Minister Narendra Modi asked all citizens to observe '*Janata* Curfew (people's curfew) from Sunday, 22 March. On 24 March, the Government of India ordered a 21-day nationwide lockdown, limiting the movement of India's entire 1.3 billion population as a preventive measure against the spread of the pandemic. One week later, on 30 March 2020, India's coronavirus case count was 1263, of whom 102 had recovered and 29 had succumbed to the disease. The lockdown was extended, in three more phases and with some relaxations, up to 31 May. Currently (24 January 2022), India's coronavirus case count stands at 40,622,709, and 492,727 Indians have succumbed to the disease (WHO, 2022).

The Covid–19 pandemic had enormous consequences for India's economic, socio-cultural and political structure. The present pandemic situation will have a very high impact, especially on the people's livelihood. All sectors (be it raw materials, manufacturing or services) are grappling with tremendous uncertainty about their future. The lockdown created a huge impact on the poorest of the poor, especially people in villages who are dependent on daily wage labour. Daily wage-earners have no access to sustainable income under this forced lockdown, nor do they have supplies of basics. The nationwide lockdown has been hitting the poorest the hardest, as they do not have ready supplies of food grain, milk and medicines to fall back on. On 12 May, the Indian Government announced a Rs 20,000 trillion (US$260 billion) stimulus package to aid the poor, who are brutally affected by the coronavirus outbreak (Ahmad and Kumar 2020).

Consequences of Covid–19

The consequences of Covid–19 have been vast and widespread. It has not only affected the country's economic base but also hit its socio-cultural and socio-political structure. Covid–19 is having a profound impact on the labour market of India. More than 90 per cent of the labour force in India, almost 450,000,000 people, work without a written contract, paid leave and other benefits (Murthy 2020). Because of the nationwide lockdown imposed as a public health response to Covid–19, the mass labour forces were unable to pursue their income generation: they lost daily wage work, or lost employment altogether. Due to the lockdown situation, the production process in all three sectors was highly affected. Post-lockdown challenges encompassed practically all sectors, including livelihoods, food availability, health and nutrition, education, and access to public facilities (UNICEF, 2021). Trade and export also faced huge losses during this global crisis. As a result, the country's economic growth rate took a hit.

The Covid–19 pandemic also has had substantial social impacts. Lockdown and social distancing have increased the people's perceptions of fear, agony, violence, mistrust and uncertainty, including fears of growing domestic violence and the spread of misinformation, xenophobia and racism. The political consequences are also enormous. Reports of power abuse, corruption, scam and political violence seem to increase day by day. So, with fears of a new recession, job loss and socio-economic crisis, this situation calls for resilient and strong measures and leadership at every level of public administration. So far, at the grassroots level, government institutions – and especially the Panchayati Raj institutions – have taken the leading role in dealing with the emerging situation.

Role of Local Government in Covid–19 Pandemic Management

The central government recognised the front-line role of gram panchayats in the battle against the Covid–19 pandemic. It would have been impossible to enforce the lockdown effectively without the support and cooperation of gram panchayats and municipal bodies. Further, the lockdown tied the hands of government functionaries, as only essential government services were functioning. All other departmental officials stopped travelling to villages, so gram panchayats had to come forward and take charge. On the occasion of National Panchayati Raj Day 2020, the prime minister of India, Narendra Modi, praised the role of Panchayati Raj and said that the biggest lesson learnt from the coronavirus pandemic is that we have to become self-dependent. Without being self-dependent,

dealing with the crisis would have become difficult. The Prime Minister applauded villages for promoting the mantra *Do gaj-doori* (two yards distance) to define social distancing in simpler terms.

Kerala, Karnataka and Odisha very effectively applied their Panchayati Raj institutions in Covid–19 relief action. The Indian State of Kerala provides nearly one-third of its plan funds to its Panchayati Raj institutions, even in normal times and despite the state's chronic fiscal stress. So, compared with other states, Kerala's Panchayati Raj institutions were in a good position to play a leading role in Covid–19 management and relief work (Choolayil and Putran.

In Karnataka, nearly all gram panchayats passed a formal resolution that no one in their respective area would go hungry, and they backed up this pledge by distributing the required food grains to poor households. The Government of Odisha also adopted a novel, people-centric approach to contain the Covid–19 pandemic. The state government extended its full support to all gram panchayats as they took the lead in dealing with the situation. Local government effectiveness in dealing with the pandemic situation has been very high, because gram panchayats have successfully tied their deep knowledge of the society and the people– including their economic condition, superstitions, health condition, literacy status, religious involvement and other related issues – to their pandemic management initiatives.

The idea of a lockdown was very new for villagers. It was not easy for poor villagers to survive without working a day. It was also tough to maintain the lockdown in areas where social norms and practical convenience brought villagers together to share things with each other. So, village institutions, especially the gram panchayats, have taken responsibility for implementing strict lockdowns in rural areas and extending all possible support to the village people.

The Covid–19 Scenario in West Bengal: The Role of Local Government

The state of West Bengal reported its first Covid–19-positive patient on17 March 2020, in Kolkata (The Economic Times 2020). Until mid-April, Covid–19 largely bypassed the state. The Health and Family Welfare Department, Government of West Bengal reported only two active cases on 20 March 2020, which increased to 89 active cases and ten deaths

by 10 April 2020. However, there was no escape from the pandemic. By 10 May 2020, the number of active cases reached 1,337, with 113 deaths due to Covid–19 and 72 deaths due to co-morbidity (Department of Health & Family Welfare, 2020).

Witnessing the steady rise in cases and morbidity, the government of West Bengal undertook several decisive measures to tackle the pandemic, leading from the front (Ghosh 2020). The state government realised the need for medium and longer-term planning for effective and efficient management of the crisis and re-balancing of the economy as a whole. It also understood that immediate relief measures had to be implemented to serve people who might otherwise fall through the cracks, along with measures aimed at preventing the disease from spreading to the extent of threatening the state's health infrastructure. Finally, it understood that its gram panchayats would be the most effective institution to lead this mission. I observed the transformation of these principles into concrete policies:

– Gram panchayats have been given specific tasks, such as creating awareness of the Covid–19 disease and monitoring the home quarantine of those at risk of spreading the infection.

– The West Bengal government has asked all civic bodies, including gram panchayats and municipalities, to conduct door-to-door surveys and prepare maps that indicate where multiple people are suffering from fever, cough and other Covid–19 symptoms.

– Gram panchayats have also been assigned to implement lockdown and social distancing norms, in cooperation with the police services.

– Several initiatives have been taken to increase awareness, via social media and posters, of precautions like wearing facemasks, washing hands, maintaining hygiene, and so on.

– Gram panchayats are taking the leading role in distributing food grains through the Public Distribution System.

– Panchayat representatives know very well about the condition of the villagers: who are daily wage workers, who migrated to cities in search of jobs, which women are pregnant and need immediate medical access, which old couples live alone. So,

whenever any crisis comes, local bodies can jump on it and help people who are in need.

– Gram panchayat members are involved in making and distributing personal protective equipment such as masks and hand sanitisers.

– Vehicles meant for the community development programme have been deployed to sell fresh vegetables, fruits and fish to the villagers.

– In response to the huge migrant movement, massive quarantine facilities were created across the state. Gram panchayats took the leading role in transforming existing government buildings into quarantine centres, as well as in arranging for food and other necessary goods for residents in the quarantine centres.

– Panchayat bodies have monitored the distribution of food grains to children through Integrated Child Development Services (ICDS)[3] centres and schools.

– All gram panchayat's self-help groups have been assigned to prepare masks and supply the various government departments.

Two initiatives are worthy of more extended discussion. First, the government of West Bengal announced on 20 March 2020 that it would use its public distribution system to provide free rations to poor people through September of that year (Times of India, 2020). The move benefitted 7.9 million West Bengalis. Moreover, ICDS and the Mid-Day Meal scheme provided an extra 2 kilograms of rice to households with children (Business Standard, 2020). Both municipality and gram panchayats monitored the distribution process and ensured its transparency. However, a few corruption allegations regarding PDS were made, and some people complained that they were not getting their monthly ration. The governor advised the state government to take strict action against faulty ration dealers. In response, the government denied the allegations and praised its PDS system, but also took strict action, suspending many ration dealers and beginning the prosecution

3 The Integrated Child Development Services is one of the flagship programmes of the Government of India. It is one of the world's largest and most unique programmes for early childhood care and development.

process against faulty dealers.[4] The state government also raised the issue of not getting the promised amount of food grain from the central government. However, the nationwide Food Corporation of India sent 1.65 long metric tonnes of food grain to West Bengal on 5 April 2020. In addition, the central government launched the 'One Nation One Ration Card' system, which enabled migrant workers and their family members to access public distribution system benefits from any fair price shop in the country. However, the government of West Bengal refused to implement that national system.

Second, through the *Sneher Porosh*and *Prochesta* Schemes, the West Bengal government actively sought to help migrant workers and workers in the unorganised sector, respectively. *Sneher Porosh* was basically a one-time state-level payment of Rs 1,000 for workers stranded outside the state due to the lockdown. Under the *Prochesta Prokolpo* scheme, everyone who has a state ration card and works in the unorganised sector would be provided with two kilograms of rice and Rs. 1,000 would be direct-deposited into their account. The government developed an Android application to streamline the application process. Gram panchayat representatives were specially assigned to spread awareness of these schemes and to register the names of eligible workers.

Containment Strategies to Tackle High-Risk Zones

The West Bengal Health Department adopted a slew of containment strategies for Covid–19 'high-risk spots' in the state, without naming them (The Hindu, 2020). The state government expected that these multifaceted strategies could break the chain of virus transmission. The strategy included:

– Identification of geographical areas with high numbers of Covid–19 infected persons

– Tracing of pockets, settlements and families where Covid–19 is spreading

– Regular vigilance and adoption of preventive measures

– Emphasis on early detection of cases by tracing and tracking primary and secondary contacts

4 This process begins with the filing of an FIR – First Information Report – a written document prepared by the police when they receive information about the commission of a cognisable offence.

– Asymptomatic, low-risk and secondary contacts would be placed under home quarantine and thereafter closely monitored for symptoms

– Teams constituted for dengue surveillance would be re-oriented and deployed in urban areas for Covid–19 surveillance.

– Municipality health personnel and ASHA[5] workers would provide support to enhance the surveillance

– Personnel deployed for house-to-house surveys would be provided with facemasks, gloves and other protective gear as deemed appropriate by authorities

– With the help of local bodies, households, hospital wards and localities would be disinfected with hypochlorite solution.

These multifaceted interventions created a good impact during the fight against Covid–19. The containment strategies helped break the coronavirus chain at a much lower level through the development of an effective screening, monitoring and reporting system at the ground level, including proper tracing of Covid–19 positive patients, primary and secondary contacts, and their isolation and treatment.

'High testing and high cases' have been seen as a positive phenomenon, as finding positive cases ensures that the chain of transmission is broken through isolation. As per an article published in The Wire on 11 April 2020 the states that conducted the highest number of Covid–19 tests on 9 April were Maharashtra (30,766), Rajasthan (18,000) and Kerala (12,710). The Centre's Empowerment Group state-wise assessment showed that Delhi, Maharashtra and Rajasthan reported high cases because of high testing. But the percentage of cases in West Bengal was high despite its low level of testing (Vishnoi, 2020). Initially, the government of West Bengal faced some mismanagement, and the number of tests was low. The state ramped up its testing regime from the end of April 2020 and, by mid-May 2020, it had crossed the 50,000-per-day mark. Further details are provided in Table 1.

5 An Accredited Social Health Activist (ASHA) is a trained female community health activist. Selected from the community itself and accountable to it, the ASHA is trained to work as an interface between the community and the public health system.

Table 1. Testing Details, West Bengal

Details	1-Apr-20	1-Jul-20	1-Oct-20	1-Jan-21	1-Apr-21	1-Jul-21	1-Oct-21	1-Jan-22	Total
No. of samples tested (quarterly)	569	497,027	2,773,720	3,878,223	2,048,826	5,074,568	3,912,389	3,244,092	21,429,414
Confirmed Covid Cases (quarterly)	37	19,133	241,154	292,892	33,699	914,369	68,494	73,219	1,642,997
% Of Positive Cases out Samples Tested	6.5	3.85	7.96	7.74	6.38	10.52	8.63	7.67	

Source: Department of Health and Family Welfare, Govt. of West Bengal.

The central government alleged that some parts of West Bengal were not maintaining the lockdown properly, and the government was not sharing Covid–19 data with the centre. As a result, the central Home Ministry deployed inter-ministerial central teams (IMCTs) under Section 35 of the Disaster Management Act (2005) to assess the ground situation and asked the state government to give its full support to the IMCTs. Nonetheless, IMCTs deployed to Kolkata and Jalpaiguri were not provided with the requisite cooperation. In fact, the state government specifically impeded the ability of IMCTs to visit, interact with health professionals and assess the ground situation. When the home secretary intervened personally, the issue was resolved and IMCTs were provided with all the necessary support to assess the ground realities. After their ground assessment, IMCTs asked for some data, especially regarding the number of deaths caused by the coronavirus disease, and also sought clarification regarding how 'Covid–19 death' is formally defined, declared, and approved. The state government chose not to cooperate. On April 25, the state government reported 18 deaths due to coronavirus. It also reported that an audit committee had so far examined 57 deaths of people who had tested positive for Covid–19, of which 18 were found to be directly related to the virus and the remaining 39 were due to other causes. The IMCTs questioned the reporting method. Apurba Chandra, the leader of the ICMT sent to Kolkata, also pointed out gross violations of social distancing norms in the waiting area of MR Bangur Hospital (Nath, 2020). The West Bengal Doctor's Forum also urged the state government to ensure transparency in Covid–19 data. It stated that 'all data collected and published should be genuine, transparent and verifiable. We cannot afford to send the wrong signals to the world (Mankani, 2020). The doctors also insisted that determining the cause of death requires medical expertise and that no bureaucratic system could perform this task well. Eventually, the state government changed its reporting pattern and added a comorbidity death section.

Finally, the government of West Bengal initiated mass sensitisation and awareness generation events on vaccination through the gram panchayats and municipalities to ensure the maximum number of Covid–19 vaccinations. As of 20 January 2022, 115,208,604 people have been vaccinated through 4,993 common vaccination centres.

Conclusion

As the world grapples with unprecedented challenges posed by the Covid–19 pandemic, India's state and central governments have tried to step up to the task. Initially, governments at both levels lacked information and understanding regarding Covid–19 in particular and pandemic situations in general. The most vital lesson of Covid–19

pandemic is the importance of active and efficient local government at the grassroots level. The strengthening of local governance, local leadership, local communities, local institutions, local infrastructure and local resources is a prerequisite for all rapid and effective responses to any disaster. Local bodies like gram panchayats and municipalities need not only proper information and guidance, but also resources, capacities and infrastructure before they can act efficiently, confidently and autonomously. Unfortunately, despite having very powerful 73rd and 74th Constitutional Amendment Acts since the early 1990s, delivery mechanisms and systems mandated by these amendments have not been developed, much less integrated into local governance institutions.Thus, a more decentralised, grassroots-based ecosystem is needed, in order to make local institutions more decisive and self-reliant.

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Responses to Covid–19: New Paradigms of Exclusion and Inclusion in Indian Society

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Abstract

This article will give a few examples of how the Covid–19 pandemic in India has sharpened pre-existing patterns. Religion was used for the purpose of a political argument during the course of the pandemic, and the resultant creation of 'us' and 'them' leaves a definite mark. The focus will be twofold: Firstly, I show how the government and the BJP are promoting themselves as the protectors of Hindu India against 'intruders' who are identified as the Muslims who live in the country. The popular viewpoint of Muslims being anti-national very quickly fed into the national narrative of Muslims being responsible for India's first super-spreader events in early 2020. Secondly, I show how this point of view had repercussions on other aspects of social life and the very fabric of India. An interesting consequence of the religious angle is the creation of a new goddess or Shakti representation named Corona Devi (corona goddess), who some Hindus believe will be appeased by their worship.[2] Thus, the article will highlight how, in the light of Covid–19, social, religious and political divides gain centre-stage.

Keywords: Covid–19 and social divisions; political consequences; religious 'solutions'

Introduction

> The [Corona-pandemic] crisis seems to have thrown the dominant characteristics of each country's politics into sharper relief. Countries have in effect become exaggerated versions of themselves. (Rodrik 2020)

Economist Dani Rodrik said this at a project syndicate meeting on 6 April 2020 and again at an international WHO meeting on 6 August the same year. He is referring to how countries have reacted economically during the corona pandemic, but his statement can

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2 A similar focus on goddess worship during the Corona-pandemic can be found in Frøystad 2021.

easily be applied to other spheres as well – not least when it comes to India. The same is also demonstrated by Alf G. Nilsen and Karl Von Holdt in an article from 2020, which concludes that the pandemic has provoked a more extreme version of politics in the BRICS countries (Brazil, Russia, India, China, and South Africa).

It is observed that the years 2020 and 2021 were very busy for India's government: pushing through economic policies of various kinds; forcing through a new education policy even though almost all educational institutions were shut for at least the first 3–4 months; undertaking major construction projects like the Central Parliament Vista and the Ram Janmabhoomi Temple complex; merger of nationalised banks; disinvestment from national institutional assets (airports, railway stations, industries) that are almost as old or older than independent India; re-naming historical railway stations and towns; passing contentious farm laws; and turning a deaf ear to citizenship protests. The same applies when it comes to religion.

The government's underlying nationalistic rhetoric is acutely exclusive in nature and is being propagated and repeated through every possible channel. During the suddenly declared yet uncertain lockdown, very little effort was made to take care even of the bare necessities of forced participants in the largest migrant movement in the world, who were left entirely to their own resources. The readiness to find the Covid culprit in human assemblages of certain religious communities (the Tablighi Jamaat in New Delhi Feb–Mar 2020) and turning a blind eye to assemblages of Hindu communities (Khumb Mela gatherings; Durga Puja crowds etc.) have all been a part of the national response by an ostensibly secular government (42nd amendment 1976). As it happens, on the day Dani Rodrik made his statement, the first silver foundation bricks of a new Ram temple in Ayodhya were being laid as a government programme in contravention to the Constitution of India. The Ayodhya case exemplifies how an old conflict is given new life or strengthened in the corona pandemic's shadow. The event marked the last stage of a conflict that began on 6 December 1992, when big groups of Hindu nationalists destroyed part of a 16th-century mosque, the Babri Masjid, during a political rally. That also triggered violent riots against Muslims in several places in India. The temple's foundation is being built on exactly the same site as the demolished mosque.

Last year, the court allowed the temple's construction to continue, but it required more than 1,000 pages to justify this ruling, which is indicative of the gymnastics it had to

perform. Available evidence was subject to whitewashing and dressing to fit into the dominant narrative of the meaning of the 'desired nation'.

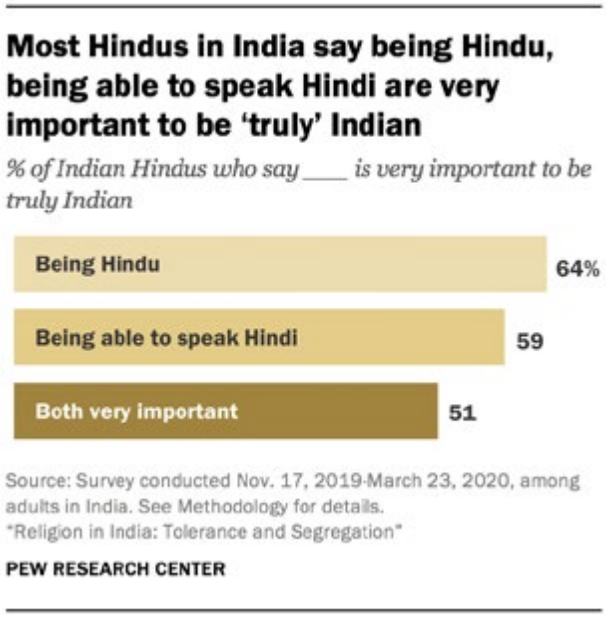
In the same week of laying the temple foundation, the Indian government also announced that it was suspending Article 370 of the constitution, which had till then granted limited autonomy to Kashmir, India's only Muslim-majority state. The article was aimed at protecting a special status for the Kashmiri state and its religious and ethnic identity, but one important consequence was the prevention of people from other places in India from settling there. The constitutional change of Kashmir was part of the campaign to create a 'New India.' It is another story that displaced Kashmiri Pandits (Hindu Brahmins) have not yet been brought back.

Similar to this, as is often argued, is the so-called Citizenship Amendment Act, passed in the parliament in December 2019, just before the corona pandemic struck. The Act provides a pathway to citizenship for any Hindu, Sikh, Jain, Buddhist, Christian or Parsi immigrant who came to India from Pakistan, Bangladesh or Afghanistan before 2015. It was presented by way of simply expanding the 1951 National Register of Citizens, which had until recently been limited to the state of Assam. Unsurprisingly, the only major religion that this expansion left out was Islam.

The government justified this by claiming that, under humanitarian considerations, India aims to assist people who face religious persecution by allowing them to remain or apply for refuge in India. Since Muslims are the majority population in Pakistan, Bangladesh and Afghanistan, they cannot be facing religious persecution at home. As a result of the policy change, Indian Home Minister Amit Shah declared, 'Not one refugee will have to leave. And we will not allow even one infiltrator to stay back' (Hindustan Times 2020). The scene was set for an increase in the level and nature of discrimination against Muslims that fed the agenda of dominant Hindutva, ideas, which became stronger during the corona pandemic.

If we look at a Pew Research Centre survey about religion across India,[3] conducted just before the Covid–19 pandemic, we can conclude that the soil was already fertilised with a Hindu nationalistic awareness or attitude.

3 The survey was conducted in 17 languages between late 2019 and early 2020 and is based on nearly 30,000 face-to-face interviews with adults.



Pew Research Centre

Not only do these survey results support the above-quoted statement by Dani Rodrik, but they also explain why the Hindu nationalistic explanation for the Covid–19 pandemic became the preferred narrative. This is in line with the way Deepa Reddy conceptualises Hindutva ('Hindu-ness')[4] as 'not merely a political ideology, but a (troubling) way of thinking through and addressing social problems and community concerns' (Reddy 2011: 412). In my view, this is exactly what we have seen during the Covid–19 pandemic in India. I will give examples of how religion is understood as both the provider of and the solution to the pandemic (Fibiger 2020), i.e., Muslims brought the pandemic to India, and a Hindu framework can purge the country of it. But also, this more exclusive Hindu religious framework includes references to the corona goddess, especially among lay people – the non-religious elite. She is understood to be the one who provided the coronavirus, but also the one who can make it disappear. This is also the case with other goddesses in

4 Hindutva (most often translated as Hindu-ness) is the predominant form of Hindu nationalism in India. The term was introduced by Vinayak Damodar Savarkar in 1923 in a small pamphlet called 'Hindutva'. It was mainly articulated as a political ideology and is today advocated by Hindu nationalist organisations and parties collectively known as the Sangh Parivar. The most prominent groups are the Rashtriya Swayamsevak Sangh (RSS), the Vishva Hindu Parishad (VHP) and, not least, the Bharatiya Janata Party (BJP).

India, such as Shitala Mata (the goddess of and for smallpox), who needs to be worshipped in order to change from being a malevolent goddess into a benign one (see also Frøystadt 2021). The nationalistic idea of Bharata Mata ('Mother India') also was linked to the corona goddess. This shows how an embedded understanding of the goddess as both the cause and the solution of an illness or a pandemic was transferred to a new contemporary situation.

Under the Covid-19 pandemic in India, two interpretations or narratives are intertwined: the political/ethnical/religious with the Muslims as the scapegoats, and the exclusive Hindu-religious with the goddess worship as the pivot. When it comes to the stigmatisation of Muslims as a particular religious group, they were blamed for bringing the virus to India – according to some conspiracy theories – in cooperation with the Chinese. In other words, religion in India is not only a powerful argument for legitimising social and political acts, but also a vital reference point for including and excluding groups of Indians.

These patterns became enlarged during the corona pandemic. On one hand, we see a scaled-up picture of the kind of tensions that are prevalent in India; on the other, the solidarity measures and movements that emerged during the pandemic bear testimony to the idea of India as a welcoming heart to all humanity, regardless of caste and creed. The following examples are just a few out of many, and they focus mostly on the underlying tensions in Indian society, which have increased since the BJP came to power in 2014. There have been many solidarity movements and ecumenical activities aiming to mobilise all Indians across religious affiliations. This is also part of the equation, which is important to bear in mind while reading the rest of the article.

China as the Producer of the Coronavirus, Muslims as the Provider

As mentioned in the introduction, the soil was already fertilised for the BJP and their supporters around India and abroad to expound and build upon the anti-Muslim rhetoric with an eye towards the important 2021 state elections. Despite a plethora of other religious issues that could be used to manipulate the electorate,[5] the BJP chose to focus on

5 Wikipedia offers a good overview of the 2021 electoral scene here: https://en.wikipedia.org/wiki/2021_elections_in_India#Andhra_Pradesh_2, accessed 28 September 2021.

the Corona virus; Chinese belligerence at the Ladakh border and Muslims who reportedly played an active role in the initial spread of the virus.

In the following we will focus on the sharp contrast between the response to the Tablighi Jamaat and that to the Maha Kumbh Mela, which is held every 12 years in rotation between Haridwar, Prayag (Varanasi), Nashik and Ujjain. The 2022 congregation was brought forward to 2021 due to religious considerations and took place in Haridwar during 1–27 April 2021. It is possible to read the decision to allow the event to proceed as a quick-fix solution to revive the moribund economy and keep the national election year undisturbed. In fact, this congregation probably was a super spreader event, but it was never abolished.

Instead, on 17 April (ten days before the festival should have ended), the prime minister requested that the festival be turned into a symbolic event rather than a physical one as a token gesture. In a tweet, he wrote that he had urged Swami Avadeshanand Giri, the leader of one of the 13 Hindu sadhu groups or brotherhoods that had planned the great pilgrimage, 'to keep the Kumbh a symbolic event due to the coronavirus pandemic, now that two 'Shahi Snaan' [Holy dips in the river Ganges] are completed [that is, two of the three dates around which a significant majority of pilgrims converge, with the last one scheduled for 27 April]'(Sharma 2021).[6]

Thus, we see that instead of learning from the dangers of human assemblage, the Government turned a blind eye to the Kumbh crowds and the dominant Hindu population tacitly acquiesced. Critics say the prime minister was reluctant to cancel the gathering due to fears of a possible backlash from Hindu religious leaders, who are among the party's biggest supporters and play an important role in mobilising Hindu votes during elections.

India reported its first case of Covid–19 on 30 January 2020. The patient was a student who had returned from Wuhan to the southern Indian state of Kerala (Nilsen 2021). Soon Muslims were publicly blamed for bringing the coronavirus into the country. Part of one conspiracy theory depicted the Chinese as 'producers' and the Muslims as motivated 'providers`. This was founded on the meeting of the Tablighi Jamaat, a global non-political

6 Here is one report: https://www.ndtv.com/india-news/pm-modi-says-he-has-appealed-for-kumbh-mela-to-now-be-only-symbolic-due-to-covid-crisis-adding-that-it-will-strengthen-fight-2415586.

Islamic organisation, held in Nizamuddin, New Delhi, in early March 2020. The event was decried as a super-spreader event, with more than 4,000 confirmed cases and at least 27 deaths linked to the event reported across the country. Over 9,000 missionaries may have attended the congregation, with some 90 per cent being from various states of India and the rest from 40 foreign countries.

The Tablighi Jamaat later received widespread criticism from the Muslim community for holding the congregation, but many Hindu nationalists were quick to denounce the organisation. This rapidly spread to include Muslims in India more generally and, already the week after the meeting in Nizamuddin, Muslims were being beaten on the street, accused of being linked to Tablighi Jamaat.

It is also from here that the hashtags *CoronaJihad* and *TablighiVirus* originate, used by Hindu nationalists in most of the country to mark the fight against Muslims, who are accused of having spread the coronavirus to the rest of India's population. The hashtags are spread mostly on Twitter, together with cartoons that speak for themselves showing a recognisable Muslim with a explosive belt before Covid-19 to be changed with a belt of Covid-19 vira after Covid-19.

The event in Nizamuddin triggered a critique of Muslims that already was latently present in Indian society; this became even clearer when the 70-year-old Sikh guru Baldev Singh's preaching tour in Punjab after his visit to Italy and Germany, which most likely contributed to spreading the virus in Punjab (Sethi 2020), was not politicised in a similar way.

Furthermore, another cartoon named 'Coronavirus Deal' was distributed among Hindutva supporters on WhatsApp and Twitter. In the following, I am inspired by how Manan Ahmed Asif interpreted the cartoon in his 2020 article, 'The Violence of Hindutva'.

One can see two cartoon characters who are shaking hands. The 'producer' has a red coronavirus head with the stars from the Chinese flag on it and a bag of money in his free hand, and the 'distributor' has a green coronavirus head (the general colour of Islam in India) with a typical Muslim kufi cap and a shoulder bag with a travel tag that says 'Tablighi Jamaat'. A small man is trapped between their shaking hands. He represents India, which is also what the small sign in his one hand says. This cartoon is open to

various interpretations and conjectures that range from the country's foreign policy to the readiness of the Muslims to undermine the nation as it has also been stressed by other studies (e.g. Asif 2020, Ganguly 2020, Nilsen 2022): (a) Religiously: Hindutva supporters understand Islam as a religion that is too narrow, goes against the Vedic tradition, and has Mecca as its centre and Arabic as its holy language. As such, Islam and Muslims are and will always be outside of the domain of India, it is perceived that they will never contribute to the country. (b) Socially: Muslims are seen as clustering in areas where only Muslim rules apply (halal meat, women in niqab). They practise usury, they evangelise, and if a Hindu woman is to be married to a Muslim man, she must convert, after which she is not allowed to see her family. This means that their children will be raised in the Muslim faith, which will slowly make them focus primarily on the globally defined Islamic community or Umma and not the Indian society. (c) Culturally: India belongs to Hindus. This is a historical fact, as is the idea that Hinduism, beyond religion, is a cultural heritage. (d) Historically: Hindutva supporters know how we can learn from history – not least from when the Muslims came to the northern part of India and oppressed the Hindu tradition there. They even made Delhi a Sultanate from 1206 to 1526 and, from there, they ruled over most of the northern part of India. (e) Geopolitically: Today, India is surrounded by countries that are under Muslim rule or have a Muslim majority: Pakistan (where important Indian cultural heritage sites such as Mohenjo Daro and Harappa are) and Bangladesh, which became independent in 1971. Also, one state within the Indian border, Kashmir, has a Muslim majority and uses that majority to pursue independence. Another state, Assam, in the northeastern part of the country, has for decades been the destination of illegal Muslim migrants from Bangladesh and Myanmar.

These Hindu nationalistic, scapegoating perspectives were strengthened during the corona pandemic.[7] Probably, Narendra Modi and the BJP believe there are votes to be won in the way the pandemic is handled and that synchronising pandemic management with overall politics could work even better to their advantage. And here, religion – or the idea of an Indian nation built on the Vedic/Hindu tradition and values used and referred to in different ways – comes into play.

7 This is not exclusively an Indian phenomenon. For a delicate treatment of similar Corona pandemic issues around the world, see Manderson, et al., 2021, especially part II, titled 'Blame and exclusion'.

The Corona Goddess

Shortly after the first wave of Covid–19, people from all over India started worshipping divine female forms of the coronavirus. This was popularised further during the second wave, in April–May 2021 (Frøystadt 2021: 7). The goddess has various names such as 'corona Devi' (corona Goddess), 'corona Mata' or 'corona Mai.' (corona Mother). Idols of the goddess and rituals conducted to worship these new female manifestations of Shakti have been reported from the southernmost states from Kerala, Karnataka and Tamil Nadu to Uttar Pradesh, Jharkhand, Bihar and Assam (Dore 2021). As stated by many of the devotees, the spread of this worship relates directly to the failure of medical care and the state. News18 (2021) quotes two women from Uttar Pradesh who were part of a group of women who worshipped corona Mai. They had made a small pit in the field and filled it with water, into which each one put nine cloves and nine 'laddoos' as offerings to appease the goddess:

> We have taken shelter under goddess coronavirus. She will be pacified with worship. The doctors have failed to treat patients and scientists have also failed to develop a vaccine to cure coronavirus. We worship coronavirus goddess so that our family members will remain safe from it. (Naina Devi)
> The country has witnessed two natural calamities in West Bengal and Maharashtra in the form of cyclones due to the goddess coronavirus. Nothing has been done to pacify the goddess. She is taking a big shape. We have worshipped to calm down the goddess's coronavirus anger. (Kabita Mahto)

To confirm Dani Rodrik's proclamation once again, what was already there became intensified during the corona pandemic; in this case, the worship of a goddess who can be either malevolent and ambiguous or benign and gentle, which O'Flaherty (1980: 90–1) describes as the goddess of tooth and the goddess of breast. With regard to the corona goddess, the same higher authority is understood as being the reason for the coronavirus and the solution to it. This is expressed well by Anilan Namboothiri, a journalist in Kerala, who has set up a new idol in his home shrine, which he honours alongside established Hindu deities such as Krishna and Shiva: 'In ancient times, contagions were attributed to the wrath of goddesses... that needed to be propitiated. The message I wanted to send people is that you can stay at home and worship god. God exists everywhere' (quoted in Dore 2021). In the last sentence, he refers to the goddess as an omnipotent power that exists everywhere, an intellectual, monistic point of view that fits well with the

understanding of India as Bharata Mata ('Mother India'), a reference used by Narendra Modi in many of his speeches and by his venerating supporters (ANI 2021).

Bharata Mata, the Hindu nationalistic veneration of India as a goddess, also was very actively used during the corona pandemic. This can be seen in the following picture:

Image by artist Sandhya Kumari, located in a gallery in Kolkata, reproduced on posters and also used as a template for goddess figures and statuettes in the form of murtis all over the country.

In the picture, the corona goddess is presented as Bharata Mata, dancing on the Earth. She wears a facemask and clothes with the colours of the Indian flag, leaving no doubt that she is Bharata Mata. In her hands – in addition to a coronavirus – she has recognisable medical equipment that can be used to fight it. With her left foot and her well-known chaos-fighting trident (trishula),[8] she keeps an external coronavirus away by chaining it – and thereby taming or fighting it. Her dancing on the Earth also shows that it is through worship of her that the Earth can be saved from the pandemic (Kaur and Ramaswamy 2020).

The image is a symbol with several layers of meaning. Firstly, it shows how the goddess is omnipotent and is the one to lean on in order to overcome the corona pandemic. Secondly, she is inscribed in a modern context having corona-fighting weapons in her hands, even though it is her well-known trident with which she fights the external coronavirus. Thirdly, associating India with a Hindu goddess is a clear symbol of Hindu nationalism. Fourthly, she is a goddess that the whole world relies on.

Conclusion

It is obvious that Narendra Modi and his BJP are promoting a kind of 'intruder ideology' with different 'enemies' they consider to be threats: an Asian superpower (China) threatens the Indian state, and the Muslims threaten the Hindu nation. Linking these enemies not only to the coronavirus but also to Indian history, to the Hindu understanding of India as Bharata Mata (Mother India) and to goddess worship in general among laypeople contributed to a mixed cocktail that, as expected, appeals to many Hindus in India. I have with a few examples shown how tensions or in- and out-group tendencies already present in India – primarily orchestrated by Hindu nationalists and secondarily by the BJP and its supporters – have been intensified during the corona pandemic. Here, religion is used as a strong reference and either implicitly or explicitly legitimises the political, cultural, or social exclusion or inclusion of certain groups.

On the surface, the government is trying to tone down rhetoric that stigmatises Muslims; as seen in one of the prime minister's most-quoted statements, posted for the first time on 22 April 2020 on LinkedIn: 'Covid–19 does not see race, religion, colour, caste, creed,

8 Bharata Mata is most often understood as a form of the omnipotent goddess Durga. One of Durga's well-known emblems is the trishula, or trident.

language or border before striking. Our response and conduct thereafter should attach primacy to unity and brotherhood' (quoted in Yasir 2020). However, this unfortunately does not percolate into the common response of the general population. History and time will testify if the coronavirus crisis in India has dented the prime minister's image, as some experts have remarked. This could be why the nationalist party and its leadership changed rhetoric, engaged in course correction, and undertook proactive measures to reduce the distance between communities. Building the narrative of national self-sufficiency in combating Covid–19 through the development of vaccines and providing medical care at the grassroots level would go a long way toward strengthening the nation as a whole. And such an opening seems visible. While celebrating India's Independence Day in August 2021, the same Prime Minister Modi said: 'The coronavirus pandemic came as a big challenge for India. The people of India fought the pandemic with patience and courage. It's a result of the strength of our industrialists & scientists, that today India doesn't need to depend on any other nation for vaccines' (quoted in India Today 2021).

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Surviving and Coping with the Pandemic: Minority Dalit Groups in Northern Bangladesh

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Abstract

Background: The pandemic has aggravated inherent inequalities within the structures of society, whatever their location. Among such socio-economic inequalities, those based on caste – social groupings based on descent and associated with occupation – are the worst. In a world where humanity in general is threatened, the misery and sufferings of those whose humanity is questioned as a part of the customary practice of 'untouchability' know no bounds. This article focuses on the impact and survival strategies adopted by the Dalit groups in the northern part of Bangladesh.

Objective: The article aims to reveal the experience of Dalit groups in Bangladesh, whose stories of both suffering and resilience while restricted by social isolation and lockdown during the Covid–19 pandemic remain largely untold.

Methods: The study used a mixed-method approach. Quantitative analysis is based on 80 respondents to a semi-structured questionnaire distributed equally between *Rabidas* and *Patni* Dalit groups in northern Bangladesh. Qualitative analysis is based on data collected from 8 focus groups, 4 key informant interviews, 10 life experience case studies, and 2 in-depth interviews. Survey responses were analysed using SPSS software and a content analysis framework was used for qualitative data.

Results: Half of *Rabidas* community members in Saidpur continue to ply their traditional trade of repairing shoes and are locally known as *muchi*s or cobblers; the vast majority of

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Patni respondents continue to make a living out of crafting traditional bamboo products. Both communities live hand-to-mouth and earn 100–500 BDT (1–5 euros) per day. During the lockdown period, no one was allowed to go outside and the earnings of many decreased to less than 50 BDT. Specifically, during the first lockdown, the income of 47.5 per cent of *Rabidas* respondents decreased from at least 100 BDT per day to less than 50 BDT per day, and 75 per cent of *Patni* respondents, all of whom had earned at least 150 before the lockdown, reported an income of 101–150 BDT per day. 62.5 per cent of *Rabidas* and 60 per cent of *Patni* respondents were limited to a weekly expenditure of 151–200 BDT, which is insufficient to fulfil a family's minimum requirements. Government funds and relief packages did not come their way. 75 per cent of *Rabidas* and 100 per cent of *Patni*s were unable to access humanitarian relief during the pandemic. Even though civil society members and some volunteer organisations helped them during the first lockdown, they were mostly absent during the second. After the first lockdown was relaxed, their earnings suffered because few people came to the market; all Bangladeshis were trying to save money. Consequently, *Rabidas* and *Patni* incomes decreased drastically even as the prices of all necessities hiked up. 72.5 per cent of families had shortages and 51.5 per cent faced difficulties in bearing the cost of treating other diseases. 66.2 per cent of families could not afford to put meat and fish on their plates, 57.5 per cent eliminated extra family expenditures, and 25 per cent bought less food, even after borrowing from relatives, accepting NGO loans and buying through credit at shops. Borrowing money from family and friends was not always an option, as nobody had a surplus. Lack of lobbying (97 %) was stated as the main cause of not getting the allocated amount of government support during this humanitarian crisis. They did, however, develop some coping mechanisms to survive.

Conclusion: An equitable and inclusive distribution system and a special corona package for the marginal Dalit groups can help *Rabidas* and *Patni*s recover from their damaged livelihood.

Keywords: Dalits, Pandemic, Food crisis, Emergency responses, Alternative coping strategies

Introduction

The current global pandemic, Covid–19, is the twenty-first century's greatest threat to the progress of human societies. Novel corona, a variant of the corona family of viruses, causes SARS in the people it infects. The virus is transmitted chiefly via coughing or sneezing on people. With limited access to vaccines, most governments imposed lockdowns to curb the spread of the virus. Almost 4.3 million people have died out of 190 million cases identified in 220 countries and territories (WHO 2021).

Wuhan, the largest metropolitan area in China's Hubei province, reported the first clusters of unexplained low respiratory infections to the WHO country office on 31 December 2019. These symptomatic cases could be traced back to the beginning of December 2019 (Cascella et al. 2020; Sahin et al. 2020). Since the causative agent was not identified, these first cases were recorded as 'pneumonia of unknown aetiology.' After a thorough investigation of the intensive outbreak by the Chinese Centre for Disease Control and Prevention (CDC), the aetiology of the illness was recognised as pneumonia caused by a novel virus. The Chinese researchers coined the term '2019-nCov' (Zhu et al. 2020), later named 'severe acute respiratory syndrome coronavirus–2' by the International Committee on Taxonomy of Virus (Zu et al. 2020). On 11 February 2020, the WHO named the pneumonia 'coronavirus disease–19', and it is most commonly known as Covid–19 (Li et al. 2020; Waris et al. 2020; Rasheed et al. 2020).

Many major pandemics have occurred throughout history, and the crises associated with pandemics have had massively adverse impacts on health, economy and even national security worldwide (Qiu et al. 2017). It is known that pandemic-causing germs are as old as humanity itself. In the 14th century B.C., plague, smallpox, leprosy, malaria and cholera affected many parts of the world. The high number of deaths caused by some of these diseases resulted in serious economic and political damage to the affected societies (Yolum et al. 2012). The plague pandemic, which spread between 1346–1350 and has become known as the 'black death', is a commonly cited example of a historical pandemic. Still, its global spread is often neglected: this pandemic resulted in the deaths of 35 million people in China, in addition to 25 million deaths in Europe. This and all pandemics also had severe demographic consequences, affecting some regions and practitioners of some professions much more than others. The city of Florence lost 75 per cent of its population and even higher proportions of clergymen and physicians, who had a higher likelihood of contacting patients (Shaw et al. 2002).

The spread of epidemics or their consequences may vary from one society to the other. Human biology, social environment and lifestyles can affect the rate and level of spread, as well as the severity of a pandemic's consequences (Herring et al. 2007). It has been reported that raising awareness regarding the disease and taking personal and societal measures to counter a pandemic's spread are effective at minimising the negative impacts of the disease (Bostan et al. 2020). However, both panic about the disease and measures intended to eliminate the impacts of the virus disrupt communal life conditions as schools are closed and social peace is lost (Teo et al. 2005). In short, pandemics increase anxiety levels and avoidance behaviours, bringing social life to a standstill (Çırakoğlu et al. 2011).

Pandemic is not only about medicine; it is more associated with social issues, and labour losses are among the most severe socio-economic harms. Pandemics also damage national economies because resources that governments, NGOs, communities, families and individuals could have used for other developmental purposes are redirected toward the prevention and treatment of the disease (Şanlı et al. 2010). It is useful to address the social impacts of epidemic diseases on both macro and micro levels. On a macro level, the relationship between globalisation and health is important. The Covid–19 virus, first identified in China in December 2019, spread almost to the entire world within about two months (Ankaralı et al. 2020). It was far from the first: globalising travel patterns also have been associated with the rapid spread of Ebola, SARS, avian flu and swine flu. Many countries reallocated significant amounts of their budgets as they sought to protect their citizens against these diseases, sometimes causing economic crisis (Alu et al. 2019). While globalisation hastens the spread of disease, it has a positive effect in terms of the discovery and exchange of treatments (Hayran et al. 2007). The exchange of global data sets, collaboration among specialists and cooperation on developing new disease-preventing technologies are only possible through globalisation (Balta et al. 2020; Bostan et al. 2020).

One consequence of the Covid–19 pandemic, global economic depression, has already started. People have lost their jobs and market prices have risen, causing a double-edged cut into buying power. In Bangladesh, the current 5.2 per cent unemployment rate is projected to double. Sumner et al. (2020) confirm that global poverty could increase for the first time since 1990. This means that Covid–19 poses a real threat to the UN Sustainable Development Goals (SDGs) for ending poverty by 2030. Calculating the per capita contractions of household income or consumption, Sumner's team identified three scenarios – low (5 %), medium (10 %), and high (20 %) global decreases in income – and estimated their impact on the number of people who would fall below various

international poverty lines. In some regions, the adverse impacts of the Covid–19 pandemic could return poverty to levels similar to those recorded 30 years ago. Under the most extreme scenario, the number of people living in poverty could increase by 420–580 million, relative to the officially recorded figures for 2018 (Sumner et al. 2020). Political, economic, social, environmental and climatic conditions intersect to exacerbate the effects of Covid–19, particularly for the most vulnerable (North African Food Sovereignty Network 2020). Some predict that the number of people affected by food insecurity worldwide will double as a direct result of the pandemic (Welsh 2020; Bennett et al. 2020).

Impact of the pandemic on Bangladesh

Bangladesh is facing multiple problems in this socio-economic condition. The country had quadrupled its per capita GNP in the previous 20 years, had just been upgraded to 'middle income' and was considered Asia's rising economic star. The Covid–19 pandemic is the biggest threat to the country's development process. The Bangladesh Bureau of Statistics (BBS) report for 2020 reveals that 68 per cent of people in Bangladesh were directly or indirectly affected by Covid–19, and income had decreased by 20 per cent (BBS 2020). Households were thus compelled to reduce their family-associated expenditures. Food intake was lowered by 52 per cent (BBS 2020). The national unemployment rate, 2.3 per cent in March 2020, increased to 22 per cent in July 2020, while the lockdown was in place. The country faced a cascade of effects: the pandemic led to a lockdown, which led to loss of income, which led to lowered nutrition intake, which led both to reduced ability to work and to a decline in individuals' immune systems. Which leads back to the pandemic.

Research by the Power and Participation Research Centre (PPRC) and the BRAC Institute of Government and Development (BIGD) documents the impact of the pandemic in general. The income of 70 per cent of Bangladeshis decreased during the pandemic, to the extent that 89 per cent fell below the poverty line. 14 per cent of families had no food (Rahman 2020). The impact of the Covid–19 pandemic was acute for low-income people, who faced the biggest threat of their lives. A BRAC survey conducted between 31 March and 5 April 2020 found that 24 per cent of Bangladeshis live below the poverty line and 35 per cent were under the so-called 'high poverty line, which is 60 per cent greater than the normal situation. Household income among this group fell by 75 per cent, from 14599 taka to 3742 taka. The report also noted that 72 per cent of people had either lost their work or decreased the number of hours worked. A WFP-BBS report found that 8.22 per cent of people in Dhaka pass their life with hunger and 9.23 per

cent of people pass the night with hunger (WFP-BBS 2020). Findings published by the Bangladesh Institute of Development Studies support these conclusions (BIDS 2020).

Dalits and the caste system in Bangladesh

Bangladesh is a pluralistic society. In addition to the several Muslim communities that dominate the country, 8.2 per cent of the population is Hindu and about two-thirds of Hindus are Dalits, who often are called and treated as minorities within the Hindu caste system in Bangladesh. Although there are no official statistics, the Dalit population is estimated at 5.5 million (Chowdhury 2009). The Dalit community is not only a caste or a group of castes; it is also a population group that has been marginalised to the extreme, partly by religious sanctions and partly by social and economic deprivations. The word 'Dalit' literally means 'deprived'. The Dalits are socially and economically deprived, and forced to work under abominable conditions at the lowest return for their labour. There are two types of Dalit ethnic groups in Bangladesh: Bengali Dalit and Non-Bengali Dalit. The former, who speak Bengali, include *Charmokar* (Cobbler), *Malakar* (Garland maker), *Kumar* (Potter), *Kai Putro*, *Koi-borto* (pig farmers) *Kolu*, *Kol*, *Kahar*, *Khourokar*, *Nikari* (traders), *Bauli*, *Bhagobania*, *Manata*, *Malo* (Fishermen), *Maual* (Honey collector), *Mahato*, *Rajo Das, Rajbongshi*, *Rana Karmokar*, *Roy*, *Shobdokar*, *Shobor*, *Sannasi*, *Hazra*, and others. Each of these communities is further sub-divided. The non-Bengali-speaking Dalit groups entered East Bengal before 1947 from Uttar Pradesh (UP), Andhra Pradesh, Rajasthan, Bihar, Orissa, and Madras, and continue to speak the languages of those states. Under British rule, they worked as cleaners, tea gardeners, jungle cleaners, and other cleaning jobs (Banglapedia 2021). One such community, *Patni*s, arrived from India and speak Bangla. Traditionally, they are makers of fishing and household wicker products. They also make boats and transport people and goods across rivers.

Caste systems and prejudice against so-called 'untouchables' are traditionally regarded as originating from Hindu scriptures, but these traditions and practices have also been adopted by sections of the Muslim majority in Bangladesh. Members of the Muslim 'low castes' increasingly refer to themselves as Dalits – the 'downtrodden' people – to emphasise the fact that they have been exploited, oppressed and excluded through generations (IDSN 2015).

With a few individual exceptions, Dalits live far below the World Bank-defined poverty line of US$1.90 income per day. The living conditions of Dalits are characterised by extremely limited access to health services, education and employment. This condition was exacerbated with Covid–19 and associated social distancing through quarantines, lockdowns and curfews. Knock-on economic effects from market disruptions further hindered Dalits' ability to pursue their livelihoods through 'twin disasters' of reduced earnings and skyrocketing prices (Bennett 2020).

The multiple forms of discrimination experienced by the Dalit community in Bangladesh and state toleration of its active perpetuation violate fundamental human rights obligations (UNHRC 2009[2]). The unequal access to government services is common for Dalit groups in Bangladesh. Another important social issue is 'stigmatisation', which keeps them away from the services provided by the government to face the pandemic. Stigmatisation is the action of disgracing an individual in the eyes of the society by declaring that individual defective due to handicap, race, dependence or disease, and therefore 'risky' to the society (Goffman 1963; Bostan et al. 2020).

This study examines how two Dalit communities in the northern part of Bangladesh were affected by the Covid–19 pandemic, and documents both the internal mechanisms and strategies they followed in response and the effective forms of assistance they received. This assessment could help to improve their situation, as it presents the actual situation more clearly and thus provides both a foundation for establishing equitable policies and a reference point for future studies.

2 The draft UN Principles and Guidelines for the effective elimination of discrimination based on work and descent were published by the Human Rights Council in an annex to a report (A/HRC/11/CRP.3) at its 11th session in May 2009. As an overarching principle, the draft establishes that all states, including Bangladesh, have a duty to make sincere efforts to dispel the prejudicial beliefs that constitute, support and reinforce discrimination based on work and descent, including notions of 'untouchability', pollution, and caste superiority or inferiority, as well as to prevent actions taken on the basis of such beliefs. The principles and guidelines suggest the specific measures to be implemented for the effective elimination of this form of discrimination, including all necessary constitutional, legislative, administrative, budgetary and judicial measures and appropriate forms of affirmative action and public education programmes to prevent, prohibit and provide redress for discrimination based on work and descent in both public and private spheres; and ensure that such measures are respected and implemented by all state authorities at all levels.

Material and Methods

Empirical research was conducted to discover the pandemic survival and coping strategies used by the *Rabidas* and *Patni* Dalit communities in northern Bangladesh. The study used a mixed-method approach, with 80 respondents (distributed equally between *Rabidas* and *Patni* Dalit groups) to a semi-structured quantitative survey and 32 participants in the qualitative part, comprised of 8 focus group discussions, 4 key informant interviews, 10 life experience case studies and 2 in-depth interviews. Survey responses were analysed using SPSS software and a content analysis framework was used for qualitative data.

Research population and sample

The research population consists of *Rabidas* and *Patni* Dalit people in northern Bangladesh. The people of the *Rabidas* community in Saidpur make their living from repairing shoes and are locally known as *muchis* (cobblers). In contrast, the *Patni* people make a living from crafting traditional bamboo products. Due to the Covid–19 pandemic – which is the subject of the study and is still ongoing in Bangladesh and around the world – legally imposed lockdowns, social isolation and social distancing have been enforced. Under these conditions, two community members were engaged, and data collection was carried out through participatory tools and techniques. The data collection process started on 3 May 2021 and ended on 30 May 2021. To maximise participation and diversified data, a well-planned sample distribution was designed, with age, gender and ethnic attributes of the participants considered. In practice, it was hard to reach the communities during the risky period, so convenience sampling was used.

Quantitative data

Two kinds of quantitative data were collected: demographic characteristics of the respondents, and data related to respondent engagement with the *Covid–19 Pandemic Community Scale*. Respondents provided demographic information concerning profession, education level, gender, age, income, place of residence, contracting Covid–19, being tested, being infected and receiving treatment. The *Covid–19 Pandemic Community Scale* was drafted in accordance with the information about the pandemic, literature review, government-declared corona package, urgent humanitarian reliefs, coping strategies, and preliminary interviews held with the individuals in the society as well as the opinions of local municipal councillors, and community leaders in the field. After review by six community leaders, some questions were removed and some statements were

revised. Respondents were asked to engage with a total of 20 statements. Each of the eight focus group discussions included 3–5 participants selected on the basis of pre-determined attributes. The SPSS program was used for validity, reliability, frequency and significance tests of the Covid–19 Pandemic Community Scale. Factor analysis was conducted to assess the construction of validity of the items on the scale.

Table 1. Frequency Distribution of Demographic and Covid–19 scale Variables (20 June 2021)

VARIABLE		N	%
1	**Family Type**		
	Joint Family	20	25
	Nuclear Family	60	75
2	**Age**		
	≤18 years	0	0
	19–29 years	15	19
	30–39 years	24	30
	40–49 years	20	25
	≥ 50 Years	21	26
3	**Marital Status**		
	Married	73	91
	Unmarried	1	1
	Separation	1	1
	Widows	5	6
4	**Gender**		
	Men	57	71
	Women	23	29
5	**Educational Status**		
	Illiterate	64	80
	Literate	2	2.5
	Primary	10	12.5
	Secondary	3	4
	More than secondary	1	1
6	**Do you have land?**		
	Yes	75	94
	No	5	6
7	**How much land? ***		
	≤5 decimal	65	81
	6–10 decimal	14	17.5
	11–15 decimal		0
	16–20 decimal		0
	21–25 decimal		0
	26–30 decimal	1	1
	≥30 decimal	0	0
8	**Occupation**		
	Wage labour (non-farming)	2	2.5
	Bamboo craft	40	50
	Cobbler	26	32.5
	Fisher	1	1
	Woodcrafter	1	1
	Garments labour	1	1
	Small business	1	1
	Middle business	1	1
	Service (private salaried)	3	4
	Housewife	2	2.5
	Welding labour	2	2.5
9	**Perception****		
	One kind of virus	45	56
	Curse of God	46	57.5
	Transmitted to others	34	42.5
	Contaminated disease	34	42.5
	Curse of nature	14	17.5
	Natural disaster	2	2.5
	Consequence of different Sins	10	12.5

VARIABLE		N	%
10	**Corona tested in family**		
	Yes	2	2.5
	No	17	21
	Family member Corona-positive?		
	Yes	1	1
	No	23	29
11	**Got vaccine for Covid–19?**		
	Yes	0	0
	No	80	100
	Tried to get vaccination?		
	Yes	2	2.5
	No	78	97.5
12	**Symptom of Corona****		
	Cold cough	14	17.5
	Fever	12	15
	Pain at throne	4	5
	Pain in body	4	5
	Headache	9	11
	Breathing problems	11	14
	Pain in chest	3	4
	Tiredness	4	5
	Loss of appetite	3	4
	Cough (kashi)	10	12.5
13	**Precautions taken****		
	Drink heated water	26	32.5
	Drink garlic water regularly	23	29
	Drink garlic water irregularly	14	17.5
	totka***	4	5
	Jhar fuk***	6	7.5
	Use hand sanitiser regularly	19	24
	Use hand sanitiser irregularly	4	5
	Use mask regularly	10	12.5
	Use mask irregularly	45	56
	Take doctor's advice	2	2.5
	Take medicine from dispensary	2	2.5
	Take homoeopathy medicine	5	6
	Maintain social distance	36	45
	Nothing had been done	3	4

**One decimal equals 1/100 acre* ***Multiple responses* ****Traditional remedies*

Results and Discussion

When the data in Table 1 are examined, it is seen that the distribution of female and male participants is almost equal. Although 30 per cent are middle-aged (30–39 years), it is clear that all age groups are represented. Most live in a nuclear family, indicating that Dalit people prefer to live separately from their parental families. Most respondents are illiterate: 80 per cent do not know how to read and write. If we see the level of education, 12.5 per cent of respondents reported having attended primary school, and only 5 per cent had continued beyond this rudimentary level. None reported having graduated. *Patni*s do not have many educational opportunities and few of their children attend school. *Rabidas*' opportunities are better and the proportion of their children in school is satisfactory. The landholding data revealed that all are marginal and/or landless people. 94 per cent of

people have at least some land, but only one respondent owned more than 10 decimals or 0.1 acres.

Employment distribution data indicates that all *Patni* respondents continue to ply the community's traditional bamboo crafts. In contrast, members of the *Rabidas* community have diversified from the (still dominant) cobbler craft into non-farming wage labour, service, welding labour, fisherman, woodcraft and small business professionals. Two respondents are housewives. In general, the *Patni* live in relatively remote and rural areas, so they have few engagements with the global world. On the other hand, members of the *Rabidas* community live in cities and have a greater variety of work options to choose from.

The questionnaire probed indigenous perceptions about Covid–19. The results show that a slight majority (57.5 %) believe it is a curse of God, A variety of science-informed responses followed, led by 'it is a virus' (56 %). The proportion of respondents who attributed the pandemic with nature – curse of nature, natural disaster, or sins – is notable.

Only two participants reported that a family member had been tested for Covid–19, and only one reported a Covid-positive result. Two out of 80 participants tried to get a vaccine; both failed. Despite severely limited access to testing regimes, the results show that many corona symptoms were present in both communities. 17.5 per cent reported that they experienced colds and coughs, and 15 per cent said they had fever during the pandemic period, as well as throat pain (5 %), body pain (5 %), headache (11 %), breathing problems (14 %), chest pains (4 %), tiredness (5 %), appetite loss (4 %), and coughs not related to colds (12.5 %). All of these symptoms have been associated with Covid–19, but they were well-known before corona and may have been considered 'normal' by the respondents.

The results show that multiple cautious measures were followed by the participants of the panic of Covid–19 even though they were not reported as Covid–19. Moreover, out of fear, some participants followed folk measures even as they followed doctor-recommended precautions. 56 per cent of respondents used facemasks irregularly and 45 per cent of people maintained social distance while they went outside or to the market. Traditional healing systems were at the centre of the community's approach to novel corona. Hence, many drank hot water (32.5 %), hot water with garlic regularly (29 %) or irregularly (17.5 %), *totka*-mixing (quack recipes) of different spices and local materials (5 %) and *Jhar-fuk*

(traditional belief-based treatment that is often but not always religious in nature) (7.5 %) in their efforts to avoid the effects of the novel corona.

The frequency distribution of the impact of Covid–19 pandemic on income and expense is given in Table 2. The data is shown in the pandemic's four timeframes. In terms of income level, before the pandemic reached the *Rabidas* community, the average income was 200–300 BDT per day and ranged from 101–550. *Patni* income was almost identical, on average, but considerably less variegated. The income data shows the *Patni* community's weaker position in society; *Patni*s lived on the edge of life even before Covid–19 struck.

The first lockdown was miserable. Income fell dramatically. During this period the daily income of 47.5 per cent of *Rabidas* respondents decreased to 50 BDT or lower, and 17.5 per cent of people earned 50–100 BDT per day. The new normal time – the time of relaxation during the first lockdown – did not bring them happiness. The income did not increase satisfactorily: 30 per cent continued to earn 51–100 BDT. When asked why earnings had not increased, they said people feared what would come next. Fewer people came to the market for non-emergency work like repairing shoes or sandals. Everyone focussed on securing food for their family. The *Patni* community's experience was similar. The daily income of 75 per cent of *Patni* respondents was in the 101–150 BDT range during the first lockdown period. While nearly half reported earning 151–200 BDT in normal times, 25 per cent reported an income decrease to 51–100 BDT.

After the Indian Delta variant cases emerged, a second national lockdown was imposed from 4 April to 30 May 2021. Both communities fell into great trouble again. This time, the crisis was acute. The impact data shown in Table 2 reveals the cruelty of a Dalit's life. 62.5 per cent of *Rabidas* respondents were compelled to limit expenditures to less than 151–200 BDT a week during the first week of the lockdown. It was hard to feed the family. At the same time, 60 per cent of *Patni* people were limited to 151–200 in weekly expenditures.

Table 2. Frequency Distribution of Impact on Income and Expenditure Variables (20 June 2021)

	RABIDAS COMMUNITY (N = 40)										*PATNI* COMMUNITY (N = 40)									
	BEFORE PANDEMIC		1ST LOCKDOWN		NEW NORMAL		2ND LOCKDOWN				BEFORE PANDEMIC		1ST LOCKDOWN		NEW NORMAL		2ND LOCKDOWN			
INCOME	N	%	N	%	N	%	N	%	$\bar{X}$	SS	N	%	N	%	N	%	N	%	$\bar{X}$	SS
IMPACT ON INCOME AND LIVELIHOOD									5.9	3.4									3.9	3.6
≤50 TK	0	0	19	47.5	7	17.5	5	12.5	7.6	8.1	0	0	0	0	0	0	0	0	0	0
51–100 TK	0	0	7	17.5	12	30	15	37.5	8.5	6.6	0	0	0	0	10	25	0	0	2.5	5
101–150 TK	2	5	2	5	6	15	8	20	4.5	3	0	0	30	75	4	10	5	12.5	9.7	13.6
151–200 TK	4	10	2	5	5	12.5	3	7.5	3.5	1.3	10	25	2	5	19	47.5	10	25	10.2	6.9
201–250 TK	10	25	3	7.5	3	7.5	2	5	4.5	3.7	11	27.5	8	20	5	12.5	6	15	7.5	2.6
251–300 TK	8	20	2	5	1	2.5	2	5	3.3	3.2	12	30	0	0	1	2.5	16	40	9.7	7.8
301–350 TK	3	7.5	1	2.5	2	5	1	2.5	1.6	0.95	4	10	0	0	1	2.5	1	2.5	2	1.7
351–400 TK	2	5	1	2.5	1	2.5	1	2.5	1.3	0.5	3	7.5	0	0	0	0	1	2.5	2	1.4
401–450 TK	2	5	1	2.5	1	2.5	1	2.5	1.3	0.5	0	0	0	0	0	0	1	2.5	0.2	0.5
451–500 TK	5	12.5	2	5	1	2.5	1	2.5	23	1.9	0	0	0	0	0	0	0	0	0	0
≥501 TK	4	10	2	5	1	2.5	1	2.5	6.3	8.6	0	0	0	0	0	0	0	0	0	0

	RABIDAS COMMUNITY (N = 40)										*PATNI* COMMUNITY (N = 40)									
	BEFORE PANDEMIC		1ST LOCKDOWN		NEW NORMAL		2ND LOCKDOWN				BEFORE PANDEMIC		1ST LOCKDOWN		NEW NORMAL		2ND LOCKDOWN			
IMPACT ON EXPENSE AND LIVELIHOOD									4.6	3.7									5.6	4.5
151–200 TK	1	2.5	25	62.5	7	17.5	6	15	9.7	10.5	6	15	24	60	5	12.5	7	17.5	10.5	9.0
201–250 TK	1	2.5	7	17.5	4	10	8	20	5	3.2	8	20	9	22.5	5	12.5	8	20	7.5	1.7
251–300	3	7.5	2	5	8	20	2	5	3.7	2.9	25	62.5	2	5	10	25	5	12.5	10.5	10.2
301–350 TK	1	2.5	1	2.5	9	22.5	6	15	4.2	3.9	1	2.5	1	2.5	10	25	7	17.5	4.7	4.5
351–400 TK	5	12.5	1	2.5	2	5	4	10	3	1.8	0	0	2	5	4	10	5	12.5	2.7	2.2
401–450 TK	6	15	1	2.5	2	5	4	10	3.3	2.2	0	0	2	5	2	5	5	12.5	2.2	2.0
451–500	5	12.5	1	2.5	3	7.5	2	5	2.7	1.7	0	0	0	0	2	5	1	2.5	0.7	0.9
500–550TK	10	25		0	2	5	3	7.5	5	4.3	0	0	0	0	2	5	2	5	1	1.1
600–650 TK	8	20	2	5	3	7.5	5	12.5	4.5	2.6	6	15	24	60	5	12.5	7	17.5	10.5	9.0

1st lockdown: 25 March – 30 May 2020
New normal: 31 May 2020 – 3 April 2021
2nd lockdown: 4 April – 30 May 2021

During the crisis, only 4 per cent of respondents, all city dwellers, received emergency relief. A 10 June 2020 research report published by BRAC Data Cell and Unnayan Somonnoy reveals that more than 110 million Bangladeshis, two-thirds of the population, were at economic and health risk. The report says income had fallen for 74 per cent of the country's families and 34.8 per cent of families contained at least one person who had lost their job (BRAC 2020). Figure 1 shows that the pandemic's effect on the *Rabidas* and *Patni* communities was even more severe. 80 per cent of respondents experienced a decrease in income, 72.5 per cent faced food shortage, more than 10 per cent lost their jobs/work or were displaced from their work, and 37.5 per cent lost clients along with other factors that directly impacted their lives. One important attribute of wellbeing is getting proper treatment for diseases. The novel Corona pandemic disrupted the ability of respondents and their families to get the treatments they needed for other diseases. More than 50 per cent of Dalits were unable to buy medicine or take family members to doctors. The data also shows that 60 per cent of respondents had increased their debt load, a condition that will be explored in greater detail below.

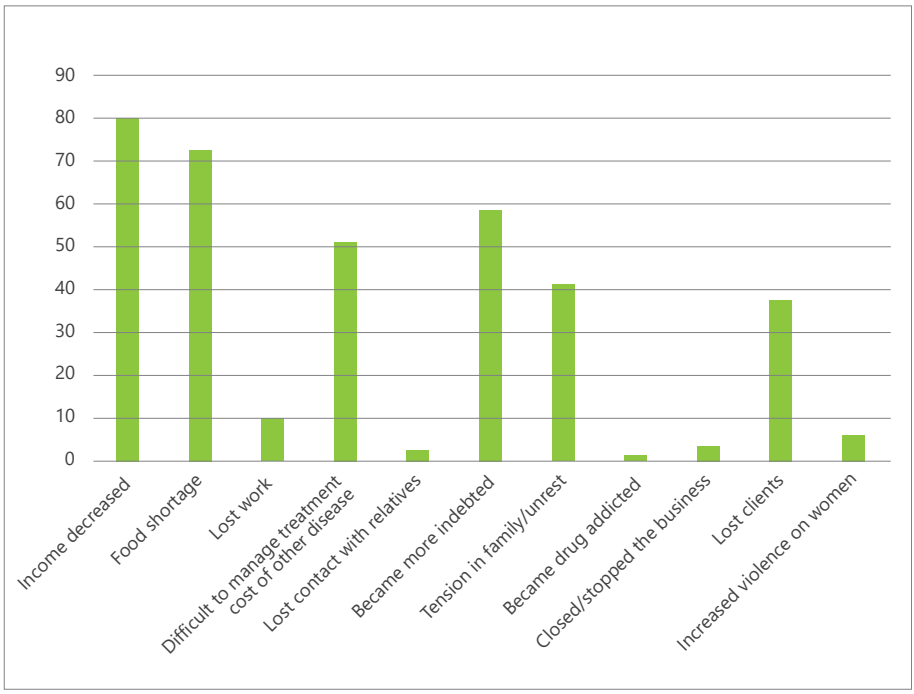

Figure 1. Impact of Covid–19 Pandemic on livelihood
** Multiple responses*

As shown in Figure 2, Dalit women were undergoing a harder struggle than men. Almost 32 per cent of women respondents felt increased pressure as they managed family resources. 22.5 per cent reported they ate less than other family members, and 22.5 per cent took responsibility for collecting food for the family, as the male income earner had lost work or income. 19 per cent of Dalit women experienced starvation during the pandemic, sacrificing their own wellbeing in favour of their families. Also 4 per cent of women experienced violence during the pandemic. The data shows that women bore the greater sacrifice during the pandemic. On the other hand, 27.5 per cent said their family bonds strengthened while men were compelled to stay at home during the lockdown. Mutual understanding grew as families faced the pandemic together.

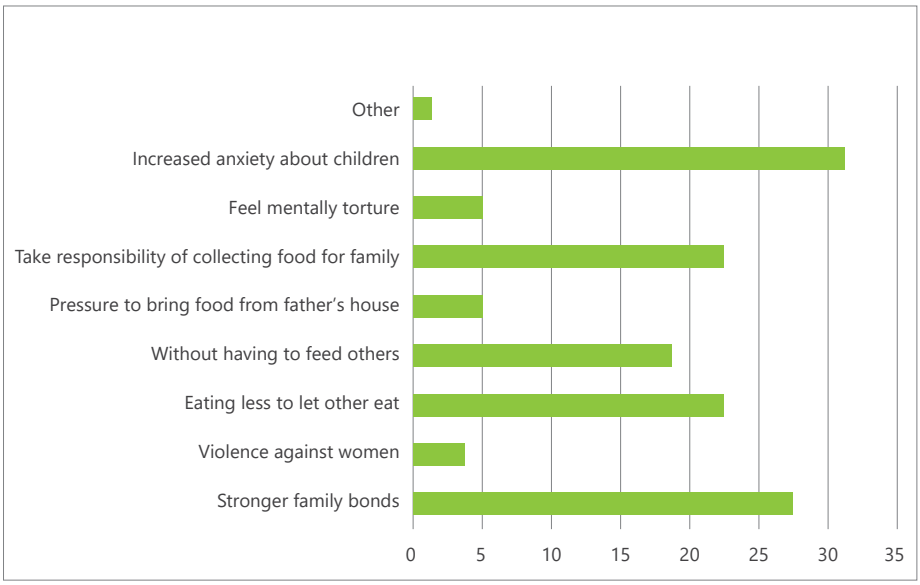

Figure 2. Women's challenges during the Covid–19 pandemic
** Multiple responses*

Figure 3 shows the respondents' coping strategies. 66 per cent avoided meat and fish, 57.5 per cent curtailed family expenses and sacrificed personal expenditures. 25 per cent ate less, and an additional 25 per cent experienced starvation. 17.5 per cent took a loan from an NGO, 16.25 per cent took a loan from a moneylender, 7.5 per cent borrowed money from a local cooperative at a high interest rate. One woman tried to earn from sewing as an alternative income source. And almost 5 per cent were forced to sell things in their homes in order to buy the absolute necessities.

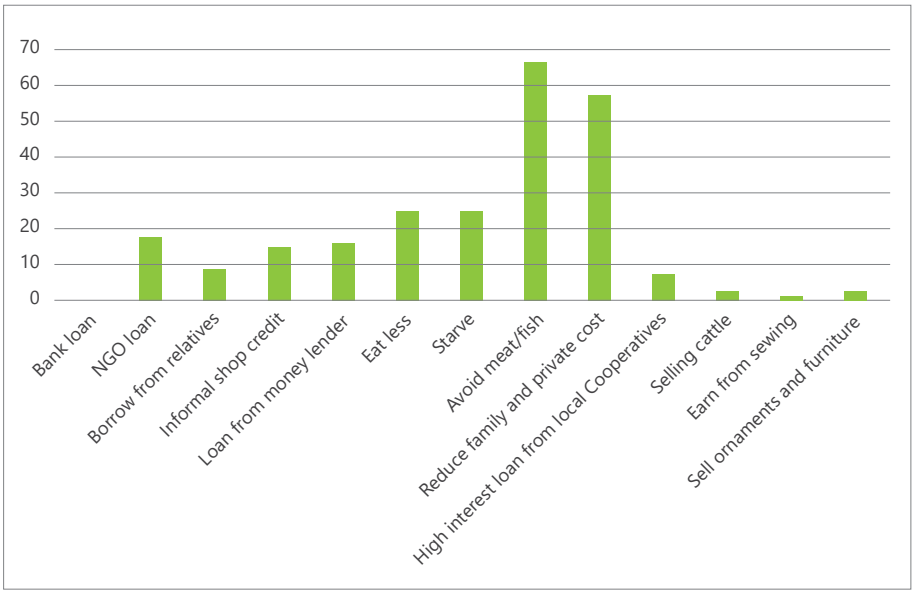

Figure 3. Covid–19 coping strategies
** Multiple responses*

The data shows that neither the government nor the formal private banking sector provided any help to Dalits. One must be open to the likelihood that systematic discrimination is involved. Formal banks demand collateral in the form of tangible assets or property. They do not acknowledge the value of the kinds of assets Dalits possess.

Discrimination and uneven humanitarian aid during a humanitarian crisis

> I got some humanitarian aid, an Eid festival bonus from the prime minister, but they [Dalits] are not eligible for this aid.
> Councillor, Saidpur municipality, interviewee.

Table 3 shows state discrimination against Dalits in relief aid, even in times of humanitarian crisis. Fully 75 per cent of *Rabidas* respondents did not get the government-promised package, even though all of them were in food crisis during the pandemic. Among the 10 *Rabidas* (25 %) who got a corona aid package, the amount was very small and always in the form of rice grain: five got 500 BDT, two got 1000 BDT, and one each got 1500, 2000 or 2500 BDT during the 18-month course of the pandemic. The frequency

data shows that only 7 (17.5 %) received government relief. To some extent, others stepped in where the government failed. 80 per cent of respondents received humanitarian relief from NGOs and 62.5 per cent from personal relief, 32.5 per cent from neighbours and 7.5 per cent from other sources. This relief took diverse forms, and most family essentials were covered. They included rice grain (57.5 %), *dal* (pulses) (55 %), wheat flour (50 %), vegetables (50 %), edible oil (40 %), salt (35 %), clothes (2.5 %), health equipment (12.5 %) and masks (2.5 %). The data show that the non-governmental sector continues to dominate in the provision of humanitarian help for Dalit people. The respondents also gave opinions on why they did not get government assistance in this situation. These revealed their frustration with continued discrimination. As they are a minority group, they did not have the lobbying strength to influence the officials or local government representatives, 95 per cent of respondents (giving multiple responses) said they did not have enough lobbying power to get relief. Also, 97.5 per cent (giving multiple responses) said local government representatives took their ID cards but did not deliver the relief, 17.5 per cent did not know when relief was given, 97.5 per cent (multiple responses) reported that they did not communicate with the authorities, 12.5 per cent said a bribe was demanded to avail of a relief package, and 2.5 per cent deemed themselves unqualified for relief.

> *Ami amader pouroshova theke 200 relief cards boraddo payeshi jonogoner moddhey bitoroner jonno. Kintu amar nirbachoni elakar jonogon relief cards powar ashai amar kashe 600 NID joma diyashe. Tahole ami ata kivabe manage korbo? Abong ei sholpo boraddey kivabe ami Rabidas community lok beshe nibo*? I have got only 200 relief cards from our municipality, but I have received 600 NID cards [requests for relief] from citizens in my election catchment area, so how should I manage it, and how could I pick *Rabidas* people with these limited options?
>
> Councillor, Saidpur municipality, Key Informant.

The frequency data on the times of getting aid are important, because 100 per cent of *Rabidas* respondents got help at the time of lockdown but not during the other three time frames, so the Covid–19 pandemic hit them extra hard at those times. For example, when Lota Rani Das (all names are pseudonyms), a Rabidas housewife who participated in a focus group discussion, heard that the hard lockdown would be extended to 28 April 2021, she wailed, *morsho, hara ar bochmona, Eibar kaho relief desche na, ager bar pachunu,*

kosto hoi nai (we are going to die, we are no more in the earth, no one is giving relief this time, but during first lockdown we got enough). She explained that the earnings of her husband, a van puller, decreased dramatically during the lockdown, when his daily intake was barely 150 taka. The family needed 2 kgs of rice and 750 grams of flour each day and that cost 120 BDT taka. Vegetables would cost 50 taka. He managed the family with great difficulty.

In contrast, the frequency data for the *Patni* community indicates a total disaster. No respondents, not even one, received any sort of corona package or relief elements. Not from the government, nor from the NGO sector. So the lockdown was just like an epidemic for them. When a local government member (Union Parishad member) was questioned, he said the government had provided tin sheds and tin fence houses to *Patni* families, so they are not eligible for corona relief packages. The participants reminded him during a group discussion that housing assistance is different from humanitarian emergency relief.

If we compare the data on getting aid in both communities, the geographical factor helped the *Rabidas* to draw the attention of NGOs and the private sector. They live in the town of Saidpur, while the *Patni* community lives in a relatively remote area of Taragonj Upazila, in Rangpur district. The community is smaller and more isolated – it is 13km away from Saidpur. They were less able to get the government's attention, but the focus group participants were sure that the government is responsible for protecting their lives.

Table 3. Frequency Distribution of Humanitarian Relief Aid and Discrimination Variables (20 June 2021)

	***RABIDAS* COMMUNITY**		**PATNI COMMUNITY**	
Variable	**N**	**%**	**N**	**%**
Received Govt. Corona package				
Yes	10	25	0	0
No	30	75	40	100
Value of Package				
001–500 BDT	5	50	0	0
501–1000 BDT	2	20	0	0
1001–1500 BDT	1	10	0	0
1501–2000 BDT	1	10	0	0
2001–2500 BDT	1	10	0	0
Humanitarian Relief received*				
Non-govt./NGOs	32	80	0	0
Private/personal	25	62.5	0	0
Neighbour	13	32.5	0	0
Government relief	7	17.5	0	0
Others	3	7.5	0	0
Relief got from Govt.				
Rice grain	7	17.5	0	0
Dal	0	0	0	0
Atta	0	0	0	0
Vegetables	0	0	0	0
Oil (consumable)	0	0	0	0
Salt	0	0	0	0
Health equipment	0	0	0	0
Masks	0	0	0	0
Hand sanitiser	0	0	0	0
Relief from non-Govt.*				
Rice grain	23	57.5	0	0
Dal	22	55	0	0
Atta	20	50	0	0
Vegetables	20	50	0	0
Oil (consumable)	16	40	0	0
Salt	14	35	0	0
Health equipment	5	12.5	0	0
Clothes	1	2.5	0	0
Masks	1	2.5	0	0

	***RABIDAS* COMMUNITY**		**PATNI COMMUNITY**	
Variable	**N**	**%**	**N**	**%**
Why Government Relief not provided*				
no lobbying	38	95	0	0
took ID card but did not get	39	97.5	0	0
does not know when relief gave	7	17.5	0	0
have not communicated	39	97.5	0	0
unable to give bribe	5	12.5	0	0
not suitable for getting relief	1	2.5	0	0
Time getting package and relief				
1st lockdown (25 March 2020 to 30 May 2020)	40	100	0	0
New normal (1 June 2020 to 3 April 2021)	0	0	0	0
2nd lockdown 4 April 2021 to 30 May 2021)	0	0	0	0

** Multiple responses*

The moment of lockdown

In fact, the lockdown had a more devastating effect on the Dalit community than Covid–19 did. People who lived below the extreme poverty line were plunged into complete darkness due to their loss of income. They were not allowed to work. They had no savings. All too often, they could not meet their daily needs. The story of their lives is vividly reflected in the statements they made during focus group discussions, key informant interviews and in-depth interviews.

> *Mui khasi'r mangsho kinibar paronai, 750 taka KG, 750 taka diay dui din amar shangshar cholbe. Sotti kotha Mui oi biya barite' e khashi'r mangsho khao, Mui shudhu broiler murgir mangsho kini, dudher shadh ghole mitai.*
> I couldn't buy mutton [because it costs] 750 taka per kg. 750 taka can cover all my household expenses for two days. The truth is, I can eat mutton only at a wedding party. I buy broiler chicken instead; I have to 'quench my thirst for milk with whey' [this idiomatic expression indicates that one must make do with cheaper alternatives when the original is too expensive].
>
> Raju Das, a Rabidas man

Ek bela ranna kore dui bela khayashi, tokhon ja jute tai khai ar na jutley kochur palka khaye din geshe. Je vat ranna kori seta baccha ra khai ar hara vater mar lobon diya khaya din par koreshi. We cook one time and eat two times. We ate what was managed back then. If we could not manage, we ate edible root vegetables. The children ate rice and we ate the rice water with salt.

Kajol Rani Das, a Patni woman.

Amra gorib manush, Amra lobon diya chira kheya thakte pari. Dui ekbar voya voya ami bazare giyachilam, kintu choukidar amake berk ore diyache. Ami coronar somoy kokhono mash-mangsho kinte pari nai. We are poor people. We can survive on *chira* (flattened rice) and salt. I went to the bazaar a few times in fear and trepidation, but the *choukidar* (marketplace watchman) turned me away. I couldn't buy fish or meat during the time of corona.

Kajol Das, a *Patni* man.

Ami coronar age amar basher kajer kacha mal hishabe bash kinechilam. Ami 12,000 taka porishodh koreshilam kintu bash kete barite ante pari nai. Pore ami bash kat te gele lokjon amake grame dhuktei den ni lockdown er karone. Ami khub ashubidhar moddhey shilam. Before corona, I bought bamboo – the raw material for my bamboo crafts. I paid 12,000 taka, but I couldn't cut the bamboo and bring it home just then. Later when I went to do so, people didn't let me enter the village because of the lockdown. I was in great trouble...

Bisnu Das - a *Patni* man

Amer meya er shoshur barite meya jamai jhogra hoyshilo. Amake Gaibandha te jaite bolen. Ami shekhane sondhai poushai, kishu protibeshi lok amar jouyar tothay prokash kore den je ekjon bairer lok corona niya amader barite dukeshe. Oh Vogoban! Choukider, union parishad er neta barite ashlo abong amake khujchilo. Ami khater nije lukiya shilam. Sara rat ami khub atongke shilam abong khub vore paya hete ami bari asheshilam. My daughter and my son-in-law had been fighting. She lives with her in-laws. I was asked to go to their home in Gaibandha. I reached there in the evening. Some neighbours spread the word that an outsider, infected with

coronavirus, had entered the house. Dear God! The village chowkidar and the Union Parishad leader came over and searched for me. I hid under the bed. I spent the night in great fear and, very early next morning, I walked all the way back to my home.

Krisno Komol- a *Patni* man.

Amar shoptahe 700–800 takar oushodh kinte hoi diabetes, blood pressure o annanno roger jonno. Ashara amar stri hapani, shas kosto o manoshik rogi, tar chikitshar jonno aro 250–300 taka hoi. Lock down er shomoi ai nai, ghore khabar nai oushodh'o kinte pari nai. Sarker theke kono shohayota'o pai nai. Ebhabe cholle amra morai jabu. Every week I buy medicines worth 700–800 taka – for diabetes, blood pressure and other diseases. My wife suffers from asthma and breathing difficulties. She has a mental health condition. I spend another 250–300 taka on her treatment. With no income during the lockdown, there was no food at home and no money to buy medicine. I didn't get any aid from the government. If it goes like this, we will die.

Manik Das, a *Rabidas* man

Lock down e shob kishu bondhu, lock jon ber hote parshe na, ber holei police dabrani dichhey. Amar ghore khabar nai, ki korbo jiboner jhuki niye e dokan khuli, bhoya bhoya thaki. Tobe shobaike police dabrani dileo amader ke aboshho kishu boleni. Bazar bondhu, lokjon nai, ai rojgar o nai. 50 BDT ai korte pari na. Athocho protidin khub kom kore holeo amar 150 BDT khoroch Lage. Ki je kothin din geshe bole bujhano jabe na. Lock down er din kono din bhulbo na. Everything was closed because of the lockdown; people couldn't come out. If they did, the police threatened them. I had no food at home. What could I do? Risking my life, I opened the shop every day and spent the days in fear. But although the police scolded everyone, they didn't give any information. The market was closed, with no people and no income. I could hardly earn 50 BDT, but my daily expenses amounted to 150 BDT at the very least. Such hard days they were, I cannot explain. I will never forget the days of the lockdown.

Srecharon Das, a *Rabidas* man

> *Juta shelai kore kono mote pet chalai, ei shamoi amar stri pregnant chili, tar anek khoroch. Lock down e shob kishi bondho Shilo, kaj'o chilo na. Ami loan kore kheye pore becheshi. Lock down emon ek porishiti je taka dhar pawya jai na, loan 'o pawya jai na*. I eke out a living repairing shoes. During this time, my wife was pregnant and had a lot of expenses. Everything was closed during the lockdown and there was no work. I survived by borrowing money. Lockdown created a situation where money could not be borrowed and loans could not be obtained.
>
> Krisno Das, a *Rabidas* man

Conclusions and Recommendations

In conclusion, Dalits are suffering more in this continuing world pandemic, due especially to the frequent lockdowns. In the absence of regular livelihoods, they exist hand-to-mouth. While this paper was being written, the second-wave Delta variant hit its peak throughout and a *fifth* hard lockdown was imposed to control the spread of this particular strain. In this situation, the Dalits are facing a very cruel and miserable time. In any kind of national or international crisis, the poor and underprivileged always suffer the most. Their issues are neglected by society and government, resulting in starvation, health and livelihood crises, and even deaths due to starvation or famine (Buheji et al. 2020). Dalits are oppressed and neglected in normal times, so getting help from the government during lockdown times is extra hard. Covid–19 lockdowns imposed mental stress on the public (Bodrud-Doz et al. 2020). The lockdown and the pandemic have created multiple crises in Dalit communities in Bangladesh. During this humanitarian crisis, discrimination and an inequitable distribution system prevented humanitarian assistance from reaching them.

The *Patni*s are totally neglected when it comes to getting humanitarian aid from both the government and the private sector. They also were overlooked when the government distributed corona incentive packages. Comparatively, *Rabidas* were in a better position, especially in the context of getting private and non-governmental assistance.

Our analysis indicates that the Covid–19 pandemic was a major challenge for Bangladesh's Dalit communities. The government took some positive initiatives, but these did not reach the Dalits. A special corona package for Dalit groups is therefore needed; the safety and security of Dalit lives depend on it. In addition, proper assessment, more inclusive

distribution, and better aid planning are required in order to ensure the provision of basic support to vulnerable Dalit groups.

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State, Market, and Prospects for the Public Sphere: A Study of Sri Lankan Higher Education during the Pandemic

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Abstract

In this article, we examine the discourse that has come to the fore on the challenges faced by Sri Lanka's state education sector – better known as 'free education' – in the backdrop of Covid–19. Sri Lankan free education constitutes an ideological project that ventures beyond pedagogy and into the terrain of egalitarian social transformation. However, much of this ethico-ideological commitment has been abandoned in the interest of 'getting things done' in the context of the pandemic and the consequent shift to online delivery of education. Critically interrogating the debate around this issue, we submit that the seeping of market rationality into the university space erodes into the inclusivity, commonality, autonomy, and criticality that define the public sphere that the university is assumed to constitute.

Keywords: Public sphere, Covid–19, Sri Lanka, Free education

Introduction

Since April 2020, Sri Lankan state university students have continued their studies online. If the pandemic continues for another year, we will have at least one batch of graduates who have never stepped into a university and met with their lecturers and peers. However, this article is not wholly about students missing the university culture or not being able to utilise the physical resources that state education has made available for them. Rather, our focus here is on the injustices and inequalities that the online teaching mode has institutionalised over the past two years, and how the university community is responding to it. In doing so, we seek to assess the critical potential of the university as a site of public sphere.

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In the conditions of the current Covid–19 pandemic, in many countries and across numerous fields, authorities have favoured 'what can be done' over 'what ought to be done'. The shift to online teaching should be understood in this context, where the initiative was viewed as a 'natural choice' by the government and university regulatory bodies, given the situational constraints. A majority of the country's academics and students also readily joined these ranks, as it seemed to be the only viable solution available in the midst of the pandemic. However, in many cases, neither teachers nor students had the necessary infrastructure nor, in some instances, the technical competence to engage effectively with online education. The university system does not possess the necessary material and human resources to facilitate online teaching, as evidenced by the constant technical glitches in learning management systems and video conferencing platforms. Therefore, online platforms significantly affect the process and thereby even the content of university education.

The deficit between 'is' and 'ought' in delivering university education over virtual media has fuelled a serious debate over a wide range of issues pertinent to free education. It centres on two discourses: The first articulates cautious support for online education as the only mode available during the pandemic period for continuing educational activities, while acknowledging its many adverse effects in both social and epistemological terms. The second rallies support for online education outright, capitalising on largely uncritical support flowing in from various quarters. What intrigued us enough to commit to this essay was the puzzling observation that many academics who benefitted from the emancipatory conditions afforded by free education, and rose to their current positions thanks to them, showed no qualms about the inequalities that online education institutionalises in the pandemic context. We were particularly struck by the way in which market rationality is increasingly coming to be equated with common sense, leaving very little space for any other way of seeing and being with the world. We venture into this essay, therefore, to interrogate the impact of the particular variant of market rationality that has crept into the university space, fundamentally compromising its democratic character, including and especially the element of contestation. We understand this shift as particularly inimical to sustaining a public sphere within the university, yet a public sphere is crucial if the university is to continue as a democratic space.

As participants of the debate, we draw largely on our own observations, in addition to a collection of secondary sources as we probe the dynamics of the discourse on online education and social justice. In order to investigate the puzzle that paved the way for this

essay, we employ Jurgen Habermas's contributions on the public sphere and the work of many scholars who advanced this concept. We set the context by providing a brief account of Sri Lanka's free education system. Next, we outline our understanding of the public sphere, drawing primarily on Habermas but also on others who have responded to him. This account is supplemented by a discussion of the university as a site of public sphere. Within this larger frame, we proceed to sketch out and critically interrogate the nature of the debate, unfolding in state-sponsored higher education, over the implications of the sudden, pandemic-induced shift to online education for the university as a site of public sphere in Sri Lanka. We conclude with some reflections.

A Brief Account of Free Education in Sri Lanka

Sri Lanka's 'free education' is first and foremost an ideological project with a commitment to equality motivated by the 'egalitarian ideology of lessening social inequalities' and, as such, 'opened up opportunities for greater social mobility on the part of disadvantaged social groups' by affording them access to professions such as law and medicine, which were considered to be highly prestigious at the time (Jayasuriya 1969: 170). In the democratising ethos of the immediate post-Donoughmore period, there was increased sympathy and tolerance in society for the cause of social justice, encouraged and compounded by similar changes occurring elsewhere in the world, particularly Britain (Kannangara 1943: 116–36). However, the passage of introducing this sort of sweeping educational reform was in no way smooth.

C.W.W. Kannangara, Sri Lanka's (then Ceylon) first minister of education and the original proponent of free education in the country, regarded the function of the colonial system of education as divisive and discriminatory. In the dually stratified colonial education, vernacular schools facilitated access to 'less aspiring jobs' such as traditional physicians and school teachers, while the more prestigious white-collar jobs were reserved for the English-educated class, which attended expensive private schools located in urban areas (Punchi 2001: 367). Kannagara's reform proposal primarily sought to address the resultant – and ever-widening – social chasm predicated on class bias. As expected, the proposal had to weather staunch opposition from anglicised elites whose distinction and thereby interests were threatened by the proposed reforms. The reforms were pushed through nonetheless and came into effect from 1945 (primary schools) 1953 (secondary schools), and 1960 (universities), respectively (Little 1996). As a result,

> education participation rates increased dramatically over two decades, and urban rural and gender disparities declined rapidly, unlike in other countries in South Asia. While over half the school population and nearly three-fourths of the girls had been out of school in the thirties, the age-specific participation rates of the 5–14 age group were 76.7 % for boys and 72.6 % for girls in 1963 ... with the change of media of instruction enrolment rate in grades 9–10 doubled from 69,233 in 1952 to 151,265 in 1957 and nearly doubled again to 294,253 in 1965. .... The cumulative benefits of free education and the change of media of instruction in secondary schools and the arts faculties of universities saw a threefold increase in the number of university students, from 4039 in 1959 to 15,219 in 1964. (Jayaweera 1989: 4)

The impact of this initiative, needless to say, has been a radical broadening of the social bases of education recipients, particularly at the tertiary level after the *Swabhasha* move of the early '60s (Jayasooriya 1965), and a slackening of the grip of caste by facilitating upward, merit-based social mobility that has freed youth from being defined by their birth status (Hettige 1992). The cumulative effect of this has been that free education has become the 'greatest social leveler' of post-independence Sri Lanka (Amarakeerthi 2020).

Free education is, of course, not without its contradictions. It was introduced into an already unequal landscape that was the work of colonial educational policy, whose end result was to introduce and sustain a class cleavage defined by access – by means of wealth and social standing – to English-medium education and the better prospects it afforded (Jayasuriya 2010). When free education was introduced, this extant cleavage also fed into generating hierarchies among academic disciplines, specifically between the Social and Natural Sciences, given the greater availability of facilities for subjects in the Natural Science stream in the better-equipped urban schools that tended to cater to those from privileged backgrounds (Gunawardena 1982).

The resultant social gaps along class lines were exploited by subsequent regimes, starting with that of S.W.R.D. Bandaranaike in the run-up to the election of 1956, promising upward mobility to hitherto marginalised social groups (Bush 2003). However, these promises fell flat in glaringly obvious ways in the subsequent years. With the lack of economic growth corresponding to the expansion of higher educational facilities resulting in widespread un- or underemployment and consequent disillusionment among the

large numbers graduating from universities, frustrations erupted in the youth uprising of 1971 (Obeysekere 1974: 375). Additionally, by this time, the country's economy had taken a hard hit with the decline in the surplus that plantation crops had been generating since the colonial period. On top of it all, an ethnic conflict that quickly spiralled into an all-engulfing civil war further eroded an already failing economy (Jayasuriya 2014: 173). The consequent 'crunch', so to speak, meant far fewer employment opportunities for the thousands of youth now graduating annually.

The open economy reforms of 1977 promised everything that this state of affairs did not: greater employment opportunities, greater upward mobility, greater economic prosperity, and greener pastures more generally. Despite the positive tone of this shift, and in addition to triggering yet another (and much more violent) youth uprising in the late 1980s, the reforms were also instrumental in hailing in an era of unprecedented changes to the macro-structures of Sri Lanka's political-economic landscape, education included, on the pretext of making structural conditions conducive for the positive transformation many hoped to see.

Given Sri Lanka's wobbly economy, struggling to open up, the country – like many of its counterparts in the developing world – had to comply with conditions laid down by global financial institutions. Education has not been an exception in this regard, leading 'free education' to come under ever greater strain due to the push to reduce public spending on economically unfeasible ventures such as welfare apparatuses, of which free education is an integral part (Punchi 2001; Perera 2021). The world over, higher education – particularly in the Humanities and Social Sciences – has been coming under increasing pressure to synthesise its 'output' with market demands (Pusser 2012: 37) to the extent that 'we may question whether they remain instruments of neoliberal policies, or whether they are on the verge of becoming neoliberal institutions' (Ibid.). In the context of this already constricted space, Sri Lankan education – particularly higher education – encountered the new crisis presented by Covid–19. But before moving on to discussing the impact of pandemic-induced changes on the potential of the university as a site of public sphere, it is important to first sketch out our understanding of the public sphere.

A Theoretical Approach to the 'Public Sphere'

In his seminal work, *Structural Transformation of the Public Sphere* (1962), Jürgen Habermas defines the public sphere as the coming together of 'private persons' for 'public

concern' or 'common interest'. The medium of communication in this space, according to Habermas, is rational dialogue and debate geared towards critically treating the state and the market – both of which are distinct from the public sphere – and, necessarily, the public sphere (society) itself as well. In Habermas's conception, the public sphere is seen as a domain of social life where public opinion is formed (Habermas 1991: 398).

A few defining features of the public sphere can be gleaned from Habermas's explications: First is 'publicness' or, more commonly, 'publicity', which literally translates to 'openness' (Cefaï 2017). By 'openness', or accessibility afforded to all, Habermas attempted to conceptualise a state of affairs in which public issues were open for deliberation through processes of argumentation, dialogue or communication, amounting to a 'public use of reason' understood in the Kantian sense (Ibid.). In Calhoun's recounting,

> [p]ublicity was, according to its very idea, a principle of democracy not because anyone could in principle announce, with equal opportunity, his personal inclinations, wishes, and convictions – opinions; it could only be realized in the measure that these personal opinions could evolve through the rational-critical debate of a public into public opinion. (Habermas 1962: 219, as cited in Calhoun 1996: 29)

Second, the idea of 'public concern' or 'common interest', in turn, stems from the idea of 'publicity' but refers centrally to the content of debates and deliberations taking place in the public sphere, rather than its nature. Such content, according to Habermas, should not centre on matters that may be deemed 'business or private interests' but rather on broader matters of 'general interest' (mwengenmeir n.d.). Third and last, from the previous flows the point that the public sphere is 'not commandeered by the market or the state' and, therefore, acts as independently of the state as it does of the market (as interpreted by Goode 2005: 38). The public sphere, then, is a crucial site of democracy that mediates between the state and the market, subjecting both to public control.

These conceptions have understandably come under attack because the public sphere they articulate is very restrictive. In Habermas's defense, however, Fraser (1990: 58) posits that '[t]he object of inquiry [here] is the rise and decline of a historically specific and limited form of the public sphere'. Habermas acknowledges that in the conditions of mass democracy that we see today, this kind of public sphere is no longer tenable, and therefore highlights the need for a new kind of public sphere that can 'salvage the arena's critical

function', but stops, rather oddly, without describing the boundaries of such a space (Ibid.). Nonetheless, as Fraser further argues, since Habermas's specific form of bourgeois public sphere does not constitute an adequate conceptual tool 'to serve the needs of critical theory today', one needs to venture beyond it, even while drawing on it.

Of course, Habermas is fully aware that the bourgeois public sphere has evolved further and further away from his conception of it. Here, the inadequacies of an admittedly powerful articulation come to light. For instance, the 'publicness' of the public sphere has been hotly contested, particularly following the entry of more pronounced 'private interests' that centre on very specific groups and their demands. These latter interests implicitly and explicitly highlight how the supposed commonality of interests touted by the classical bourgeois public sphere were in fact specific to that class, and failed to represent the needs and aspirations of other groups in society who later seized the space opened up by mass democracy to do exactly that. Calhoun (1993), while outlining the merits of the Habermasian conception, too, concedes that the public-private dichotomy it presupposes is detrimental to any expansive conception of the public sphere, because it precludes matters of, for instance, identity formation as essentially private and therefore not constitutive of an issue of public concern.

The lesson to be learnt from the Habermasian conception of the public sphere, however, lies in how the state, market, and society are aligned in this constellation. Civil society, Habermas tells us, is 'not commandeered by the market or the state' and therefore acts as independently of the state as it does of the market (Goode 2005: 38). However, this should not be taken to indicate any neutrality on the part of civil society. As history clearly demonstrates, civil society has variously represented the interests of the feudal aristocracy, merchant capitalists, welfare interventionists, and so on (Ibid.). During these various epochs, civil society has sometimes pushed for minimal state intervention in citizen lives to enable the realisation of their private interests, and at others for more state intervention in citizen lives to level out the differences in enabling such realisation (Ibid.; Calhoun 1996). In other words, civil society has at certain points asked for a greater role for the market by curbing that of the state, and at others, a greater role for the state to curb the advances of the market. In these oscillations, the constant has been that of a critical 'public' – a historically evolving body in which dominance has been enjoyed by various quarters during different periods – making claims on the two principal social organisations for the realisation of their interests.

> The importance of the public sphere lies in its potential as a mode of societal integration. Public discourse ... is a possible mode of coordination of human life, as are state power and market economies. But money and power are non-discursive modes of coordination ... they offer no intrinsic openings to the identification of reason and will, and they suffer from tendencies toward domination and reification. State and economy are thus both crucial topics for and rivals of the democratic public sphere. (Calhoun 1996: 6)

The multiplicity of such public, particularly in conditions of mass democracy, inevitably results in multiple such interests, giving rise to multiple, and sometimes competing, claims on the state and the market. This quality gives rise to contestation, that central tenet of the public sphere, signalling the prevalence of multiple ways of negotiating with the world, constituting at its core a democratic endeavour.

The University as Public Sphere

The conception of the university as a site of public sphere is fundamentally tied to the concern over what qualifies as an issue of public concern. While the university initially was associated with universality – even though the term is etymologically derived from the Latin word *universitas*, denoting a legal collectivity or guild (Rudy 1984, as quoted in Ambrozas 1998) – and therefore by extension as involving deliberation on matters of 'social' concern, later interventions such as the feminist movement endured, showing that 'universality [in the university] ... inheres in the multiplicity that makes up the whole, rather than a single universal truth' (Ambrozas 1998).

It is from this multiplicity, and the encounter between various manifestations of it in a single space, that the element of contestation – so central to the public sphere and to democracy itself – is introduced to the university. As Henry Giroux would have it, 'The university is ... a site of contradictions and struggles and in my mind a public sphere where one of the most important struggles over the formative culture necessary in a democracy...' (in an interview with Harper 2014: 1081) unfolds. These multiplicities and the encounters between them can then be subjected to critical treatment through the conversations happening in the university space, within and outside classrooms, thus facilitating the emergence of a critical consciousness (Freire 2005: 35). It is this diversity and criticality

whose combination marks the university as particularly emblematic of the spirit of the public sphere.

In Sri Lanka, the university space has been the site of many (sometimes violent) struggles for greater redistributive justice, as our account of the history of free education demonstrates. In each of these instances, claims have been made on both the state and market, in the interest of greater society. Admittedly, fractured voices and interests have clamoured for a space in the discourse, but this has only added to the democratic quality of the public sphere, understood in the revisionist, post-Habermasian sense briefly outlined above. However, fundamental transformations in the nature and orientation of the Sri Lankan higher education sector that predate the pandemic were compounded and expedited due to the changes introduced during the Covid situation.

The Debate on Higher Education in Sri Lanka during the Pandemic

Due to its ability to continue over virtual arrangements, education the world over has managed to survive the disruptions of the pandemic far more than other sectors. In Sri Lanka too, in spite of vast and glaring inequalities, education from kindergarten to post-graduate level has continued not only to deliver content, but to perform such other activities as interim assessments, examinations, parent-teacher meetings, and even extracurricular activities.[3] Serious structural injustices and their resultant inequalities have always plagued Sri Lanka's free education system, particularly at the primary and secondary levels (Kadirgamar 2021). Even though the tertiary level has by and large been able to level out these differences by facilitating equal access to resources on-site, we have observed on numerous occasions how a student's spending capacity, the stamp of pre-existing inequalities, continues to bear on their ability to reap the benefits of the university experience. The absence of the cushioning effect of such institutional mediation in the shift to online education – by way of providing the necessary equipment and infrastructure, among other things – has triggered a lively debate amongst the university community, which was our inspiration to develop the argument made in this article, and which we briefly present below, before dissecting its implications for the university as a site of public sphere.

3 Discussion with school teachers (virtual) on 27 May 2021.

This debate centres on exchanges between two broadly opposite camps. The first camp's endorsement of online education is cautious, and predicated on the absence of an alternative in the crisis situation. It also continues to raise concerns about the associated social costs of reinforcing marginalities and heightening inequalities, as well as the adverse effect of online teaching and learning on the essence of education. The second camp, in contrast, unequivocally supports online education not only as a remedy to continuing education amidst the current health crisis, but also as a desirable arrangement whose potential should continue to be explored beyond the pandemic. For them, the introduction of online education is part of a larger project of modernisation of higher education, which in turn is considered a virtue because of its purported ability to yield economically measurable results.

In Sri Lanka, the social cost of the sudden shift to online education has been particularly evident, given that the vast majority in the country benefits from a system that ensures at least basic access to education at the primary, secondary and, on more restrictive terms, tertiary levels. The shift to internet-based education, however, has posed a host of challenges to this system, not the least of which is the issue of accessibility, for students and sometimes teachers as well. In this light, pushing for greater acknowledgement of the difficulties faced by students – as well as some teachers – in continuing educational activities online is, by extension, to argue for greater inclusion in the higher education space. This exercise simultaneously constitutes the representation of a 'common interest' (in light of the large proportion of university students coming from marginalised backgrounds, as evidenced by a high proportion of them receiving need-based financial aid, and our own experience), and very much a pushback against the state attempting to force through changes that violate the moral commitments of free education. We submit, therefore, that the first camp very much aligns with our understanding of the public sphere and its hallmark characteristics of publicity, common interest, and autonomy from the state and market.

On the other hand, the second camp and its cause intensify the socio-moral crisis propagated by the pandemic in higher education primarily in two ways. First, the push towards online education has normalised a practice of 'getting things done' regardless of the associated social cost. Second, the new economic pressures introduced by the pandemic have largely legitimised this view by furthering a narrative of efficiency and the need for students to graduate without delay and start contributing to the economy. Both have contributed to the market logic that occupies the place of pride in social discourses, by and

large overriding all other concerns and viewpoints. This hegemonisation of the narrative has significantly eroded the critical potential and autonomy of the public sphere that the university is supposed to be emblematic of.

In the line of reasoning adopted by this second camp, the efficiency rhetoric of 'getting things done' takes precedence over critical reflection and intervention, as well as equity concerns, effectively pushing beneficiaries of supposedly 'free' education to spend on accessing their education, if that is what it takes to complete the process on time. This has come to denote, among other things, the gradual monetisation of the means of access to free education by way of its individual recipients bearing the cost of internet connectivity and electronic equipment. The frequent invocation of this argument has become so normalised as to inculcate a rationale of individual responsibility for education that is no longer institutionally mediated, and to perpetuate an ethos whereby those who are unable to afford such access are individually blamed for lack of commitment and laziness (Lecamwasam 2021). When education is gradually commodified thus, its potential for critical dialogue, that key tenet of the public sphere, withers away, transforming education into a tool of the market and therefore not a site that contests it, as the public sphere is principally supposed to do.

Additionally, the pandemic has pushed governments to take increasingly desperate measures to 'bounce back', including pushing higher education to produce graduates who are most likely to yield direct utility to national economies. It is needless to highlight the fallacies involved in this inference, not the least of which is an evidently crumbling economy in the face of Covid–19. Nonetheless, publicly funded higher education institutions in Sri Lanka continue to face political pressure in this regard, largely because the narrative around graduate unemployability predates the pandemic, and was simply exacerbated by it (Lecamwasam 2021). Thus, we see how the critical capacity of universities is increasingly being eroded by the market ethos.

These developments signal a pattern: the market is being brought into public education through state initiatives. The state and market, no longer antithetical forces, are merging to govern society under a single, overarching, all-engulfing logic of market rationality, significantly affecting the individual's ability to be a reflective citizen and person. As Goode (2005: 24) concludes,

> today's ethic of good citizenship does not demand that our opinions are "tested out" in the argumentative crossfire of the coffee house or, for that matter, the Internet discussion group. Rather, the governing logic is that of the market: the analogy is the educated consumer who, before plucking goods from the supermarket shelf, carefully considers the range of choices on offer and the cases that competing corporations make for their products.

Conclusion

In this article, we attempted to reflect on the impact of the Covid–19 pandemic and its associated changes on the publicly-funded higher education landscape of Sri Lanka. Like many other countries, Sri Lanka too had to resort to virtual methods to continue activities in the educational sector, given the social distancing requirements of the health crisis. However, given that a majority of the receivers of education in the country benefit from its system of 'free education', the sudden – and institutionally unmediated – shift to online education had a hugely detrimental effect on many students, not to mention teachers. At the tertiary level where we are employed, this series of events sparked a heated debate between those who extended the minimum amount of support necessary for online education to see students through the pandemic (while continuing to raise objections related to redistributive justice), and those who by and large unequivocally supported the shift not only for the duration of the pandemic, but for beyond as well. The latter group's case hinged on the need to 'modernise' education such that its beneficiaries (now increasingly called 'products) become 'attractive' to the market.

Our reading is that the case forwarded by this second group, and the increasing legitimacy it is coming to enjoy – is inimical to any prospect of the university continuing to function as a meaningful site of public sphere for three reasons. The first two have to do with the characteristics of the public sphere we have outlined above. In terms of openness (publicity) and accessibility, online education excludes many from meaningfully participating in the university space as students, and much less as active agents of society, culture, and politics. As our preceding discussion shows, the virtual space by socio-economic design mirrors and perpetuates exclusions in the larger society, the undoing (to the greatest extent possible) of which takes conscious effort and commitment.

On the count of common interests, however, waters become muddier. One may persuasively argue that it is impossible to label some interests as 'more common' than

others, and that all interests are ultimately specific to certain groups and their ambitions. This has in fact been one of the key responses to Habermas, as our discussion on the evolution of the debate on the public sphere demonstrates. As such, arguing in favour of online education irrespective of its social cost, is as much an expression of a vibrant public sphere, as arguing against it is.

Notwithstanding this second characteristic, however, the push for online education in this particular context may well undermine the conceptual and actual autonomy of the public sphere from the state and market, as well as the distinction between the state and market themselves. What we see here is the market making inroads into publicly funded higher education not as a separate force, but precisely through the state. In other words, it is the state that ensures compliance in making universities adapt to the market mould. By uncritically succumbing to – and even endorsing – this demand, the university simply becomes the mouthpiece of a state that is incapable of acting as an alternative to the market.

The other reason why online education may undermine the university's prospects for constituting a site of the public sphere is somewhat, though not wholly, independent of the three characteristics outlined previously. This speaks to the larger implications a weakening public sphere has for active citizenship, and thereby for democracy itself. Even though the past two years have witnessed much awakening on the part of civil society actors in Sri Lanka – including the university community – in response to increasing authoritarianism in and financial mismanagement of the country, this does not seem to extend to a critical treatment of the market logic seeping into other spheres of public life such as education. For instance, many academics who took an active part in protesting against the militarisation of education were also seen enthusiastically championing narratives of online education as a source of revenue for the increasingly privatising public university, and the need to align education with the requirements of the market, among others. For us, this is indicative of an erosion of criticality in society as a whole, whereby market dictates are accepted unquestioningly, and pushed forward with socially blind aggression, in the name of economic efficiency.

When people are stripped of their critical faculties and absorbed into this sort of market ethos, citizens transform into consumers, from active agents to passive receivers. Given the general decline of democratic standards across the world in the pandemic context, the university may be our last hope against an advancing market and the top-down, conflict-

averse, homogenising political order it prefers. The state, that alternative force to the market in spite of all its historical evils, has fallen. Let us guard the last bastion.

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Civil Society's Response to Covid–19-Affected Migrants: The Case of Bangladesh

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Abstract

This article explores civil society's response to the plight of international migrant workers during the pandemic. Taking Bangladesh as a case, it depicts civil society's engagement with migrants' issues and analyses factors that shaped their relations with the state and other actors. As demonstrated in the article, despite their fast and first response through service delivery and awareness campaigns, civil society's role was greatly affected by resource constraints and the state's dominance. The civil society, however, found its success in influencing the state to mobilise its resources for Covid-impacted migrants. Governed by values such as autonomy, solidarity and partnership, civil society activities in this case resemble supplementary and adversarial models of state–civil society relations. The findings offer useful insights into the construction of 'civil society' in a South Asian setting, and its ability to support vulnerable communities during a crisis.

Introduction

The Covid–19 pandemic struck the world in 2020, disrupting the lives, livings and well-being of millions of people. Taking Bangladesh as a case, this article examines the role of civil society in mitigating the quandaries faced by international labour migrants and their families. While 'civil society' (CS) is a well-researched field of inquiry, the pandemic has become a prism to look into CS's role and responses to the devastating social impacts of the crisis. The Nonprofit Policy Forum (NPF) published a full volume articulating CS responses and state-civil society organisations'(CSOs) relations during the pandemic in various country contexts (NPF 2021). The cases demonstrate the resilience and flexibility

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of CSOs, their efforts to support the vulnerable during the emergency and lockdown, as well as the issues of CSO networking with the state (Meyer et al. 2021; Kövér et al. 2021; Harris 2021). As the volume makes explicit, partnerships for service delivery between CSOs and governments clearly yielded many positive results in the countries of the North.

The Southern countries, by contrast, experienced mixed success as they sought to use the potential of CS to mitigate the consequences of the pandemic. In Japan and Hong Kong, CS had a greater role in initiating effective controls (Lewis and Mayer 2020), whereas China's Party-state controlled CSO activities (Sidel and Hu 2021). In Turkey, CSOs used online activities to support people before state activities began, though they had to be cautious in dealing with the state as well as with politically polarised elements within society (Dogan and Genc 2021). A different response model was observed in South Korea, where the government coordinated multiple governance and public policy development actors (Jeong and Kim 2021). In the milieu of unprotected and destitute internal migration crisis during the pandemic, India experienced a strained government–CSO relationship as the former failed to recognise the importance of the latter (Tandon and Aravind 2021); nonetheless, CSOs provided victims with information and material support (Wagh 2021). In Brazil, a vast network of 780,000 CSO organisations' responses to the pandemic was conditioned by the regulation, managerial, financial and political climate (Alves and Costa 2020). A general lack of solidarity, cohesion and partnership was evident in most Southern cases, as the state often presented itself as the 'sole protector' and exerted control over other actors, including CSOs.

In line with the above literature, this article intends to explore the extent to which Bangladesh has been able to seize the potential of CS to reduce the consequences of the calamity. In doing so, it has chosen to focus on the country's labour migration sector, asking: What initiatives form the CS's response to migrants affected by the Covid–19 pandemic? Were there divergences and convergences of interest and ideas among CSOs and other actors? To what extent did autonomy, solidarity and partnership play out as values? Would the emergency responses and relations outlive the crisis? The aim is to get a holistic view of CS involvement in ameliorating the condition of pandemic-affected migrants and returnees. Crucially, the article illustrates the construction of the concept of civil society in its relations to the state and marginalised communities such as migrant workers in a South Asian setting and, its ability to function in a crisis.

There are compelling reasons to select Bangladesh's migrant communities as a case. Writings abound on CS's construction, nature and functions regarding democracy, socio-economic development, the rule of law, human rights, and social change (White 1999, Lewis 2011, Zafrullah and Rahman 2002). Yet the thriving sector of labour migration has so far received scant attention in the mainstream writings on CS and Bangladesh, a country of emerging CSOs and a major source of international labour migrants. More importantly, migrants were among the communities hard-hit by the pandemic. Bangladeshi migrants lost their jobs and suffered discrimination, detention, non-payment of wages and deportation (Siddiqui 2021). Stranded aspirant and visiting migrants became uncertain about their return to jobs due to travel bans, lockdowns and economic recessions in their countries of employment (Ibid.). While CS in different contexts played a pivotal role in the alleviation and dissipation of societal troubles associated with the epidemic (Kövér 2021), it is appropriate and pertinent to look into the strength and resilience of the Bangladeshi CSOs as they tried to safeguard migrants' rights and well-being at home and abroad. This is an important foundation for cross-country comparison of institutional and structural arrangements between the state and CS.

Notes on Methodology

The study employs a combination of qualitative social science methods. Existing literature has been reviewed to gain conceptual clarity and relate to the Bangladesh context. Content analysis of the *Daily Star* – a renowned English daily – has been done for the period of March 2020 through June 2021. Websites of migration CSOs have been visited to follow Covid interventions. These findings were then triangulated with Key Informant Interviews (KIIs) with CS leaders and CSO executives. Essential insights and findings are also drawn from the author's participation in national and regional consultations arranged by CSOs.

The article is organised into six sections. The section after this introduction discusses the key concepts and theories that underlie the discussion and analysis in this article. The third section sets the scene by describing the evolution of migration CSOs activities in Bangladesh. Based on in-depth interviews, content analysis of news and observation, the fourth section highlights CSOs' Covid-time activities. The fifth section analyses the pandemic time CS relations with other actors in terms of autonomy, solidarity and participation. In conclusion, the main findings and arguments are summarised.

The Concept and Theories of CS

The concept of CSOs vis-à-vis state

'Civil society' in this article refers to a sphere outside the state where, in order to pursue common enterprises, rational, self-determining individuals voluntarily form groups or organisations share interests and communicate over matters (Kymlicka 2002, Edwards 2009). This article adopts a broader definition of 'civil society' to encompass a wide variety of organised efforts and interventionist measures undertaken by actors, including conscious individuals, organisations, and associations of organisations. Following common usage in Bangladesh, CS organisations that were formed to supplement government services for the common public good often function as pressure groups. They criticise government policy and action and advocate for specific policy changes. This article draws special attention to the activities of CSOs that have an interest in the welfare of former, current and potential future migrant workers from Bangladesh.

The purpose and function of civil society

Classical philosophers such as Aristotle, Hobbes, Locke and Hegel identified CS as a society with certain ideals and values that require both creative and value-based actions to balance the otherwise overbearing influence of the state authority (see Khilnani and Kaviraj 2001). Early theorists described CS as a 'Third Sphere' after the state and the market, which often are presented as standing in stark opposition to each other despite taking many hybrid forms in practice. (Chandhoke 2009). In the age of neoliberalism, CSO functions were reduced to service provisioning for improved aid effectiveness (Weisbrod 1978). Strong and independent NGOs and citizen movements have become signs of good governance (Ibid.). Contemporary academics tend to analyse CSO roles in participatory governance by referring to their rules, practices and narratives (Pauly et al. 2016). In recent years, infiltration theory, which approaches CS in terms of interdependence rather than independence of its component CSOs, has gained some currency (Klein and Lee 2019). This theory draws on the idea that the boundaries between CSO, the state and the market are somewhat permeable (Van Til 1995) and members of each set of actors engage in forward and backward infiltration. According to this theory, CSOs infuse and interact with market and state through policies of influence, substitution and occupation (Ibid.).

While the infiltration model offers an important analytical tool to examine the possible permeations of CSOs into the government, the article also considers the efficacy of supplementary, complementary and adversarial models to explain how CSOs engaged themselves in service provision during the pandemic (Young 2006). In the supplementary

model, CSOs are seen as fulfilling the demand for public goods left unsatisfied by the government. In this view, the private financing of public goods can be expected to have an inverse relationship with government expenditure (Ibid.: 39). In the complementary view, CSOs are considered government partners that help deliver largely government-financed public goods. The adversarial model emphasises the CSO's role in pressurising the government to formulate or change public policy to reflect the public interest, and to maintain accountability to the public; governments typically respond by exerting control over adversarial CSO activities (Ibid.: 40). The three perspectives are not mutually exclusive and can appear simultaneously in CSO-state relations in the form of cooperation, co-optation, complementarity, and confrontation (Najam 2000). The above lenses help to explain CSO responses to pandemic-affected Bangladeshi migrants.

The values shaping state-civil society relations

Scholars identify CS as a site that mediates society's relationship with the state (Chandhoke 2009). In western philosophy, CS is contrasted with the state, which is conceived of as an indispensable instrument for securing an order in which ordinary individuals can pursue their social and organisational activities without harming one another (See Khilnani and Kaviraj 2001). In non-western traditions, however, 'state' contains a variety of concepts: control, coercion, domination, and so on (Ibid.). The mass of associations in CS keeps the state in check (Ibid.). In effect, the government–CS relationship is determined by broader social, political, and economic realities (Salamon and Anheier 1998).

CSO–state relations are also measured along the dimensions of autonomy (Read 2008), partnership (Sørvoll and Bengtsson 2019) and inward and outward solidarity (Foley and Edwards 1996). Autonomy indicates that CS strikes a balance with other actors, and this autonomy depends on the ability of CS to protect itself against the state and the market (Cohen and Arato 1997). Partnership, which refers to collaboration among CS actors and the state in pursuit of common or complementary ends, helps explain how power is shared between the CS and the state for better public policy outcomes based on the needs of communities. It is the arena where citizens become part of the implementation process. Solidarity means conforming to the norms of reciprocity and mutual support within and among groups for the common interest. The above framework will be used in this article to analyse migration CSOs' engagement with the state amid the pandemic.

The Bangladesh Context: Labour Migration and CSOs

Civil society actions surrounding labour migration in Bangladesh commenced in the 1990s, when the state's remittance-based development vision prompted it to export its citizens abroad. More than 13 million Bangladeshi citizens migrated abroad to join the international labour force between 1976 and 2021 (BMET 2021). Of them, a large majority of low-skilled Bangladeshis are concentrated in the oil-rich Middle Eastern countries and the newly industrialised Southeast Asia, whereas skilled migrants and professionals have a strong presence in Europe and North America. Around 1200 licensed recruitment agencies and thousands of informal intermediaries at home, together with employers, recruitment agents and the existing migrant' communities in destination countries, comprise a network that facilitates overseas labour migration from Bangladesh.

Acknowledging the importance of remittances for the national economy and easing the unemployment problem, successive governments of Bangladesh (GoB) have declared labour migration a 'thrust sector' and took initiatives to modernise its migration services, and a full-fledged Ministry for Expatriates' Welfare and Overseas Employment (MoEWOE) was established in 2001. A ban on semi-skilled and unskilled female migration was lifted in 2003 and 'decent work' principles have been introduced in bilateral agreements and memorandums of understanding (MoUs) signed with labour-recruiting countries. Several national laws and policies were also enacted to regulate labour migration from Bangladesh, including the Overseas Employment and Migrants Act (OEMA) 2013 and the Wage Earners' Welfare Board Act 2018. In its 8th five-year plan (2021–2025) the GoB emphasises, among other issues, the need to improve the skills base for the development of new overseas labour market opportunities, ensure the protection of migrants' human and labour rights, review existing policies to promote migration-sensitive health policies and strategies, and incorporate female migrant workers' issues.

Preceding the above developments, the 1990s witnessed increased advocacy and programme activities anchored in rights-based discourses, as well as the qualitative and quantitative expansion of CSOs that are devoted to the causes of migrants (Reyes 2013). Three CSOs born in the 1990s – the Refugee and Migratory Movements Research Unit (RMMRU), Welfare Association of Returnee Bangladeshi Employees (WARBE) and the Association for Female Migrant Workers in Bangladesh (BOMSA) – were instrumental in influencing public policy on migrants' rights amid the growing importance of labour migration from Bangladesh (Ibid.). RMMRU, an affiliate of the University of Dhaka, has been engaged in evidence-based migration research, training and policy advocacy since

1996, when hardly any normative or institutional framework for migration governance existed. WARBE was established by some returnee migrant workers in 1997 to build awareness at the grassroots and enterprise development levels in migration-rich areas. One year later, BOMSA started its journey to unite and protect the welfare of female migrants of Bangladesh by offering both pre and post-departure support and training.

The following decade observed the rise of yet another group of CSOs. OKUP (Migrant Worker Development Program), a community-based migrant workers' organisation in Bangladesh, was formed in 2004 to promote migration through legal pathways, fair and ethical recruitment, migrants' access to basic services, access to justice, climate migration, and sustainable reintegration and livelihoods of migrants and left-behind families, as well as the protection of migrants' children. Finally, BRAC, the world's largest NGO, appeared on the scene in 2007, when it undertook a safe migration project. Later, it introduced large-scale facilitation, counselling and reintegration support to returnees from Europe and elsewhere.

The past decade has seen few new CSO arrivals in the migration sector. In some cases, individuals left existing CSOs to form their own donor-supported organisations. The sector also witnessed the permeation of labour and human rights organisations into the migration sector. Often, the newcomers competed with pioneer CSOs over donor support and government patronage.

International Organisations comprise a large part of the Third Sector's activities on migration in Bangladesh. The International Labour Organization (ILO) and the International Organization for Migration (IOM) have mandates to work for labour migrants and migrants, respectively. ILO has had a long presence in Bangladesh on labour issues. It began its operation for migrant workers during the mid-1990s, when it commissioned some studies on migration that could inform its advocacy work. In 2010, at the request of the GoB, it implemented a 10-year project to develop normative frameworks for migration and improve migration services. IOM activities regarding Bangladeshi migrants started with the repatriation of 63,000 Bangladeshis from the Gulf during the 1990 Persian Gulf crisis (IOM 2021). In 1998, it established a regional office for South Asia in Dhaka and funded research and awareness-raising programmes on migration and trafficking issues for policy development (Ibid.). Later, it initiated its own research and policy intervention programme, in partnership with the government and local CSOs. In recent years, the European Union, the British Council, DfID and USAid also initiated

large and medium projects, while independent development organisations such as CARE Bangladesh, Winrock International and Helvetas mobilised funds to implement migrant programmes through local CSOs. Catholic church-based organisations (e.g., Caritas Bangladesh) and trade unions (e.g., American Solidarity Centre) also have some activities regarding migrant workers.

Over time, these CSOs have been able to create networks among themselves. The Bangladesh Civil Society for Migrants (BCSM) was created in 2016 in the context of the Global Forum on Migration and Development (GFMD), with RMMRU serving as its secretariat. Without having a legal entity, the forum became an important migrant advocacy tool. Since 2017, WARBE has been working as the secretariat of the Migrants' Rights Forum Bangladesh (BOOF), an alliance of more than 112 CSOs working at the grassroots for the socio-economic development of migrants, children, and women. These are forums for dialogue, discussion and national consultation whenever the members want to raise issues with the government. Almost all local migration CSOs are connected to regional forums such as the Migrant Forum in Asia (MFA), CARAM Asia, and the Global Alliance Against Traffic in Women (GAATW), which take migration issues into regional and global consultative processes like the Abu Dhabi Dialogue, the Colombo Process, and so on.

It is in the above framework that migration-focused CSOs responded to the Covid–19 pandemic. In what follows, their role in the pandemic is documented on the basis of interviews conducted with CSO executives and other stakeholders.

The Role of Civil Society during the Pandemic

The Covid–19 pandemic left CSOs with an unusual and unprecedented situation regarding migrants and their families. By March 2020, many Bangladeshis had lost their jobs abroad and were forced to quarantine in labour sheds without much support (Rashid et al. 2021). Sometimes, employers send them back without paying wages (Ibid.). Thousands of aspirant migrants could not migrate due to flight closures and job cuts (Ibid.). Upon return, most migrants faced yet another round of stigmatisation and discrimination, as they were considered the bearer of the disease from abroad (Ibid.). Red flags raised in front of returnee houses added a layer of stigma to their social isolation. Lockdowns on the one hand and the lack of access to livelihood on the other left many migrant families in dire need of food and cash (BRAC 2021).

Observing the relative deprivation of the migrants from formal social support, RMMRU brought senior researchers together to prepare a strategy paper (Siddiqui et al. 2020) for the government, and also disseminated it through the media. This research became the foundation for a concerted campaign advocating the allocation of government funds and interest-free loans for migrants and their families. RMMRU and 15 other CSOs urged the prime minister to establish a fund for Bangladeshi migrants and their families who were suffering from the economic consequences of the coronavirus outbreak. In April 2021, RMMRU collaborated with MFA to organise a conference where political leaders of Asian countries suggested creating funds and launching financial instruments to ensure the sustainable reintegration of migrant workers affected by the coronavirus pandemic. In its small ways, RMMRU distributed food and facemasks in grassroots working areas in Tangail. A few weeks later, the GoB declared that Tk. 20 million (US$ 236,000) from the Wage Earners' Welfare Fund would be allocated to projects that supported migrants.

As Covid–19 hit the migrant community, WARBE, in consultation with donors, moulded its existing activities of pre-departure awareness and migrants' access to justice into pandemic services. For example, pre-decision grassroots meetings were converted into 'Covid-awareness meetings', and 'mediation teams' became involved in psycho-social counselling, especially in cases where domestic violence appeared. Returnees were provided with counselling, food and protection materials. At the grassroots level, WARBE started creating awareness about the 'Covid carrier' stigma against migrants and their families. It also negotiated with local governments to end the practice of erecting red flags at migrants' houses. With the help of religious and community leaders, returnees were asked to be more careful in their movements and Covid testing. WARBE made a list of Covid-affected migrant households in its six working areas and collected information about the plights of the migrants for advocacy and support purposes.

OKUP also started an online campaign against hanging red flags in front of Covid–infected migrant households. At the union level, the 44 helpline was established. From April to June 2020, the organisation gave online counselling to 6000 migrants and documented that around 40 per cent of the migrants did not receive salaries at their destinations and 25 per cent of them faced economic hardship, as they had run out of savings. OKUP connected many of these families with GoB support systems. It also started a campaign to extend the social safety net by making comprehensive plans to reintegrate jobless migrants and allocate 10 per cent of remittance tax receipts to migrant-worker well-being. OKUP participated in BCSM's consultative process to inform and sensitise

the government regarding migrant needs. OKUP prepared a list of 3000 migrants in its project areas and persuaded the government to pay Tk.700,000 (US$ 8200) to 1500 people in its project areas. OKUP reached around 1,000,000 vulnerable migrants who remained trapped abroad, through its online Facebook pages *#Ovibashi Tomai Salam* (Migrant, Salute to You) and Remittance *Yoddya* (Remittance Soldiers). Government notices and circulars issued by both destination countries and the GoB, translated into easy-to-read Bengali, informed these migrants in posters, small clips and motion, and were also made available for offline use. OKUP diverted some of its funds toward providing 677 migrant households with a modest food package worth Tk. 3000 (US$ 35) each, and also completed cash transfers, through online payment services, to 1025 migrant households. OKUP's community-based migrants' forums raised around Tk. 3,900,000 (US$ 46,000) from diaspora members and their social networks.

BRAC's Covid intervention started with a campaign against returnee stigmatisation**.** It established a booth at the airport and supported migrants from its centre near the airport. From April 2020, BRAC started delivering services to migrants. Its reintegration centre near the airport was converted into a 500-bed migrant quarantine space. The following month, it conducted the 'Impact of Covid–19' survey to assess the condition of the migrants. Based on the findings, it sanctioned Tk. 30 million (US$ 355,000) emergency cash support to 8000 migrants using online services. In July–August 2020, the organisation started psychological, social and economic support services for the returnees. Around 4000 returnees were provided with telephone counselling for small and medium enterprise development and skills training. The head of BRAC's Migration Programme explained, 'We realised that it was not time of policy advocacy, rather service delivery, as badly affected migrants were returning and needed support.' In the second year of Covid, BRAC continued the support services and applied the lessons it learned during the first year. 'However, such support services were insufficient and covered only a portion of what was needed for the migrants,' he continued.

Likewise, smaller CSOs including BOMSA and Bangladesh Nari Shramik Kendra (BNSK) arranged awareness campaigns and government advocacy to uphold migrants' rights during the pandemic. In their modest capacity, they also supplied protection materials, food and cash.

Leveraging collective platforms

The collective role of CSOs was understood to be even more essential than their individual efforts. RMMRU capitalised on its network in BCSM to highlight the plight of the migrants. A letter was sent to the United Nations Secretary-General to solicit his Good Offices function to find redress for migrants who had experienced arbitrary deportation. Regionally, it garnered support and appreciation from other rights groups like the Migrant Forum in Asia (MFA), which followed up on the issue of 'wage theft' and started collecting cases from members for campaign purposes. Without any budgetary allocation, BCSM members gathered grassroots information for documentary evidence of the plight of migrant workers and their families (MFA 2021). RMMRU organised national and international webinars under BCSM's banner, sharing their research findings and urging the government to allocate stimulus packages and recovery plans for migrants and returnees. C.R. Abrar, an eminent human rights activist and the Executive Director of RMMRU, reports that 'Our research and advocacy had a sustained impact on sanctioning recovery and loan packages to Covid returnees.' RMMRU, along with other migrant rights and advocacy organisations, urged countries of origin and destination to conduct a gender-responsive evaluation of the Covid–19 crisis and prepare recovery packages that prioritised low-skilled migrant workers.

WARBE collaborated with MFA in its regional endeavour to flag 'wage theft'. WARBE collected cases of migrants whose salaries had not been paid for their last five or six months of work. WARBE also organised an online meeting with BOOF members to share experiences and discuss the possible replication of activities. According to Syed Saiful Haque, a pioneer migrants' rights activist and the Chairman of WARBE,

> WARBE leveraged its working relations with the members of the Parliamentarians Caucus on Migration and Development, launched in 2017, to inform them about the migrants' condition. We encouraged them to initiate awareness campaigns in their respective constituencies. In this way, we persuaded them to speak for migrants.

Autonomy, Solidarity and Partnership

The above discussion indicates the various ways in which CSOs distributed 'public goods' to migrants (Yough 2006). Leading CSOs made four types of interventions, namely, survey and research, advocacy, material assistance, and awareness campaign. While think tanks

like RMMRU felt the need for policy advocacy to make justice to the research findings and a grassroots link for the articulation of migrant demands, WARBE and OKUP used surveys to prepare a database for evidence-based intervention. BRAC already had research, advocacy and service delivery capacities when it entered the migration services field. As the previous section shows, CSOs carried out and advocated for public services that had not been guaranteed or sufficiently supplied by either the market or the government (Ibid). In doing so, they developed a remarkable level of outward solidarity with regional organisations. As C.R. Abrar of RMMRU described it:

> RMMRU and BCSM became the "pace setters" in terms of highlighting the plights of the migrants at the regional level, whereas MFA was instrumental in bringing evidence to regional initiatives such as the Abu Dhabi Dialogue, to put pressure on receiving countries for a more humane behaviour with migrants in the pandemic.

Unlike their experiences in India, China and Turkey, CSOs in Bangladesh were not prevented or blocked by the government, which did not undercut the ability of CSOs to contribute to the process of mitigating the pandemic and its consequences (Tandon and Aravind 2021, Sidel and Hu 2021, Dogan and Genc 2021). Rather, they came up with support for pandemic-affected migrants and their families, even when the government failed to respond to the migrants' predicament. Independently and collectively, they performed tasks that governments are meant to perform. CSO responses to Covid–19 depended to a large extent on their size, network and financial strength. Unlike the experience in many Western countries, the GoB did not supply CSOs with the necessary financial resources (NPF 2021). Again, it is this very fact that enabled civil society to maintain a degree of autonomy and distinctiveness from the state and other economic actors, even as mutual support and recognition were visible (Klein and Lee 2019). Later, when the government began to provide cash and material support, CSOs reduced their voluntary contributions to public goods.

State–civil society partnership

The permeations of CSO activities into those of the state have disparate forms and strategies (Young 2006). This general dynamic is clearly present in Bangladesh. Regarding migration, like other settings, the relationship between the GoB and civil society can be classified along two criteria: the level of government involvement and the public policy stage (Kövér 2021). Almost all interviewed CSO executives claimed that, compared to the

other countries in the region, CSO participation and engagement with the government on migration issues is generally high in Bangladesh. Both sectors developed simultaneously, as discussed in the preceding sections. Yet, the extent to which CSO suggestions were recognised and duly taken into account by the GoB depended on the government's priorities. To CSOs, though, 'The MoEWOE has created a WhatsApp group to receive CSO inputs' or 'the Minister himself is eagerly attending CS webinars' and 'Labour attachés and GoB officials are making themselves available in CSO programmes' are signs of an embryonic state–CS relationship and growing CS solidarity with the state.

Though the government was late in responding, it eventually appeared to be the 'single-actor-play-on-stage'. Its 2021 commitment of Tk. 70 million (US$ 827,000) for Covid-affected migrants and their families dwarfed the combined efforts of the country's CSOs. A similar resumption of government responsibility in 2021 was seen in many other countries in the South (see Kövér 2021). In theory, the larger the state's field of action, the greater the possibility for the development of CS (Salamon and Anheier 1998). In practice within this framework, however, only the largest service-providing NGOs such as BRAC could partner with GoB to deliver services and facilitate returnee reintegration. In effect, among Bangladesh's CSOs, BRAC's service delivery capacity was unparalleled, given its size, human capacity, network and accessibility across the country, as well as its self-sustained status and access to relatively large donor funds. BRAC thus had been able to complement GoB's work. Having no recourse to such opportunities, other CSOs either realigned their awareness-raising projects with the Covid situation or found it their solemn responsibility to persuade the government to allocate funds for migrants.

On the public policy stage, all frontline CSOs were quite active. The RMMRU, BOMSA, WARBE and others had a long footprint of policy advocacy with the government. During the pandemic, they fully utilised their credentials and means as they campaigned for the protection of migrant rights. Smaller and grassroots-level CSOs expressed 'outward solidarity' with these endeavours to influence state policies in favour of migrants. State–CS relations took a new shape as the government started paying attention to CSO analyses of migrants' problems. Pressure on the government was mounting. Consequently, GoB involved INGOs and CSOs as it designed post-Covid recovery plans, collected information and eased reintegration. The largest CS contribution of most CSOs was in changing the mindset of the government towards migrants and persuading them to sanction a sizable amount of money for salvation from the government coffer. This motivational function of

CSOs is not unique to Bangladesh, though it is rare in South Asia and even in other sectors in Bangladesh.

It would, however, be naïve to claim that CS's role was unobstructed. Within the pre-existing GoB–CSO relationship, CSOs could not be disregarded by the state, but it indirectly controlled their abilities to contribute to the process – a model coined as 'adversarial' by Young (2006). Almost all CSOs were critical of several steps taken by GoB, such as the allocation of cash incentives from WEWF (which is funded directly from migrants' compulsory contributions), lack of negotiation with the CoDs regarding the return of the migrants, lack of quarantine facilities at the airport, and so on. Yet, CSOs could not afford to be uncompromising. The Bangladesh state retains control over CSOs through its normative and administrative frameworks. In October 2016, Bangladesh enacted a controversial new law titled Foreign Donations (Voluntary Activities) Regulation Law 2016, which superseded earlier laws regulating the work and activities of foreign-funded Non-governmental Organisations (NGOs) (LOC 2021). The Act requires CSOs seeking to receive or use foreign funds to register, seek prior approval and submit reports regularly to the NGO Affairs Bureau (NGOAB) after receiving such grants (GoB 2016). The Act also empowers the NGOAB to inspect, monitor and assess CSO activities at the NGOAB's discretion, and CSOs must secure approval and security clearance before hiring foreign specialists and advisers. All migration-oriented CSOs implement donor-funded projects and hence have to maintain a 'not-anti-government' image for smooth approval of donor-funded projects by NGOAB. Specific autonomy of the CSOs during the pandemic was thus indirectly affected by the generally 'restrictive' government control apparatus. This particular determinant of CSO–state relations may be explained on the ground of the state's adherence to communitarian principles that see the role of the state as pivotal and its intervention in CSO activities as legitimate (Walzer 1998). Ironically, classical social democracies often assert the appropriateness of state centrality in social and economic life, and often distrust CS (Giddens 1998).

Inter-civil society relations

Despite disagreements as to what the CSO role for migrants affected by the pandemic should be, inward and outward solidarity among CSOs was evident (Sørvoll and Bengtsson 2019). Although partnerships among CSOs were limited, executives from almost all leading CSOs agreed that the pandemic united them and that the need for collective and concerted efforts for advocacy was greater than ever. New and old platforms became advocacy vehicles, and like-minded CSOs assembled under formal and informal alliances for survey, research,

advocacy and grassroots-level intervention. As in Hungary and South Korea (see Kövér et al. 2021, Jeong and Kim 2021), 'inward solidarity' was observed in Bangladesh: small and weak CSOs, mostly working in rural areas, were supported by the bigger and stronger ones who launched campaigns and made donations to migrants and their families. Some level of commitment tied the CSOs into a cohesive social collectivity during the crisis (Rehg 2007). And in some cases, organisations' collective goals transcended the interests of individual organisations (Sørvoll and Bengtsson 2019).

The diversity, division and internal competition for funds and power are often 'black-boxed' when CSOs are considered as a homogenous group (Jordan and Van Tuijl 2000). The 'division' among CSOs has already been identified as a concern for CSO–state–market partnerships in service delivery in the South because of the CSO's financial dependence on others (Manor 2002). Yet the pandemic manifested a new form of inter-CSO discord as and when newly emerged CSOs wanted to build their own platforms and conduct advocacy and action work independently of the established CSOs. A head of an established CSO regarded such acts as 'performed to show allegiance to the government and attract funding in a bid to receive more exposure and benefit.'

By and large, coordination among CSO activities was absent during the pandemic, for a number of reasons. Some interviewees saw it as a consequence of 'personal and organisational ego', 'selfishness' and 'promotion of narrow interest', while others highlighted the 'government's active role and control over CSO interventions'. Again, others opined that 'donor dependency' and adherence to 'the culture of project implementation' hindered the ability of CSOs to get sustained and combined results, and that this dynamic was aggravated during the pandemic.

The role of INGOs

In countries dominated by authoritarian regimes, CSOs are subjected to direct legal and/or top-down political control by an all-embracing state. In contrast, in more democratic and market-based countries, where state–CS cooperation takes the form of participation and collaboration, resource dependency might jeopardise CSO autonomy (Kövér 2021). Bangladesh belongs somewhere in the middle, where CSOs' role in the pandemic was influenced not only by the state but also by international donors and INGOs. In effect, unlike in the North, where donations from individuals are more easily obtainable, CSOs in the South depend on donors amid conditions of scarcity (Manor 2002). Though relations between INGOs and CSOs may take various forms – bottom-up, top-down and

alliance (Longhofer et al. 2016) – INGOs in Bangladesh mostly work with the mandate of 'CS Empowerment' through providing resources and thus often increasing antagonism and noncooperation between NGOs and mainstream CS actors (Stiles 2002). As a key informant commented:

> CSOs are "donor dependent" and donors hardly encourage innovation or recognise the needs and cultural context of the migrants. Without taking a critical stance, they [INGOs] are too happy to support GoB initiatives, implemented by themselves. In order to get access, INGOs who are also considered an important part of CS resort to government appeasement instead of making constructive criticism of government policy and actions. They themselves often compete for large funding and implement "projects" through national and local CSOs.

Amid the pandemic, ILO, IOM and UN Women had their own activities: making predictions and warnings, sensitising the government to migrants' needs, performing evidence-based research and providing technical assistance as the government made its post-Covid recovery plan. At the start of the pandemic, the ILO called on the government for immediate, large-scale, coordinated actions to safeguard employees at work, boost the economy, and support jobs and income. It also urged the government to adopt policies to safeguard stranded migrant workers and facilitate their reintegration. ILO supported MoEWOE in developing a strategy paper titled 'Post-Pandemic Strategic Roadmap for the Labour Migration Sector', which included immediate, midterm and long-term agendas for action related to returnee migrant workers. As the coordinator of the Bangladesh United Nations Network on Migration, IOM contributed to the body of evidence intended to support government-led efforts. It also helped the GoB launch the Returning Migrants Management of Information Systems (ReMiMIS) platform. UN Women, MoEWOE and Private sector-Unilever jointly launched a project aiming at supporting around 50,000 female returnees with emergency food, health and hygiene products, and skill training in 10 districts of Bangladesh.

The above activities were beyond the scope of national CSOs, whose donors rarely allowed CSOs to divert their funds from pre-approved projects, and also generally reduced their contributions to CSO budgets during the pandemic.

Conclusion

An attempt has been made in this article to unfold the dynamics of CSO responses against the plights of Bangladeshi migrants. Using the lens of the coronavirus pandemic, the article shows the crucial ways in which CSOs came forward to champion the causes of the affected migrants and returnees. As it revealed, the CSOs stood beside the migrants, offered them humanitarian support, denounced misconceptions about their spreading of the coronavirus and demanded state intervention. Thus, initially, a supplementary role for CSOs was imminent, though it was severely restricted by the CSOs' 'donor dependence'. Despite disagreements over what should be the ideal CSO role during the pandemic; data presented here indicate that collective and individual CSO activities and joint undertakings amplified during the calamity.

The study found an evolving relationship between the state and the CS surrounding the pandemic. While the state was late in recognising the migrants' multi-dimensional predicament, CSOs came forward with whatsoever means they had at their disposal. Beyond their supplementary role, a host of CSO activities were geared towards persuading the government to mobilise its own funds for the migrants. During Covid–19, the GoB was more open to CSOs than at any other time. Although the state–CSO relation can generally be described as adversarial, confrontation was rarely observed during the pandemic. CSOs capitalised on relations embedded within their domestic and global networks. There were both convergence and divergence of CSO–donor agency relations because of the former's dependence on the latter. Constrained by endowment, CSOs tailored their donor-driven activities as required.

CSO's relations with all actors are differently influenced by values such as autonomy, solidarity and partnership. While complementing government activities was of huge importance, leading CSOs maintained a degree of autonomy in their actions and, where necessary, took a critical stance. Undeniably, the crisis was a litmus test for CSOs and their performance shows well their ability to champion the causes of the migrants by making independent and collective efforts among themselves and with the state, even in challenging times. Both inward and outward solidarity among CSOs and other actors were evident as they provided assistance, moral support and policy intervention. The financial weakness of most CSOs marred partnerships among CSOs and between CSOs and the state; the government itself appears to have been the largest actor when it came to assembling and providing resources for migrants. CSO participation in service provision

was severely constrained by the reduced flow of funding from donors, which themselves were badly affected by the global pandemic.

The article thus re-discovers the enormous potential of CSOs to influence the state to deliver necessary protection to citizens during an emergency. The pandemic and migration lenses also elucidated the implications of disaster preparedness and proactive responses by state and CS alike in times of crisis. The importance of the above findings lies in identifying the power, strength and resilience of CSOs during emergencies and crises, as they also learned to be more proactive than reactive, compassionate and supportive to each other. These have added insights into CSO- Bangladesh literature, which often generalises the state–CSO relations as vague and interest-driven. The case study portrays a hereto unexplored model of state and civil society's orchestration of multilateral cooperation in a South Asian context. It thus has significant theoretical and practical implications for future research and policies regarding how CSO roles can best be coordinated and complemented by the state and other actors in times of crisis.

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Examining the Response of Resident Welfare Associations During the Covid–19 Pandemic and its Ramifications for Urban Governance in India

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Abstract

Urban decentralisation in India's major metropolitan cities has seen a proliferation of Resident Welfare Associations (RWAs), which are representative organisations of and for residents of planned neighbourhoods. Middle-class residents participate in the city's affairs and their own neighbourhood through this form of organisation. This article attempts to critically examine RWA responses to lockdowns and other measures introduced by central and state governments in India to check the spread of the Covid–19 pandemic.

The article builds upon existing scholarship that is critical of the government's delegation of city management to entrepreneurial governance in the form of RWAs. RWAs often exhibit exclusionary politics, and the expansion of their roles in the social sphere has serious ramifications for city governance. These ramifications stood severely exposed during the lockdown period. While there were instances of state officials working productively in collaboration with RWA functionaries regarding contact-tracing and dissemination of practical information, there were also reports of discrimination, with the RWAs denying entry to health workers and other service professionals. Existing class and caste biases were also exacerbated by RWA rules that prohibited the entry of domestic workers and self-employed professionals.

While the central, state and city-level officials had their zones of influence, RWAs too emerged as very important actors. Government authorities worked in tandem with the RWAs to enforce and observe pandemic-related restrictions. While this collaboration is useful in extraordinary periods, it compromises the relationship between RWAs and individual citizens as it tilts the long-run balance of power in favour of RWAs. The article

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attempts to put this behaviour in perspective by contextualising it with literature on RWAs, arguing that the state co-opts RWAs for administrative and political ends and, as a consequence, RWAs emerge more powerful and with expanded scopes of influence. Developments that lead to the amplification of RWA power need to be critically examined, for they reveal the paradoxes inherent in the idea of civil society.

Introduction

In earlier accounts, civil society was conceptualised as a homogeneous entity distinguished from the state and encompassing 'everything that is benign and virtuous in public life' (Chandhoke 2003). Some scholars endorse an unambiguously romantic view of civil society, predicated on its pluralism, communitarianism and autonomy from the state (Putnam 1993). The enthusiasm associated with the idea seems to be waning, however, as the normative expectations of civil society are increasingly being disentangled from its reality (Chandhoke 2007).

A concept like civil society cannot be captured by the essentialist notion that it is an inherently democratic space; it is difficult to apply a single concept to describe 'its' diverse practices and institutions. B.G. Verghese (2008) notes that it is impossible to develop a definition that applies equally to all of the heterogeneous actors that comprise 'it'. Not all renditions of civil society are democratic or practise inclusion. While there are activist traditions that include social movements and collective grassroots organising, so are there compliant ones, described as the 'third sector' in the neoliberal version endorsed in public management literature; this new public governance paradigm 'posits both a plural state where multiple interdependent actors contribute to the delivery of public services and a pluralist state, where multiple processes inform the public policy making system' (Osborne 2006: 384).

In this context, where civil society organisations participate in governance ever more extensively and intensively, it is important to delineate the various actors and study them individually because the undifferentiated conception of civil society cannot account for the heterogeneity of discourses that are in play. In this article, I demonstrate the value of unpacking the different actors and interests within civil society as I examine how Resident Welfare Associations responded to the challenges of living through the Covid–19 pandemic. Resident Welfare Associations (hereafter RWAs) are private member

associations that represent the interests of the residents of well-defined and usually urban areas.

To understand the specific category of institutions under study, I employ Kaldor's (2003) differentiation of civil society into four ideal types: social movements, non-governmental organisations (NGOs), social organisations, and nationalist and religious groups. This differentiation does not always indicate distinction, for there are times when characteristics of these different types are observed within a single institution. RWAs resemble NGOs inasmuch as they are voluntary and not-for-profit, yet they have enough differentiating characteristics to justify their own classification. Instead, RWAs most closely resemble the form of civil society Kaldor calls social organisations, which she defines as 'organisations representing particular sectors of society defined in social terms rather than in cultural or religious terms'. They are also economically self-reliant, and their goals are concrete and represent the interests of their members (Ibid.: 18).

Additionally, state-capacity literature, which endorses the role of an institutionally robust state in developmental activities, supplies the framework used to assess city governance (Evans 1995). Here, the scale of the 'state' is Delhi, or, more expansively, the National Capital Region, which encompasses bordering townships that jurisdictionally fall under other state governments. An appreciation of 'embeddedness' has drawn attention to the usefulness of interactive ties between apparatuses of the state and those of civil society (Evans 1995). Perhaps a broader conception of embeddedness is required before it can be applied to the terrain of urban governance (Heller 2017: 311). Heller conceptualises an ideal type of democratic urban governance in which the local state has bureaucratic, fiscal and coordination capacity (Ibid.: 313). He argues that in Indian cities, the local state falls severely short in delivering services in every sector, due mostly to overlapping powers and the intergovernmental conflicts that ensue. Consequently, cities appear to be stateless (Ibid.: 316–18). The local state appears to be selectively embedded in civil society: it is susceptible to the power and influence of elites, even as it provides little room for participatory engagement in a holistic sense (Ibid.: 322).

This crisis of local governance was made visible in the management of the Covid–19 pandemic in Delhi, where the city's infrastructure and services struggled to manage the incidence of the virus in the second wave; the crises were so acute that the judiciary had to intervene to resolve conflicts between the local state and the central governments over the allocation of oxygen, amongst other things (*UOI v. Rakesh Malhotra & Ors SLP*

(Civil) Diary no. 11622/2021, 5 May 2021). In this landscape, where the local state was flailing, RWAs tried to step in. This article uses publicly available information reported in newspapers and media outlets to assess their responses. It discusses the ascension of RWAs as stakeholders in urban governance and contextualises their growth against the participatory governance initiative that the Delhi government implemented. Building on scholarship that examines the deficiencies of the initiative, its analysis of the management of the pandemic in the city of Delhi then reveals the paradoxes of both civil society and the fragmented local state in Delhi.

Ascension of RWAs in Delhi's Governance

The National Capital Region of Delhi is a vast territory in which complicated state machinery governs some 30 million people. The pandemic's spread in the city was among the worst in India, both in the summer of 2020 and in April–June 2021. The state's capacity to regulate social conduct and provide health services equitably was tested in these trying times. In the complicated structure of governance in the National Capital Territory of Delhi, which is a union territory with an elected legislature and a municipality, three levels of government intersect as the region's affairs are regulated (Chakravorty 2021:17). In addition to a diverse set of institutions distributed among the three tiers of government, a wide range of parastatal institutions and private associations are involved in planning, infrastructure development and provision of public services. Urbanisation tends to encourage alliances based on class, location, housing, and other consumption trends; hence, some social cleavages have become less pronounced in the NCR, although housing and segregation have played a mediating role (Badrinathan and Kapur 2021: 246).

Delhi is a highly differentiated region with stark socio-economic and spatial inequalities (Dupont 2004). Most of the population resides in 'unplanned' or 'unauthorised' areas, but such areas are also a product of planning (Bhan 2013). Delhi's differentiated categories of settlements are based on tenure security, which also serves as a proxy for the quality of life, and scholars have identified a pattern of differentiation based on the quality of service delivery and argued that the 'classification grid is in effect a map of highly differentiated citizenship' (Heller, Mukhopadhyay, et al. 2021: 97). As an outcome, moving from one category of settlement to another is equivalent to moving up (or down) the scale of citizenship. However, most RWAs under study in the article represent the residents living in the planned areas of the city.

In India, the decentralisation policy was given constitutional status in 1992, when the idea of local government for rural and urban areas was formally conceptualised. The 74th constitutional amendment created a space where elected councillors, bureaucrats and CSOs, collectively, could attend to the affairs of the local community; this space includes many urban local bodies, including ward committees. The city of Delhi, however, became a site for a different kind of partnership between state and civil society. A scheme called *Bhagidari*, launched in 2000 by then-Chief Minister Sheila Dixit, facilitates interaction between RWAs and the bureaucracy.

As an outcome of urbanisation and inspired by developments in new public management (Rewal 2013: 213), 'planned development' coupled with decentralisation, the city has witnessed a proliferation of RWAs, which notionally are representative organisations of citizens living in the same neighbourhood or housing society. Through RWAs, individuals connected by geography and often economic class organise collectively to participate in both the affairs of internal neighbourhood governance and larger issues related to city governance. While these associations are legally incorporated under the Delhi Cooperative Societies Act or the Societies Registration Act, they are private associations of citizens with limited powers over the housing society or the apartment complexes they seek to represent. The *Bhagidari* scheme consisted of organising thematic workshops where RWA members and state officials would come together to discuss issues related to urban services, amongst other things.

The scheme's operation has been criticised on various accounts, chiefly for being 'the vehicle of a neo-populist strategy whose goal is to reinforce the leadership of the Chief Minister rather than promote participatory democracy' (Rewal 2013: 219). The class character of RWAs too has been called into question: it is argued that the institutions are composed mainly of the urban middle class and their politics do not represent the views of city dwellers as a whole (Lemanski and Rewal 2013) or even of the people who work there, or non-property-owning residents. The other problematic aspect of their growing assertiveness is their lack of internal democracy in practice. The executive body of each association is a product of a democratic process among members, but membership itself is contingent on ownership; residing in the area as a tenant often does not qualify a person to vote for the executive body. Hence, while elections are held for executive positions of the associations, they are far from competitive or representative (Rewal 2013: 217).

RWA tendencies to make expansive claims at both neighbourhood and city levels have been linked to a rising and newly emboldened middle class in the aftermath of India's economic liberalisation (Fernandes 2004, Fernandes and Heller 2006, Chatterjee 2004). Ghertner argues that the claims and desires of the middle class should not be confused with the 'institutional' mechanisms through which their aspirations are given meaning and realisation. He makes this argument in the context of a discussion of how *Bhagidari*, as a scheme run by the government, provided the middle classes with an exclusive platform to become involved in the city's affairs (Ghertner 2013: 188–9). This lens brings attention to a reconfiguration of state structures that has led to the rise in middle-class power (Ibid.).

In this understanding, the *Bhagidari* scheme created an avenue through which RWAs were elevated above ordinary individual citizens and connected to the state apparatus through 'an active strategy of reaffirming the chain of command and re-tuning bureaucratic responsiveness, and thus the class configuration of the state' (Ghertner 2013: 191). By allowing RWA representatives to discuss concerns directly with government officials, the state effectively created a parallel governance mechanism that is outside the realm of electoral politics and largely not available to ordinary individual citizens.

Examining *Bhagidari* between 2000 and 2012, Diya Mehra (2013) argues that, despite rhetoric to the contrary, the scheme was not a statutory devolution of powers but rather a feeble attempt by the state to recognise voluntary community neighbourhood groups as stakeholders in local governance. She suggests that the programme was introduced amidst middle-class critiques that emerged in the mid-1980s, expressing their dissatisfaction with the state and especially with the management of the city. RWAs had filed many public interest litigations in the Supreme Court of India and the High Court of Delhi, claiming their fundamental right to more efficient service delivery and better maintenance of public civic infrastructure (Mehra 2013: 820).

Mehra (2013: 827) argues that 'From the RWA perspective, *Bhagidari* and its attending effects on Delhi's landscape show how the popular aspiration to engage in governance in resurgent India has been innovatively harnessed, both administratively and politically.' The middle classes were clamouring for an aesthetically pleasing and modern Delhi, but a fair assessment of the *Bhagidari* scheme reveals that it seems to have neither ensured more systematic service delivery nor provided the RWAs with a more participatory role in the affairs of the city. As Mehra suggests, RWAs remain open to the critique that their presence 'domesticates community groups through decentralisation, devolving responsibilities

and soliciting compliance, rather than providing a systematic forum for redressal and participation' (Ibid.: 832).

While the *Bhagidari* scheme has been discontinued due to changes in Delhi's political dispensation, the space created for RWAs as institutions remains. Interestingly, in recent years, RWAs have formed in areas that fall outside the planned neighbourhoods; residents of *jhuggi jhopri* clusters (the official term for slums) and unauthorised colonies in Delhi have also made representations to the state through their RWAs. Whether they shall be equally successful in accessing the state and translating their demands into policy remains to be seen.

Examining the Behaviour of RWAs During the Pandemic

In 2020, as the number of Corona cases began to rise, the Union Government imposed a national lockdown that, amongst other things, enforced strict restrictions on the movement of citizens. In other measures to control the pandemic's spread, the Ministry of Health and Family Welfare, state governments, and district offices of the collector and the municipalities acknowledged RWAs as important stakeholders who were expected to cooperate with and facilitate surveillance and contact-tracing activities.

Some guidelines advised the RWAs to monitor the entry of outsiders into their premises and allowed for thermal screening of outsiders. Without doubt, pandemic management necessitated cooperation between state and non-state actors, and the advisories and guidelines were merely an official acknowledgement of RWAs as actors who could streamline the management. The Ministry of Health and Family Welfare released guidelines that encouraged RWAs to establish makeshift Covid care centres for patients with mild to asymptomatic infections. State capacity was tested during the second pandemic wave in the summer of 2021. Delhi was affected so severely that hospitals and other facilities faced oxygen shortages and medical facilities were stretched beyond their capacities. During this time, RWAs and their federations became intermediaries and facilitated access to medical care by creating care centres and collectivising caregiving for patients (Singh 2021; Behl 2021).

Activities where the state and the RWAs worked in tandem to control the spread of the pandemic by working collaboratively on contact-tracing and Covid recovery manifest the advantages of 'coproduction' (Ostrom 1996), which in this case refers to an arrangement

where citizens help to produce their own services (Brandsen and Pestoff 2006). In this regard, the government proposed the involvement of RWAs as key stakeholders in the management of a Rs 7000 Crore (€~850,000) public health initiative (Ghosh 2020).

Arguably, some RWA actions undermined rather than buttressed the public good. For example, some RWA activities interfered with the rights of both residents and workers in the neighbourhoods they 'governed'. They tried to use Covid as a cover, but these actions exceeded the authority delegated to them by the government. According to credible reports, some RWAs harassed health professionals, including doctors and nurses who were on duty. Many RWAs threatened these people with eviction, fearing that the professionals would spread the virus into their neighbourhood compounds (Jha 2020). Similar harassment was meted out to airline crew members who, between flights, lived within an RWA's jurisdiction. The RWA actions stung especially hard because some of the flights they objected to involved the rescue of Indian cities from countries that had been even more catastrophically affected by Covid–19. Air India, the national carrier, felt compelled to issue a statement requesting that law enforcement agencies ensure just treatment:

> It is alarming to note that in many localities, vigilante Resident Welfare Associations and neighbours have started ostracizing the crew, obstructing the crew from performing their duty or even calling the police, simply because the crew travelled abroad in the course of their duty. (Achom 2020)

In addition to these measures, the RWAs regulated their neighbourhoods' entry and exit, an issue that also affected online food delivery services, which became much more popular during the pandemic (Patgiri 2022). While it is easier to enforce these restrictions in apartment complexes, RWAs whose area of influence was larger and comprised bungalows limited entry into the area by gating the points of access to the neighbourhood. Entry was regulated so strictly that the residents themselves complained to the RWA of the inconvenience caused to them by the extra-legal restrictions it had imposed.

As per the Municipal Corporation of Delhi policy, while the gates of a colony can be closed between 11:00 PM and early morning, residents are still allowed entry and exit, and such gates are always to be manned by security personnel. The RWAs, in utter defiance of the policy, closed gates during the daytime and prohibited everyone, including residents, from using them. An aggrieved resident filed a case in the Delhi High Court, stating that close to 100 residents were affected by the closure of five out of his colony's six gates and

seeking the opening of the gates. As a result, the colony agreed to reopen one more gate (*The Hindu* 2020).

Other drastic measures included restricting the entry of domestic and informal workers such as electricians and plumbers into the premises well after the government revoked the lockdown (Sirur 2020; Patel and Lakhani 2020). Some allowed entry only after the resident-employer signed a declaration stating that they shall be liable if the associated worker transmits the disease to someone in the neighbourhood (Pandey 2020).

While the government viewed the RWAs as important stakeholders, it had to acknowledge the complaints lodged against the overreach. Residents and self-employed informal workers protested to the government that even though the government had relaxed the lockdown measures, RWAs had refused to permit workers to enter the housing societies (Shandilya and Kumar 2020). In response, the Disaster Management Authority of the Delhi government issued a specific order (8 May 2020) instructing RWAs to limit their actions to the mandate given to them and to allow economic and social activity to resume. An RWA federation strongly opposed the decision to lift the restrictions and, in a letter, urged the government to reconsider its decision.

It is important to contextualise the discriminatory activities undertaken by RWAs during the pandemic with their previous claims on city-making and urban governance. The rise of RWAs and their consequently emboldened voice in city governance was aided and abetted by other institutional and socio-economic changes. Without question, the behaviour displayed by RWAs during the pandemic interfered excessively with the rights of citizens to pursue their livelihoods, and unreasonably curtailed the residents' enjoyment of property rights. The argument presented here is that these excesses are not new: RWA policies during the Covid era are a continuation of their politics in the past, which focused unevenly on issues that are relevant for residents of a certain class, which, almost by definition, undermined the effective representation of the interests of city dwellers as a whole.

Paradoxes of Civil Society

The middle-class activism that is emblematic of RWAs has in the past seemed to be concerned with the environment, but in a way that has been described as 'bourgeoise environmentalism' because it divorces 'the environment' from issues of justice and

ecology (Baviskar 2021). Hence, some RWAs invoked misplaced environmental rationales as they organised against street vendors and effectively used the judicial prohibitions of 'encroachments' to evict slum dwellers (Ghertner 2012; Bhuwania 2018).

Having established that institutional and policy developments have incentivised RWAs to emerge as important stakeholders in city governance, it becomes imperative to interrogate whether adequate protections exist to protect citizens in cases of overreach and outright violations of their rights. While all housing societies and apartment associations have by-laws that prescribe codes of conduct and duties of all 'owners' in the society, RWAs often enforce norms that are way beyond the by-laws, as demonstrated through the examples of overreach during the pandemic presented above. More importantly, they remain associations of, by and for a well-bounded community of private individuals. Other persons whose fundamental rights have been compromised by an RWA's activities stand on a precarious terrain when it comes to accessing legally prescribed respite after suffering from an RWA's extra-legal actions. Increasingly, research on civil society is confronting questions related to accountability failures of organisations. While NGOs have rightly occupied more space in this scholarship, other social organisations – especially those whose voice in urban governance is growing – should be subjected to the same scrutiny. For RWAs, there is some degree of procedural accountability in the sense that they are legally incorporated under domestic laws and must fulfil certain procedural requirements, including rising to meet quantifiable measures of internal democracy. Nonetheless, questions can be raised as to the extent to which the scorecard of quantifiably democratic associations is acceptable when it comes to 'moral accountability' (Kaldor 2003).

RWA activities during the pandemic give us important insights into the discourse surrounding civil society. These activities reveal the paradoxes within the idea of civil society that make it both 'a friend and a foe of democracy' and underscore the limitations of associative democracy (Gutmann 1998). This case also raises significant constitutional questions with regard to the duty to apply the principle of non-discrimination to private actors and institutions when their roles as office bearers of the RWA assume an increasingly public character, or if they trample upon an individual's freedom to access social or physical infrastructure (Khaitan 2015). Duty bearers in this framework are bodies that carry out public functions, namely, the state, charities, employers, landlords, and providers of goods and services (Khaitan 2015: 202–3).

Cognisant of the developments in Indian cities, i.e., the increasing outsourcing of public functions to private parties such as RWAs and the issues of access in terms of physical access and facing housing discrimination and collection of public money for maintenance, the law has many issues to resolve. These developments affect the enforcement of fundamental rights, for, in Part III of the Indian Constitution, the addressee remains the State (*Indian Medical Association v Union of India* 2011; 7 SCC 179, *Charu Khurana v Union of India* 2015 SCC 1 192) It is worthwhile to note that the Supreme Court had the opportunity to curtail the discriminatory practices adopted by housing societies and RWAs in the case of *Zoroastrian Cooperative Housing Society Limited v. District Registrar Cooperative Societies* (2005) 5 SCC 632, but instead endorsed a vertical approach and refused to read a restrictive covenant of the society in harmony with the constitutional necessity of requiring public policy to adhere to religious non-discrimination. The court chose to overlook the constitutional conflict and prioritised the voluntary nature of the compact and located public policy within the ambit of the local act and by-laws (Bhatia 2016). It should be emphasised that the court on other occasions has read down or struck down discriminatory provisions of by-laws of private associations but based on a scrutiny of Article 21 of the Constitution of India, which guarantees the right to life (*Charu Khurana v. Union of India*).

Conclusions

These paradoxes and ambiguities present within civil society should be seen adjacent to the lack of local sovereignty in Delhi, where planning and control are heavily centralised and out of the reach of state and municipal governments. While Delhi residents have elected a representative government, key areas of legislative competence are not under its control. In response, there have been calls for full statehood and devolution of powers to the state government, but the central government has repeatedly resisted ceding power over land and police (Sahoo 2018). Historically, pandemics have rigorously tested governance and have divulged the incapacities of governing institutions, despite their technological expertise to design and implement policies that pit the interests of elites against those of the masses. (Slack 1995). The paradoxes of state capacity are visible in India, where a state can conduct large-scale elections yet cannot do everyday quotidian tasks like effectively distributing welfare payments (Kapur 2020). The fragmented governance structure in Delhi contributed to the mismanagement of the pandemic in the city. This analysis of Covid–19 pandemic in Delhi lays bare the ambiguities associated with both the state and the civil society. The aim of the article is not to dismiss the unsavoury tendencies of civil

society, but rather to acknowledge them and advocate for urban reforms that are cognisant of the paradoxes inherent within the idea of civil society.

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Neoliberalism and the Challenges of Social Justice: Covid 19 and Migrant Labour Crisis in India

Zeba[1]

Abstract

Neoliberalism, governed by the organising principle of the market and its role in influencing society's socio-economic and political spheres, has raised contradictions in the state's capacity to ensure social justice for the vulnerable sections of the political society. This article seeks to analyse the role of the state, as envisaged in the neoliberal framework, in delivering on promises of welfare and social security for marginalised people and, specifically, for informal migrant labourers in India. It documents a strong nexus of neoliberalism and state institutions that undermines the state's willingness to take the kinds of policy interventions that could mitigate many socio-economic elements of the informal labour market as manifested in the informalisation of labour, privatisation, precarious work conditions, and inadequate social security. The Covid–19 crisis in India exposed the sharp inequalities in India's democracy. The article assesses the Indian state's attempts to address the socio-economic reality of migrant labourers. Through this theoretical and empirical exploration, the article delves into questions of how the idea of 'social justice' and the role of the state have been reconceptualised and reframed in the neoliberal world order. Finally, the article argues that it might be impossible to reclaim social justice for the vulnerable within a neoliberal framework: we might require a paradigm shift in terms of constituting and re-imagining new political rationalities, embodied in a political discourse of rights and dignity of labour, as a prelude to redefining the principles of social justice from the vantage point of the vulnerable groups.

Keywords: Neoliberalism, Migrant Labour, informal workers, Post liberalisation

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Introduction

Neoliberalism can be characterised as a political and economic paradigm of configuring society that incorporates processes and policies that seek to benefit private interests that already control a significant portion of social life. It enumerates the form of 'free-market policies that encourage private enterprise and consumer choice, and reward personal responsibility and entrepreneurial initiative' (Chomsky 1999: 7). It proposes that the free market is the only rational, democratic and fair distributor of goods and, therefore, any interference with the same hinders the progress of a free society. Though it claims to be beneficial for entire societies, the circumstances of many people and nations have far from improved since the introduction of neoliberal policies worldwide. Rather, such policies have contributed to further accentuating and sharpening the socio-economic inequalities prevalent in various societies, and to increasing the vulnerabilities of the poor and marginalised sections of society. The covid pandemic manifested as a breakthrough moment that intensified the crises built within the neoliberal framework, raising pertinent questions about the state's capacity to secure welfare for its citizens and, specifically, for the vulnerable socio-economic groups amongst them.

This article begins by reflecting on the various contradictions and inconsistencies within the neoliberal framework that raise significant questions related to the state's capacity to provide social justice and welfare, showing how it has been compromised and overlooked within the neoliberal paradigm. It takes the discussion forward through an empirical exploration of India's neoliberal era, which has its roots in the liberalisation reforms of the 1990s. It explicates how the ensuing neoliberal reforms further transformed the nature of state functioning in terms of receding state functions that otherwise could facilitate the provision of socio-economic rights for the country's large informal labour workforce. It then delineates the various vulnerabilities encountered by informal migrant labourers and perpetuated by a state that was guided by its neoliberal reforms while locating the same in the context of the Covid pandemic.

Exposing Neoliberal Contradictions in Relation to Social Justice

The contestation between values of individualism and profit maximisation advocated under neoliberalism, as opposed to social justice concerns premised on unjust and unequal social relations and inequalities of distribution, have been of utmost salience in contemporary times. The political rationality of neoliberalism, which guides nation-states

around the world, has been confronted with varied questions concerning the equitable and just distribution of wealth and resources, and how, within neoliberal constraints, the goal of social justice concerning equitable rights, resources and opportunities to its citizens can be optimally realised. This section proposes to explain the functioning of the neoliberal framework and its rationalities of governance in order to calibrate how it regulates, restrains and redefines the state's welfare function towards the marginalised sections. It delineates the various conflicts that neoliberalism entails as it reconceptualises the meaning of a state's social life and the impact of this meaning on concrete outcomes in economic, social, political, and moral spheres.

The neoliberal economic framework advocates the market logic of economic growth and progress, with choice and economic freedom dominating the market space. David Harvey (2005: 2) observes that '[n]eo-liberalism is in the first instance a theory of political economic practice that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterised by strong private property rights, free markets and free trade'. Milton Friedman, the prime advocate of neoliberalism, postulates that profit-making constitutes the essence of any democracy. Therefore, any government that inhibits the process of market freedom is perceived to be anti-democratic. Being individual-centric, neoliberalism encourages individuals to exploit their labour and work incessantly, and this behaviour is perceived to be a symbol of freedom over subordination. Neoliberalism advocates profit maximisation and individual interest-seeking as legitimate, both for individuals and, eventually, for society.

However, under the garb of individual autonomy, choice, and self-realisation, structural limitations such as radically uneven capacities to act within the market are overlooked. Therefore, neoliberal outcomes in the form of policies that encourage labour market flexibility, while aiming to enhance individual opportunities within the market space, have also contributed to the marginalisation of the labour potential of society's most vulnerable sections. However, this reality goes missing in discourses of autonomy, individual choice and market competition, which intensifies the precariousness of the market space for labour. As Toynbee puts forth, workers remain excluded from the consumer choices that the market claims to offer, and this has profound implications for social justice and equity. Therefore, as a consequence of the embedded power relations operationalised through the market, 'neoliberal economic policies, by lifting the constraints on the exercise of unequal

power, increase injustice and trigger a downward economic and social spiral' (Smith, Stenning and Willis 2008: 7).

The corporate–state nexus is equally evident within the neoliberal framework, and this also poses a challenge to realising the state's welfare function. As Noam Chomsky (1999:13) underscores, big corporations 'want and expect governments to funnel tax dollars to them, and to protect their markets from competition, but they want to assure that governments will not tax them or work supportively on behalf of non-business interests, especially on behalf of the poor and working class.' Thus, the state's role under neoliberalism caters explicitly to corporate interests, without exercising any pretence of working for the interests of non-corporate sectors. Therefore, as a political-economic project, neoliberalism endeavours to transform institutions of the state apparatus in ways that legitimise market competition and forbid collectivism; labour organisation and bargaining are vilified as 'market distortions'. Neoliberalism based on the proposition of individualism and market independence has contributed to a rolling-back of the state from both providing public services and pursuing social welfare for its population. This has accentuated the precariousness of the people engaged in the economy's informal sector. The state's welfare domain has been further reshaped and transformed with the reordering of community practices under the neoliberal framework. As Fraser (2018: 438) explicates, '[n]eoliberalism is a process which involves the spreading of principles and values shaped by the market (and business) into community development, and the opening up of new markets in public services', implying that changes in welfare services have been in sync with the expansion of market-based principles into community development and public services delivery.

Besides community, the role of the individual citizen also is redefined in the market space, and this further legitimises the nature of state functioning, despite the social justice consequences for vulnerable groups. Within neoliberal structures, human agency is constructed in ways that hold individuals accountable for their own circumstances; there is no space for questioning poor collective outcomes or claiming that the state has an obligation – much less lives up to it – to pursue collective goals like social justice and economic redistribution. These structures hold individuals as obliged to work for their welfare and wellbeing, thus implying that an individual's life experience, for better or worse, is a product of individual effort. Manish Jha and Ajeet K. Pankaj (2021: 200) observe a similar pattern as they highlight the role of neoliberal governmentality: in its practice of managing, regulating and disciplining populations through persuasion, 'even

the withdrawal of the state from welfare has been presented in the name of care and welfare of the population'. In this spectacle, groups of vulnerable workers are supposed to perceive themselves as responsible for providing for their own needs, andare expected to hold themselves accountable if those needs are not fulfilled. This further produces a neoliberal ethics under which the state should not respond to claims for 'entitlements and rights', as doing so would undermine the neoliberal project of developing 'responsible' individuals. Far from a side effect, a weaker state social welfare apparatus is an intended outcome, more so in a state like India, where any extra allowances for claims may immediately trigger expectations among many millions of potential claimants.

These dynamics contribute to the further depoliticisation of structural inequalities and poverty as the state, by design, functions in ways that advance market interests. It can therefore be suggested that 'neo-liberalism is a political rationality that tries to render the social domain economic and to link a reduction in (welfare) state services and security systems to the increasing call for "personal responsibility" and "self-care"' (Lemke 2001: 203, quoted in Pyysiäinen et al. 2017: 216). This further contributes to what Robert McChesney (2003) describes as a depoliticised citizenry and apathetic political culture where citizens are reduced to atomised individuals with a marginal sense of the collective. The cycle continues as the state loses its capacity to create a democratic society based on principles of equality and justice. Similarly, Zizek (2020: 20) argues that a neoliberal re-conceptualisation of 'citizens' as 'subjects who become self-exploiters' lends stability to and sustains the evolving neoliberal political system. Today, everyone is an auto-exploiting labourer in their own enterprise. People are now masters and slaves, combined. Even class struggle has transformed into an inner struggle against oneself. He further states, 'the individual does not believe they are subjugated "subjects" but rather "projects: always refashioning and reinventing ourselves",' which 'amounts to a form of compulsion and constraint—indeed, to a more efficient kind of subjectivation and subjugation'(Ibid.). In this way, Zizek points to a manipulative neoliberal regime whose subjects are constructed such that they remain unaware of their subjugation and, therefore, are incapable of recognising social injustice, much less organising in pursuit of social justice.

The foregoing demonstrates that, within neoliberal structures, power operates by shifting the focus onto individual 'self-improvement'; pro-active state intervention in the social realm probably would not help and certainly is not a necessity. Neoliberal state governance thus emphasises the construction of new, individualism-embedded subjectivities and identities, distancing itself from governance associated with collective identity formation.

As Friedman proposes in *Capitalism and Freedom* (1962), real equality would be ensured through individual freedom maximisation, which can be served efficiently through competitive capitalism delivered through flexible market processes. Beck-Gernsheim (quoted in Smith, Stenning and Willis 2008: 6) asserts that 'the underlying premise is that when individuals are given choices within a free market, they are empowered; explanations for inequalities are then transferred from embedded unequal societal structures to individual recklessness or application'.

Therefore, as a cultural project, neoliberalism reshapes the human consciousness such that members of the precariat hold themselves responsible for their social and economic conditions, without questioning the structural and institutional sources of their predicament. As Harvey (2005: 3) proposes, 'the market exchange is an ethic in itself, capable of acting as a guide for all human action'. This position is premised on the belief that the idea of human agency is itself radically inversed within the neoliberal project, where individuals are seen as partners and players in the market system. Such a starting point inhibits the process of placing individuals as members of a collective public.

Simultaneously, with the shaping of human consciousness in terms of market norms, the idea of 'justice' itself has been reconfigured in a way that fulfils neoliberal political and economic objectives. This has been followed by a negation of the 'social' in issues of 'justice' or 'injustice.' A reconfiguration of the political sphere accompanies this tendency in a way 'that promises justice not by fighting against the injustice of larger structural and institutional forces, but against the unjust ways of governing oneself' (Wilson 2007: 98). The neoliberal political and cultural project does not even seek answers to political questions about changing social conditions to address inequalities and injustices against the vulnerable. Instead, those who raise social justice concerns are denigrated in neoliberal language accusing them of promoting a '"welfare state mentality" that erodes self-reliance, inducing them to wait for government help instead of saving themselves' (Wilson 2007: 98). Pertinent questions of social justice based on making claims of equal citizenship rights on the state are thus overshadowed.

Further, the realm of social and welfare services is equally redirected under neoliberal political and economic rationality. Neoliberal pressure puts the onus on individuals to become 'self-directed, responsible, efficient, rational, and independent participants in the newly privatised realm of social services' (Chaudhry 2019: 1119). As a consequence, 'neoliberalism depoliticizes poverty, structural marginality, and disability by treating them

as individual-level problems with technological solutions' (Ferguson and Lavalette 2006, quoted in Chaudhry 2019: 1119). Social work practice is thus depoliticised by guiding social work organisations away from macro-level determinants of welfare and toward micro-level interventions (Garrett 2009, quoted in Chaudhry 2019). This has implications for social justice concerns that are centred on demands that the state redistribute economic resources and advance the social rights of its citizens, because the reorientation of social work practices around the individual and away from a critique of unequal distributions of power reinforces existing institutional arrangements while ameliorating their worst effects on marginalised people (Reisch 2013, quoted in Chaudhry 2019).

Besides, the economic language of neoliberalism to ensure the welfare of the workforce engaged in the neoliberal market further decapacitates the state from securing the welfare of migrant labour. This is clearly evident in the Indian case, as underlined by the labour minister: 'Keeping the social security and welfare aspects of workmen better and intact; we are working in the direction of bringing reforms in various labour laws with the objective of ease of doing business in new future' (*Economic Times* 2018). Here, the intent of labour welfare is projected to forward the interests of the capitalist classes. This has been demonstrated through the dilution of various labour laws through revisions in the Contract Labour Act, 1970 (revised 2017), the Industrial Disputes Act, 1947 (revised in 2010) and the Factories Act, 1970 (revised 2016). Therefore, the spectacle of neoliberal growth as emancipatory and favourable for labour welfare is constructed while, simultaneously, the process of undertaking welfare by the state is substantially reduced. Therefore, the challenges posed by the neoliberal framework towards fulfilling the goal of social justice need to be engaged with and assessed at the various levels of hierarchical and unequal power relations, embedded in a neoliberal economic framework, that both incapacitate the state in realising its welfare function and transform citizens into neoliberal subjects.

Mapping Socio-Economic Vulnerabilities of Informal Migrant Labour in India in the Post-Liberalisation Era

This section explicates how the neoliberal political and economic framework has shaped India's political, social and economic reality. It contextualises the reconfiguration and receding of the state's welfare role since India launched economic reforms in the 1990s. The post-liberalisation era is marked by a preponderance of international labour and capital flows and the introduction of labour flexibility to ensure higher economic

growth. In the process, the nature of the state's approach to social welfare policies has been fundamentally transformed. Neoliberal pressure to maintain and sustain market competition has altered the state's priorities: economic growth has acquired precedence over the state's role in securing society's health, literacy and general wellbeing. Therefore, efforts to engage in the latter are perceived to be costly meddling in the capital market, thus undermining capitalistic production. Prabhat Patnaik (2007) proposes that, since the 1990s, the nature of the state – as an institution above society and working for the socio-economic interest of the society through its interventions in the economic realm – has been transformed into a neoliberal state that advocates objectives and economic interests associated with finance capital. In practice, this has meant facilitating privatisation and disinvesting from public services. The result is a shrinking of the state's capacity to perform its welfare function, because *economic logic* has acquired precedence over the *social logic* of development and inclusivity.

Dreze and Sen (2013) assert that while liberalisation in India created a visible consumer class that benefitted from the economic reforms, real wages stagnated, especially when individuals were faced with new costs as the state reduced its provision of basic services like health care, education and nutrition for the vulnerable population. In addition, this period marked the growing informalisation of work. The informal sector constitutes economic units engaged in producing economic goods, but in ways that are largely unregulated and beyond the purview of labour, fiscal and tax laws. Therefore, unlike the formal sector, workers in the informal sector are exceptionally vulnerable. As propounded by the International Labour Organization (ILO), informal employment entails when the 'employment relationship is, in law or in practice, not subject to national labour legislation, income taxation, social protection or entitlement to certain employment benefits (advance notice of dismissal, severance pay, paid annual or sick leave, etc)' (Bureau of Statistics, International Labor Office 2003).

The massiveness of the economic transformation is explicated in the form of NSSO data from 2011, which indicate that 92 per cent of the new jobs created since India began to liberalise its economy were in the informal sector (Salve 2019). As per the ILO (2017), approximately 450 million Indians work in the informal sector and 5–10 million are added each year. According to a 2018 University of Calcutta study, half of the workers in the informal sector in 2012 were self-employed with a marginal asset base, and 30 per cent of them were casual workers.

This has altered the structure of relations between labour and the state, as 'policies designed to decentralise structures of production in the name of global competitiveness have distanced the state from labour by filing down state regulation and protection for work' (Agarwala 2008). Supporting labour market flexibility in the competitive economy, social policy has been relegated to a residual role (Jessop, Kennett 2004: 4). Harris (2013: 564) underlines that, further, privatisation during this period was accompanied by a 'clients and consumer citizen approach' to framing social policy objectives. This decapacitated the state's ability to ensure a minimal social protection floor for informal sector labourers, who became the major-risk bearers during Covid. By exacerbating economic inequalities and increasingly uneven development on the two sides of the rural–urban divide, this period is also notable for a spurt in seasonal labour migration. The 1990s saw the migration of around 3 million workers from the impoverished states of UP and Bihar to the flourishing states of Punjab and Maharashtra, as well as Delhi (World Bank 2009:18). This figure of seasonal migration post-liberalisation era has ballooned to 100 million seasonal migrants each year in India. Taking the period 2001–2011, while overall population growth was approximately 18 per cent, the migrant population grew by 45 per cent (Census 2011). Emphasising the spurt in the migration growth, it is of salience to mention that in 2011, out of the total migration growth, 99 per cent was constituted by internal migrants. The NSSO estimated the migrant labour population in India at 70 million in 2007–2008, while the Economic Survey 2016–2017 estimated approximately 60 million interstate labour migrants between 2001–2011. Therefore, it can be said that a substantial interstate migrant workforce is engaged in the informal economy in urban areas. As per the 2011 Census, rural–urban migration accounts for around 80 million people who engage in informal economic activities in urban regions.

Here, it must be emphasised that since the 1990s, seasonal in-migration has been perceived as symbolic of a state's economic potential, and migrant labour has been understood as contributing to national prosperity. Thus, labour mobility by states was encouraged by international institutions like the World Bank. This implies that while labour mobility expanded India's economy and contributed to minimal poverty reduction, all the risks were borne by the individual migrant. Migrant labour was at the forefront, absorbing the shocks of recurring economic crises in the contracting agrarian sector (Bird and Deshingkar 2009). More than this, although migration contributed to growth and economic development in 21st century India, it simultaneously reduced the capacity of the country's vulnerable citizens to secure their socio-economic rights. As affirmed by Benton (1990), Kundu (2001) and Schauffler (1993), the pursuit of neoliberal policies since the

1990s created a precarious working environment for the labour class, and specifically for informally employed migrant labourers. The internal migrant labour population has grown substantially since the 1990s and continues to work under insecure conditions with minimal wages and no accountability from the state or their employer. In fact, they constitute the neoliberalisation era's most vulnerable and marginalised section.

It can be said that, given the nature of the informal sector and trends of migration flows, these migrant labourers have few social security benefits and health facilities. Most are unskilled or semi-skilled daily-wage workers in insecure, low-level jobs. The uncertainty embedded in their employment renders them more vulnerable to being hired and fired at the will of the employer and, geographically separated from familial and other networks, migrants have limited access to social safety nets and limited capacity for organising as a collective. Hence, it is no surprise that migrant labourers become docile subjects who accept whatever an employer offers. Employers know this, and it shows up in the data. As per the Periodic Labour Force Survey (PLFS) 2017–2018, approximately 70 per cent of workers engaged in non-agricultural work, mostly migrants, do not have written job contracts; 50 per cent do not have any social security benefits, and 55 per cent are not eligible for any paid leave (Government of India 2019). In this context, neoliberal state disinterest is particularly egregious. Failure to regulate terms of employment, including work conditions and minimum wages, and lack of portability of various state-ensured benefits through the Public Distribution System (PDS) are among the multiple challenges encountered by migrant labour.

Housing is another perennial issue for migrant labourers. Migrants comprise around 47 per cent of the urban population, and the Ministry of Housing and Urban Affairs (2015) acknowledges that migrants to urban spaces are in dire need of affordable housing. However, due to the limited availability of low-income housing in urban regions, informal settlements with poor hygienic conditions have emerged and expanded. The Inter-State Migrant Workmen Act 1979 was intended to respond to these and related issues, but a Standing Committee on Labor report (2011) concluded that the implementation mechanism of the Act's social protections largely relies on employer reports to identify beneficiaries. Since the formal relationship between these workers and employers ranges from tenuous to nonexistent, reports have not been forthcoming and most migrants have been deprived of the various benefits encompassed within the Act, owing to the wilful failure of employers to register their workers, legal obligations notwithstanding. The nature of their migration for work also renders them without any substantial benefits and

entitlements of the PDS system, which is premised on holding a ration card for a specific region or state. Migrants crossing state lines in search of informal sector employment typically do not qualify for PDS benefits in their destination state.

It can be argued here that the liberalisation era and ensuing economic developments exacerbated the unevenness of India's development, as labour migrated from India's backward regions to its developed regions. The migrant labourer continues to be engaged in the informal economy, which expanded considerably after liberalisation. While this development story reduced absolute poverty in India, it simultaneously added to the precariousness of the migrant labourer, who remained vulnerable to fluctuations in the informal economy even as he was deprived of various economic and social benefits. It can be suggested here that the situation in the informal sector after liberalisation became ever more fragile and vulnerable for the migrant labourer. These issues were brought to the forefront during the pandemic, but the structural crisis was already well established.

The Covid Pandemic and the Unfolding Migrant Crisis in India

The Covid pandemic was a breakthrough moment that exposed the precariousness of the informal labour market and the stark socio-economic inequalities encountered by migrant labour. As underlined above, the crisis of the informal economy predates the pandemic, but pandemic-related public health initiatives rendered the lives of already vulnerable informal migrant labourers even more uncertain. The nature of their vulnerabilities remained the same, but they gained visibility when the Indian state declared a national lockdown, in March 2020. The lockdown, an immediate attempt to contain the pandemic, included the suspension of various services and production activities throughout India. Public transportation services were halted, including passenger trains and bus services. These restrictions, more than the health crisis itself, came down heavily on migrant labour as a crisis of livelihood, as major industries in urban areas shut down, leading to a massive loss of jobs in the informal economic sector. Migrant labourers were left with little option but to return to their rural conglomerates, often in other states, where they had a negligible capacity to earn a livelihood and little income or social security. Their sense of misery was further augmented with little avenue for public transportation available at their disposal. Many walked hundreds of kilometres.

The state's immediate pandemic-containing response barely acknowledged the miseries and livelihood crises of migrant labourers during their mass exodus from the cities. In

consonance with the neoliberal policy framework, the state's response was embedded in disassociating politics and administration from public accountability. Therefore, various regulatory functions of the state were assigned to autonomous bodies, away from executive liability. This was marked by the invocation of the National Disaster Management Authority (NDMA) following the declaration of the National Lockdown. Around 978 NDMA orders were issued at the Central level, and nearly 6,500 state-level NMDA guidelines and enactments were issued. This indicates that the government took the crisis seriously and took some pro-people measures to ensure survival, but it also vividly reflects the growing bureaucratisation of power in the hands of the central government, besides directing the states to follow the guidelines without providing them with the necessary resources to fulfil them (*The Economic Time* 2020) . Therefore, while the Centre shifted the responsibility for regulating the health crisis onto a rapidly expanding bureaucracy, the absence of political scrutiny led to further state violence in the form of stringent police action against citizens who seemed to demonstrate non-compliance but, on closer inspection, had no viable alternatives.

Rather than fulfilling the public health responsibility endowed with the state, the primary state action was reflected through a strict observance and deployment of the state's law-and-order machinery. Police forces and special security forces were deployed at entry points to various states and cities to ensure strict compliance with the provisions of various acts, including the Epidemic Diseases Act 1897, the Indian Penal Code 1860 and the National Disaster Management Act 2005. Therefore, while the welfare function of the state took a backseat during the pandemic, the state's coercive apparatus was well-demonstrated through stringent surveillance norms where non-compliance was marked with police violence and arrests, with impunity. The coercive apparatus came down heavily on the 40 million migrant labourers who were desperately trying to return home, as cities promised no jobs, no income, no food, no shelter and no means of survival. These people bore the brunt of police action on their way back home: they were tear-gassed, lathi-charged (*Hindustan Times* 2020) and, at at least one checkpoint, even sprayed with hazardous chemicals (*The Hindu* 2020).

The spontaneity of the lockdown and the magnitude of the crisis incapacitated what little was left of the state's ability to secure the right to life and livelihood for migrant labour. As an April 2020 survey enumerates, '96 % had not received rations from the government and 70 % had not received any cooked food' (SWAN 2020). The following month, 'about 82 % had not received rations from the government and 68 % had not received any cooked

food' (Ibid). The state limited itself to providing dry rations to migrant labourers who could not access the PDS, owing to a distant registration residence. Under the PM Poor Relief Scheme (PMGKY), the Indian government declared that each of 330 million poor citizens had received about Rs 1000 (about 12 euros) in financial transfers that totalled Rs. 312,350 million (All India Radio News 2020). Along with it, under the Prime Minister Ujjwala Scheme (PMUY), the government distributed 26.6 million LPG cylinders to the poor. Other relief measures included the provision of food grains for the poor and cash payments to farmers, senior citizens and women. As Sengupta (2020) notes, 'an assessment by the International Monetary Fund (IMF) shows that overall support by the central and state governments through various cash and kind transfers and other measures, such as healthcare infrastructure, testing facilities and tax relief, was only about 0.2 per cent of India's GDP' (IMF Policy Tracker).

To be clear, these relief packages largely constituted regular government welfare measures for eligible beneficiaries in normal circumstances. They did not address the pertinent exigencies confronted by marginalised groups including the informal migrant labourers in terms of loss of income, and livelihood as a result of pandemic-related policies. Even highly touted support from the Mahatama Gandhi National Rural Employment Guarantee Act (MGNREGA) left seasonal migrants, who had been forced to return home, with only 28 per cent of their pre-Covid income period (Lokhande and Gundimeda 2021). One can argue that these measures saved lives, but it nonetheless demonstrates the nature of state functioning and its priorities under the neoliberal apparatus, and the negligible state footprint in securing welfare for vulnerable groups. As Gudavarthy (2020) explains, the nature of neoliberal development, including dismal investments in social security, further alienated the already insecure workforce from the rule of law and its capacity to ensure justice to them via its regulatory mechanism. Jean Dreze's (2020) assertion that the Indian economy is not equipped to absorb an unanticipated shock is supported by the country's experience during the lockdown period, when some 90 per cent of informal workers were excluded from any sort of comprehensive, holistic social protection package.

As suggested in the preceding sections, neoliberalism as a global cultural framework deploys the language of self-reliance and self-care to maintain the legitimacy of its status quo within political systems. In the Indian case, the meagre relief packages were promoted as gifts by a benevolent state; the idea that they were the obligations of a state that had made a social contract with its citizens simply was not entertained. This is further corroborated by Sengupta (2020): 'the cash transfer given to inter-state migrants

by some state governments, and cash support to workers registered under Building and Other Construction Workers Welfare Boards illustrates how the minimal support was seen as compassion by the state rather than insufficient delivery of entitlements' (quoted in Jha and Pankaj 2021). It suggests how neoliberalism diminishes the idea of social justice through its construction of neoliberal subjects as self-reliant, where making claims on the state is projected as perpetuating a welfare mentality and antithetical to the idea of being autonomous. Therefore, the projection of the benevolent state in terms of providing free food grains, cash, and subsidised LPG was conspicuously evident in the public image, which effectively glossed over the state's failure to deliver: 'while minuscule relief entitlement was construed as the state's benevolence, the misery was internalised as self-responsibility' (in Jha and Pankaj 2021: 204), which vividly describes the nature of neoliberal government functioning. This implies that the neoliberal discourse distracts attention from the state's incapacity to secure welfare for the poor while augmenting the socio-economic misery of marginalised groups. Besides, most significantly, it does not alter or transform the status quo without foregrounding the structural inequalities embedded within the neoliberal system. Thus, it inhibits the process of securing justice for the vulnerable, which is constructed as individual responsibility and not as the state's responsibility for welfare.

While the state's failure even to attempt to secure the right to livelihood for migrant labourers was evident, this responsibility was robustly taken over by various civil society organisations that worked tirelessly to fill the vacuum caused by the absence of state action. The Centre sought help and appealed to NGOs to support efforts by state governments and district administrations to provide food and shelter, and to ensure that migrants' other needs were met as they returned home. The government asked 92,000 NGOs to provide food and shelter to migrant labourers (*Times of India* 2020). They were also delegated the responsibility of creating awareness regarding prevention, hygiene and social distancing, as well as distributing sanitisers, soap, masks and gloves. Their assistance was also sought in working with local administrations to identify hotspots, and providing volunteers to help the vulnerable groups. Various citizen groups volunteered to distribute essential items, medical supplies and food ration kits to the migrant labourers. Community kitchens were organised to feed people in migrant camps like the one in Pune (Times of India 2020). Various Delhi-based NGOs, including Tank across Delhi and Chintatn, distributed cooked food and groceries to various undocumented migrant labourers there (FirstPost 2020). Other organisations, notably Khalsa Aid, Sewa Bharat and Diversified Intervention for Youth Awareness, worked in various regions of Delhi where government schemes remained

dysfunctional or inaccessible. Jan Sahas distributed rations and PPE kits to migrant families across states and districts in India, and also provided cash transfers and sandals to bare-footed migrants who were walking home (TheLogicalIndian 2020). While the NGOs are to be commended for reaching out to secure the migrant labourers' basic needs, it also brings to focus the retreating role of the state while defusing the tension and contradictions that emanate from the neoliberal state apparatus. By doling out assistance aid or benevolence, in Arundhati Roy's (2014) view, NGOs dissipate public anger over state inaction and denial of basic rights to life and livelihood for everyone. In this way, the funded NGO phenomenon, which accompanied the dawn of the neoliberal era in the late 1980s and 1990s, reaffirms and strengthens the state's neoliberal apparatus. It does so by legitimising the receding role of the state in providing welfare and social security to its citizens while defusing the resistance and tensions that necessarily emerge from the unequal distribution of power relations within a neoliberal economic framework.

The state response during the pandemic also demonstrated the further weakening of labour rights by introducing various structural changes in support of labour mobility and market freedom, which rendered the position of migrant labour in the informal economy even more precarious. New labour codes have further limited informal labour by restricting the workers' right to strike, while allowing enterprises to lay off workers with impunity. Besides, the inadequacies of Social Security Code 2020, whose categorisation excludes many marginalised workers in the informal sector, are notable. For example, 'Section 2 (6) retains the old threshold of only those sites with 10 or more buildings, and other construction workers need to be covered by the Code. In addition, "personal residential construction work," which forms a large component of daily-wage work, is excluded from the provisions of the Code' (Working People's Charter 2020). No 'floor social security' exists for migrants within the code, nor is there any provision for unemployment protection catering to the unorganised workforce, and only a slap on the wrist for employers who renege on their obligation to contribute to the Employee Provident Fund.[2] The OSHWC code is equally a concern for the informal workforce. Informal workers in various unorganised sectors (e.g., small mines, construction, hotels, and brick kilns) are not covered within the scope of the code. Besides, in the case of migrant workers, the onus has been shifted onto contractors who are mere intermediaries,

2 The Employee Provident Fund is a government saving scheme for the employees of an organisation involving monetary contributions from side of the employer as well for ensuring long term savings to facilitate and support the employees when they leave an organisation.

while the prime employers escape any major liability in the event of failures of worker protection. The code proves inadequate in laying down any minimum standards for workers' occupational safety and the number of working hours.

It can be inferred that state policy towards labour welfare is sharply inclined towards reducing labour costs and managing demand for labour as per market conditions, with considerable authority at the disposal of the state and the employer. It has also shifted the risk from the employer to the workers, in the name of 'flexibility'. Here it has been observed that, in service of the neoliberal agenda of promoting efficiency and austerity, the state has facilitated the processes of private enterprises upholding the individualised approach to governance, thereby veiling the state's responsibility to ensure justice and social protection for the vulnerable. Therefore, it can be observed that owing to the failure of the neoliberal state apparatus to deliver social protection to vulnerable informal migrant labour, accompanied by the construction of welfare discourse in the neoliberal language of individual responsibility for protection, the issues of social justice remain all but inaudible in the public discourse, or are reframed in the language of benevolence and humanitarian assistance.

Conclusion

Through the analysis drawn in the paper at a theoretical and empirical level, it can be suggested that there is a need to understand and calibrate the language constructed by this dominant neoliberal imagination of society and politics and critically engage with it from a socio-economic and political lens, in order to capture a holistic picture of what it offers to us as a society and as a state. The Covid pandemic, a watershed moment, has necessitated a critical enquiry into the neoliberal political rationality of the state. This rationality, once calibrated, enables us to address questions of vulnerability and social justice for the marginalised sections of society, and to look for alternative solutions to their predicament. It has been observed that, apart from the advocacy of an individualistic approach to development and the various structural inequalities perpetuated by the neoliberal economic and political framework, neoliberal rationality has distanced the state from its social and moral responsibility towards its citizens. Thus, it offers a vision of a dystopic society of segregated and alienated individuals; therefore, there is a need to look deeper. By delving into the mechanisms of governance adopted by the neoliberal state, one can see that these legitimise a status quo that favours the rich while inhibiting the process of securing welfare for the poor. As Zizek (2020) emphatically states in his general argument, it is pivotal to

raise the question: 'What is wrong with our system, that we were caught unprepared by the catastrophe despite scientists warning us about it for years?'

With this in mind, we must rethink and develop an alternative imagination of a collective, self-institutionalised politico-economic framework that is built on cooperation, values of solidarity – and not contestation – trust, and responsibility, while also reinterrogating and redefining the significant relationship between the state and the individual. In this way, we can reclaim the idea of social justice and realise the same in our society and institutions. This re-imagined relationship would include transformations of various realms of today's society to ensure a model of governance and development based on values of inclusivity and sustainability while fostering a harmonious relationship among all sections of society. As Zizek (2020) puts it, to handle such a crisis in the future, 'you need extra trust, an extra sense of solidarity, an extra sense of goodwill'. It requires the reinforcement of mutual trust between the state apparatus and its citizens to develop alternative imaginations of how political society and its institutions might be constructed. Strengthening the idea of democratic participation and welfare function of the state requires the development of a sense of the 'social', which implies the cultivation of collective ethos among individual citizens to associate with their fellow beings.Indeed, this mission is firmly stated in Article 51-A of India's constitution.Nevertheless, the present framework, embedded as it is in the ethos of neoliberalism, besides being antithetical to the collective ethos in the economic and political realm, does not offer the paraphernalia required to build and cultivate a sense of trust in state institutions and fellow citizenry through the deployment of the language of the market in the social realm.

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Citizen–State Relations and State Impunity in a Pandemic: The Case of Changing Citizenship Laws in India

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Abstract

Who constitutes the 'demos' in a democracy? That is, who makes the decisions and whom do those decisions affect? Answers to these questions point the way toward understanding which interests are represented in the polity. In the last three years, the definition of citizenship in India has changed dramatically, and these changes are making citizenship in India both restrictive and religion-centric. With the enactment of the Citizenship Amendment Act (CAA) and the introduction of the National Register of Citizens (NRC) in Assam, religion became a formal determinant of citizenship. This article discusses the implications of CAA and the proposal for implementing NRC nationally, including how these legal changes may in the view of many observers deprive many people of their citizenship status and rights. It thus seeks to explain how revisions to citizenship laws change citizen–state relations in India. The article also explores how the context of the pandemic has prevented civil society from engaging with the State, while the State continues to reduce citizenship to merely a legal status rather than an active assertion of rights and participation in the life of the state. In light of these developments, whether India's growing majoritarianism can be opposed, and its constitutional values preserved, remains to be seen.

Introduction

In India, the recent legal changes in citizenship – particularly the Citizenship Amendment Act (CAA) and the National Register of Citizens (NRC) in the State of Assam – have significantly altered the idea of membership in the nation-state. The CAA changes the constitutional framework of citizenship, and the NRC distinguishes all legal citizens from 'illegal migrants', whose status since the implementation of the CAA has been tied directly

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to their Muslim faith. Within this new legal framework, exclusion based on religion is redefining the contours of citizenship in India, which affects how representative politics, democratic participation, and rights are practised in a liberal and democratic political structure.

The new laws spurred controversy and debate on citizenship and led to widespread civil-society protests across the nation beginning in December 2019. However, the Covid–19 lockdowns in March 2020 was part of changing the trajectory of civil society resistance and the on-ground movement fizzled away. In February 2020, violence between protesters and counter-protesters in the national capital spilled into broader communal riots in which more than 50 people died. The State used the backdrop of the pandemic to target and suppress civil society resistance to the new laws on citizenship. The pandemic also affected police investigations into the violence, and those accused had even less access to judicial redress than usual, since the pandemic affected court functioning and hearings. This led to further weakening of the social movement against citizenship laws, and the persistence of the pandemic continues to make it difficult for civil society to resist the new laws enacted by the State.

The pandemic has impaired the citizen's ability to constructively engage with the State and participate in the life of the State by forming 'a general will', that is, a common ground where the imposition of homogeneity in terms of religion, race or culture could be denounced. Citizenship as a concept and citizen–state relations are being reinvented. The State is using surveillance instruments to suppress dissent while citizenship is being reduced to a legal status, thereby redefining identity and belonging to the Indian nation-state. In this context, this article seeks to explain how the changes in citizenship laws are altering citizen–state relations and how the context of the pandemic has prevented civil society from asserting itself. The pandemic and the State's instruments of control appear to change how citizens engage with *the life of the State*, thus preventing citizens from articulating their rights and liberties in a more interventionist way. Moreover, this article highlights the importance of 'becoming a citizen' rather than being a passive subject of government laws. This article also examines how the civil society protests against the new citizenship laws were interrupted and affected by the pandemic and, more importantly, teases out the implications of changing citizenship dynamics on the future of citizen–state relations in India.

The next section describes the citizenship laws and their historical trajectory in India and the north-eastern State of Assam, where the NRC was first implemented before the nationwide CAA law was enacted. The subsequent section outlines the political rationale behind these laws, arguing that legislative changes in the citizenship laws are located with the framework of 'forclusion' or fear of the outsider as the pretext to redefine citizenship and citizen–state relations. The following section discusses the republican conception of citizenship, where civic virtue and participation in the life of the State assumes a critical role. The section further argues that the rationale for changes in the citizenship laws is in tension with foundational conceptions of citizenship as embedded in India's constitutional framework. The penultimate section elaborates on the role of civil society in protesting against the CAA and the NRC, and the critical role of participation and protest in the assertion of rights in a democracy. The section also examines the impact of the pandemic on civil society and freedom of expression, and how the pandemic justified limits on democratic participation and reduced 'the people' to laws that do not represent their interests. The last section summarises the key aspects of the article and concludes. The section also examines how rights and civic virtue could be redeemed in a democracy in the context of current laws on citizenship that render people 'stateless' – without any rights, nation-state or political community that acknowledges their existence.

The Legislative Changes in the Framework of Citizenship: The NRC and the CAA

The National Register of Citizens (NRC) is an official record of legal Indian citizens. It includes demographic information on all those individuals who qualify as Indian citizens according to the Citizenship Act of 1955 and subsequent amendments in 1986, 1992, 2003, 2005, and 2015 (Government of India, 1955; see also Deka 2019). These documents outline the criteria that have been used to determine citizenship – citizens are defined as those who reside or were born in India:

a) on or after 26 January 1950, but before 1 July 1987;

b) on or after 1 July 1987, but before the commencement of Citizenship Act 2003 and either of whose parents was a citizen of India at the time of birth; or

c) on or after the commencement of the Citizenship Act 2003, where, at the time of the applicant's birth, at least one parent was a citizen of India and the other was not an illegal migrant.

During the founding moment of modern India, the most important event was the Partition-induced forced migration of millions of people across newly created borders, a process that continued in subsequent decades. Migrants from East Pakistan generally found a warm welcome in West Bengal, due in part to a shared Bengali identity. This was less true in Assam, where ethnic Assamese people comprised a bare majority of the multi-ethnic state and the migrants, mainly Bengali Muslims, had crossed the porous border in uncomfortably large numbers both before and long after partition. The first of many government responses took the form of the Immigrants (Expulsion from Assam) Act in 1950 (Dutta 2019). The National Register of Citizens was first prepared during the 1951 census, but the NRC has only been maintained for the State of Assam. In Assam – a state with a long history of both illegal migration from Bangladesh and violence that pitted ethnoreligious groups against one another – the NRC was compiled as a state-specific exercise with the argument that it would provide a database that would enable the detection (and subsequent expulsion) of 'illegal immigrants' and thus preserve Assam's ethnic uniqueness. In the aftermath of the India–Pakistan war and the creation of Bangladesh in 1971, the issue of illegal migration assumed centre stage in Assam politics. The Assam Accord of 1985 prescribed a 'cut-off' date of 1 January 1966 for regularising citizens, using the electoral roll from the 1967 elections to regularise voters. Under the Assam Accord, migrants who arrived between 1966 and the beginning of the Bangladesh Liberation War (24 March 1971) had to register themselves as foreigners under the Registration of Foreigners Act 1939 and were allowed to avail of voting rights 10 years after they registered (Government of India, 1985).

The issue of illegal immigration has remained a prominent political issue in Assam and the Accord was one of the milestones in Assam politics and the State's struggle to preserve its cultural identity. Though immigration in Assam led to substantive debates on migration and citizenship, the question of religion was initially not prominent. Assam as a state has been fundamentally against any immigration as, regardless of religious affiliation, all migrants are non-Assamese and thus are perceived to threaten the standing of the native Assamese population. In this sense, politics in Assam differ from the rest of India. In 2013, Assam Public Works (a nongovernmental organisation), Assam Sanmilita Mahasangha and others filed a petition before the Supreme Court of India demanding the deletion of names

of illegal migrants from voter lists in Assam. The Supreme Court ordered an update of the NRC in Assam in 2014 according to the Citizenship Act of 1955 and Citizenship Rules of 2003. The process of creating a register started in 2015 and the final list, released on 31 August 2019, classified 1.9 million individuals from the State as 'illegal migrants' or 'failing to be a part of the NRC database on citizenship'. The list includes both Muslims and Hindus. The Assam government alleged that the list was replete with wrongful exclusions and inclusions, rejected the NRC in its current form, and demanded more funds to complete the NRC process. It sought the re-verification of 30 per cent of included names, mostly of people who live in areas bordering Bangladesh (Scroll 2021).

The experience of Assam provided a cue to political parties, particularly the Bhartiya Janata Party (BJP) that any attempt to conduct a nationwide NRC would lead to polarisation – something that may have electoral benefits. In a country like India, however, administrative failures and lack of documentation could lead to several inefficiencies and the misidentification of 'illegal immigrants', which could trouble 'the majority' as well. Therefore, before proposing a nationwide NRC, the BJP-led government passed the Citizenship Amendment Act on 12 December 2019, which enabled Hindus, Buddhists, Jains, Sikhs, Parsis and Christians – that is, everyone except Muslims – who had entered India illegally (without a visa on or before 31 December 2014) from the Muslim-dominated countries of Pakistan, Afghanistan and Bangladesh and had stayed in India for five years to apply for Indian citizenship. The rationale given by the government for passing the CAA, despite nationwide protests and opposition, was that it had a moral obligation to provide relief to immigrants who had suffered religious persecution in Islamic countries. The CAA presumes persecution of non-Muslim immigrants and discriminates against Muslim immigrants from these three countries and, in the process, places the responsibility for proving citizenship on members of only one community. The scheme overlooks the possibility that certain minority Muslim communities may also be 'genuine' refugees from the named Muslim majority countries. The proposal involved a nationwide exercise in which citizenship applicants would be required to prove that their documentation is consistent with the specifications in the law. This task is onerous at best, and often impossible, because the required documentation simply does not exist for many residents. On the other hand, previous studies have found that 'illegal immigrants' in countries such as India and Malaysia tend to have better citizenship papers than ordinary residents to meet the requirements of 'documentary citizenship' (Sadiq, 2009). Thus the existing citizens would be more vulnerable when asked to provide documentation. The CAA and the NRC are not directly connected, but they would work in tandem to target

Muslim minorities, which would deliberately place the Indian-born Muslims in a bind. As noted earlier, the NRC process will demand documentary proof that often does not exist for many individuals and households. As a result, many of them may be rejected under the garb of administrative errors or political whims – denying them of their fundamental rights and preventing them from participating in the life of the State (Deka 2019).

These changes in citizenship laws impose constraints on the ability of citizens to perform their role – particularly to articulate their rights – within a liberal democratic state. The protests reinforcing civic virtue and rights of citizens through active engagement with the State are being curtailed. The interests of the citizens are not represented in the form of laws, and a clear example is the CAA and NRC. Furthermore, it is evident that the 'who' constituting *the demos* in India is radically changing. The pandemic has changed citizen–state relations by preventing the expression of rights.

The Political Rationale for the CAA: Creating a 'Constituent Outsider'

The rationale for these changes in citizenship laws can be placed within the framework of *forclusion*, where the outsider or the immigrant becomes central to the construction of the 'citizen'. The idea of forclusion is 'where the outsider is present discursively and constitutively in delineations of citizenship' (Mezzadra 2006: 32–3). In her book, *Mapping Citizenship in India*, Anupama Roy (2010) argues that concerns about the boundaries of citizenship have been consistently growing, as she describes citizenship as a relational idea rather than an atomistic one. The concept of citizenship as relational and celebration of difference remains valuable and meaningful, as it renders the 'ability to reinvent the state so as to move beyond exclusionary boundaries that are maintained by force and coercion' (Hoffman 2004: 29–31). Layered and differential membership in the political community often created this 'otherness', which is not a relationship of 'simple opposition', but rather manifests in exclusion (Roy 2010).

> As a constant referent, the outsider is indispensable for the identification of the citizen; ironically, like the citizen's "virtual" image, the outsider is inextricably tied to the "objective" citizen without, however, being able to reproduce herself as one. Moreover, forclusion is reproduced and reinscribed continually through legal and judicial pronouncement,

> so much so that the "other" constantly cohabits the citizen's space in a relationship of incongruity (Roy 2010: 5).

Roy further argues that:

> [T]he code of Citizenship marks out the "other," continually reproducing and re-inscribing it through legal and judicial pronouncement in a relationship of contradictory cohabitation. The relationship is, however, not one of exclusion or simple opposition, but rather that of forclusion, where the outsider is present discursively and constitutively in delineations of Citizenship.

Discursively, the concept of forclusion or othering in the domain of citizenship as a legal status has led to 'the immigrant' or 'the outsider' being continually present. Therefore, the inclusion or exclusion embedded in citizenship status remains contested. This is perhaps the bane of the liberal view of citizenship, which focuses only on the sovereign, isolated, autonomous, individual self without acknowledging the interdependence or relationship that builds a nation or community. Certainly, the liberal view of citizenship has its flaws, seeking rights and entitlements without bringing out the concept of citizenship more as an obligation to participate actively in the life of the State.

In India, forclusion in citizenship can be experienced through two legal instruments of exclusion: the NRC and the CAA. Jayal (2013: 2) argues that 'when governments adopt or renounce policies of multiculturalism, or cut back subsidies on public education, or enact laws to prosecute and deport immigrants, they redefine citizenship'. With an attack on multiculturalism, there has been a redefinition, re-enactment, and re-examination of citizenship in India, which has been experienced through the NRC and CAA. Under the liberal framework, citizenship is confined to a formal legal status that establishes a range of rights against the State and others. There are no obligations in this conception of citizenship, so activity and participation are not prioritised over status (Honohan 2017).

Forclusion has led to numerous attempts in the State of Assam to delineate and target illegal immigrants; NRC is the most recent such attempt and is explicitly forclusive in its invocation of 'the constitutive outsider' as an existential threat (Roy and Singh 2009). The case of Assam is a very specific one as the meaning of the Citizenship Amendment Act has been different in the rest of India, compared to Assam. Aradhana Kataki, in her

article 'CAA negates everything that the Assam Accord had sought to protect', writes that 'identity is shaped by participation in "cultural communities" which need appropriate institutional protection' and that 'groups need to have rights in order to foster individuals' well-being. The new law shows no respect for the sense of "identity" of the Assamese' (Kataki 2020).

The CAA is communal, as it discriminates against one particular religious community and violates the country's secular identity. For Assam, where the civic life of one community is intertwined with the other, the communal turn in the NRC debate poses an existential threat. The CAA also negates the Assam Accord, which was signed by the Government of India and leaders of the Assam movement (1979–1985) after a violent, six-year agitation against illegal immigration led by the All Assam Students Union and All Assam Sangram Parishad. The recent amendments to the Citizenship Act were received with widespread protests in Assam, since it aims to refocus illegal immigration from Bangladesh exclusively on religion, while native Assamese have protested the illegal immigration of all communities. The new citizenship law made religious persecution one of the grounds for providing preferential treatment to illegal immigrants and shifted the cut-off date of granting citizenship from 24 March 1971 to 31 December 2014, contravening the provisions of the Assam Accord. The people of Assam have seen the recent developments 'as part of a design to systematically dispossess them of their land, culture, language and therefore, identity, by allowing the demographic balance to be disturbed recklessly' (Kataki 2020).

The CAA, along with the NRC, is viewed as a tool to exclude the Muslim population of the country and further cultural and religious homogeneity in a historically diverse nation (Deka 2019). Beyond identifying illegal immigrants, the National Register of Citizens will make 'forclusion' more palpable and pernicious, which denotes that the omnipresent outsider is present vis-à-vis the citizen. The National Register of Citizens has found ways to identify and distinguish the outsider, and thereby fortify the territory against the disruptive presence of the illegal immigrant (Roy 2010). The BJP government has used the trope of the Indian citizen's fear of the outsider or the immigrant to further its political agenda, an agenda that benefits from polarization. The party in power has managed to ground its politics in factional interests by enacting CAA in a way that also damages the secular ethos of the Indian constitution. It has used the logic of *forclusion* to mobilise support for the Citizenship Amendment Act among its constituents and a large section of the media. The threat of the 'immigrant' or the 'outsider' is omnipresent and the 'outsider'

is delineated in the legal and judicial pronouncements that cement the forclusive present and presage future rounds of polarisation and identity politics.

Loss of Civic Virtue and Undermining of Citizenship

The classical republican view of citizenship is based upon the ideal of civic virtue, which commits citizens to engage themselves in the life of the State. This understanding of citizenship in active and participative terms presupposes public service, which means that 'freedom has to be produced, and not merely secured, by law, i.e., by giving shape to the general will of the community, acting as one body.' (Skinner 1993: 419). What happens, then, when the nation-state's inbuilt legal mechanisms grant full citizenship to some people while restricting others from their rights and civic participation based on religion, race, or other such factors? Formal or legal inclusion within or expulsion from the nation-state defines where citizens are to be 'found', and this characteristic defines a citizen. Lastly, what happens when civil society is prevented from articulating 'the general will' through traditional civic engagement mechanisms – protests, gatherings, freedom of speech, and so on? The recent developments in India provide a suitable backdrop to study these questions.

The CAA in India is a consequence not just of the loss of civic virtue, but also of how factional interests have changed the idea of citizenship in this liberal democracy. The current changes in the citizenship laws and processes related to citizenship in India result from the inability of citizens to participate adequately in communicating the interests of the nation to the State, or to rise above the religious polarisation that dominates current political practice. This religious polarisation has taken predominance in the form of the Citizenship Amendment Act.

Machiavelli elucidates that corruption can take two possible forms: one that emerges out of laziness (in which citizens are not active or do not participate in performing their civic duties) and one that leads to serving the selfish factional interests of a few, which can be a lethal threat to self-government and lead to fragmentation of the nation-state (Skinner 1993). The rule of law functions not just to enhance liberty, but also to enforce a certain level of coercion for the performance of civic duties. The enactment of civic duties in the republican framework enables the debate on citizenship to go from merely a birth-based idea to an invocation of broader participation in the life of the nation-state.

It can be argued that citizenship, even in liberal-democratic contexts, cannot be viewed solely from the legal dimension. 'From the Republican point of view, citizenship has an ethical as well as a legal dimension' (Dagger 2002: 149). Citizenship is much more than a legal status that confers rights, privileges and immunities; 'real and true citizenship requires a commitment to the common good and active participation in public affairs' (Ibid.). This is the civic virtue in citizenship. Although there is some ambivalence about the expression of citizenship in collective forms of civic action, as opposed to or complementary to the more individualised enjoyment of citizenship rights, it can be argued that citizenship emerges not just from individual entitlements but also from the collective performance of civic duties (Jayal 2013). This has become the dominant critique of liberalism as a collective civic initiative.

In India, the concept of citizenship can be expressed and explored in multiple ways. The expression of citizenship in India has been contested as a legal status, as a bundle of rights and entitlements, and as identity and belonging (Jayal 2013). As we shall see, the recent changes in the citizenship laws and the way the concept of citizenship has been experienced in India changed fundamentally after the introduction of the proposal of the National Register of Citizens and the passing of the Citizenship Amendment Act, particularly for religious minorities. The legal identification of citizens would become imperative in the NRC process of detecting illegal immigrants, a process that involves enumeration, management and control of the population through the colonial technology of governmentality (Scott 1995). The citizen's conduct would be managed by placing the onus of proof on the individual: 'citizens' would be required to distinguish themselves from 'non-citizens' by filing NRC forms and accompanying legal documentation; otherwise, they would be termed 'stateless' or 'outsiders'. While reflecting on the European context, Benhabib (2004) argues that refugees, minorities, stateless and displaced persons are special categories of human beings, socially constructed through the actions of the nation-state.

> One becomes a refugee if one is persecuted, expelled and driven away from one's homeland; one becomes a minority if the political majority in the polity declares that certain groups do not belong to the supposedly "homogenous" people; one is a stateless person if the State whose protection one has hitherto enjoyed withdraws such protection, as well as nullifying papers it has granted... (Benhabib 2004: 54)

It is a perversion of the modern State when the practice is to denaturalise unwanted minorities (Ibid.), creating the category of illegal immigrants through discriminatory laws such as the CAA. In pursuing these initiatives, the government is attempting to render the Muslims in the country disenfranchised and without significant protection of the nation-state or the law, thereby excluding them from rights and resources that normally accrue to citizens. Properly understood, the CAA and the NRC proposal are not exercises in expanding citizenship to persecuted minorities from neighbouring countries; on the contrary, they intend to make religious minorities 'the outsider' and cast aspersions on their citizenship status and rights within India.

However, these government efforts have not gone uncontested. Democratic protests against these legislative changes have reaffirmed civil society's commitment to constitutional and democratic values. Protests in a democracy reflect the people's interests. When the governments, as representatives of the people, enact exclusionary laws to protect their own interests rather than the interests of those they represent, protest is the appropriate civic response. The reason for widespread nationwide protest and resistance against the implementation of CAA and NRC is that these legal instruments of disciplining the population on a religious basis fundamentally hamper articulation of rights by citizens and are not reflective of representative politics. However, before these protests could gain momentum, the pandemic created another set of challenges in the political landscape on which civil society engagements with the State are pursued.

Civil Society Protests and the Pandemic

The Citizenship Amendment Act was passed by the Indian Parliament on 12 December 2019, and widespread national protests emerged almost immediately, first in Assam and soon spreading to other parts of the country. In Assam, the protests were based primarily on opposition to any forms of migration from neighbouring countries; protesters were less concerned that the CAA excluded Muslims than that it provided a pathway to citizenship for members of other religious communities. The native Assamese population had long demanded control of illegal migration – of both Hindus and Muslims – from Bangladesh in order to preserve their ethnic identity, culture and language. The CAA violated the basic tenets of the Assam Accord by opening avenues for further migration of non-Muslim Bangladeshis. In other parts of the country, by contrast, the protests were led by progressive and Islamic groups that countered the overtly anti-Muslim sentiment of the CAA.

One protest that gained significant attention was the Shaheen Bagh protest in the National Capital Region, where elderly Muslim women occupied a stretch of a busy road and held a continuous sit-down protest seeking the repeal of the CAA. The Shaheen Bagh protests became a site of dissent and resistance against the Citizenship Amendment Act. They garnered enormous importance over time because they showed solidarity with the anti-CAA movement and the activists who had been arrested for their earlier protests. Women began to assemble at Shaheen Bagh on 15 December 2019, three days after the passage of the CAA in both Houses of Parliament. The protests against the Citizenship Amendment Act picked up momentum all over India from then on. In other parts of the country, including major cities such as Mumbai and Kolkata, many gatherings and sit-ins by citizen groups registered their protest and anger against the changing framework of citizenship, highlighting that the new laws violated the constitutional values of equality and secularism. Almost 30 people were killed around the country and many were arrested for protesting against the new citizenship law even before the violence in Delhi and elsewhere, including Uttar Pradesh, Assam, and Karnataka (Wahengbam 2020). The government used a colonial-era law against public gatherings, limited public transportation, closed roads and suspended internet services to prevent the outreach of the protests. The police did not prevent the violence and limited their arrests to people who were critical of the government. Several protesters said that they were beaten while in custody. Police raided Muslim neighbourhoods and ransacked shops and residences in Uttar Pradesh (Wahengbam 2020).

The Shaheen Bagh movement was essentially a leaderless sit-in of working-class Muslim women, many of whom were engaging in political activities for the first time in their lives. Mustafa (2020) notes the case of Saira Bano, an elderly woman who had never protested before. The organic nature of the protest attracted nationwide attention; even the Supreme Court took notice and appointed a group of mediators to address the issue of road closures due to sit-in protests. The mediation in the Shaheen Bagh case had a limited mandate and did not involve the government or parliament; therefore, it did not address the fundamental demands of the protestors.

In February 2020, three months into the demonstrations, the protests in Delhi turned violent and led to 53 deaths, a large proportion of which were from the Muslim community. The violence began soon after a local politician of the ruling party ordered the police to clear the protest site within three days, failing which there would be a risk of violence. The State's failures in response to the protests were felt as the clashes between

those who supported the government and those who lived in the affected areas began. The protest turned violent, with mobs who supported the government chanting nationalist slogans and rampaging through several predominantly Muslim neighbourhoods in northeast Delhi, burning homes, shops and other physical property (Human Rights Watch 2020).

Police forces were reported to be partisan in their approach, using excessive force against demonstrators protesting the law but remaining bystanders when pro-government protestors engaged in violence. In December, for instance, the police used teargas and batons against Jamia Millia Islamia University students, and entered the library and hostels to beat students. On the other hand, the police were present but did not take action when, in January, a pro-government protestor who had affiliations with the ruling party shot at protesting students outside the same university. Members of parliament and other leaders from the ruling party also made divisive and hate-filled attempts to delegitimise protesters at Shaheen Bagh and elsewhere. In February, the Delhi High Court questioned the police about not filing cases against CAA-supportive leaders who had been advocating and even perpetrating violence with impunity. In response, instead of responding to orders by the Delhi High Court bench, government authorities transferred the members of the judiciary who were actively taking cognisance of human rights violations (Human Rights Watch 2020). In the subsequent months, the police investigated those who organised or attended protests *against* the CAA, including students and public intellectuals (The Polis Project 2020), many of whom then faced legal proceedings and even prison.

The protests all over the country were interrupted by the imposition of the Covid–19 lockdown, which came abruptly on 24 March 2020. The Government of India ordered a nationwide lockdown to keep the pandemic under control; it proved to be one of the world's longest and strictest lockdowns, especially when compared to Covid–19 mitigation measures in developing economies. The lockdown was lifted on May 30, except for containment zones, where it was extended until 30 June 2020. The Covid–19 lockdown brought protests to a standstill, even large ones such as the Shaheen Bagh protest.

Though the lockdowns stopped the anti-government protests to a standstill, the police and state machinery continued to target minorities. Early on, a Muslim seminary in New Delhi, Tablighi Jamaat, held an international congregation in which many participants travelled from other states and countries. Many early Covid-19 cases were traced back to

this event, which provided ammunition to government officials and media outlets that are often looking for an opportunity to give a communal colour to any problem. Police and health officials throughout the country started to pay extraordinary attention to travellers in Muslim neighbourhoods. During the initial months of the pandemic, the official briefing of the Ministry of Health reported Covid–19 cases attributable to Tablighi Jamaat separately from the nationwide numbers, arguably compromising on professionalism and attempting to mislead the public about the reasons for the transmission of the virus. Other such events around the country did not receive such scrutiny.

To hinder the protests against CAA, the government imposed Section 144, which prohibits the assembly of four or more people in an area, in several parts of the country. Freedom of expression, association, and peaceful assembly are necessary rights in a democracy like India. As in most liberal democracies, the right to protest and the right to free speech and expression are constitutionally defined fundamental rights (Article 19). The right to freely express oneself and engage with the state is also a prerequisite for being an active citizen in a democracy. Reiterating and reinforcing political rights such as the right to free speech and expression reflect on how the representational role of the government is subject to accountability. The right to protest and critically engage with the government over its laws and policies through dissent and opposition is essential to enforce the citizen's role in a democracy. The lockdown to contain the spread of the Covid–19 virus revealed itself to be a mechanism that the State can use to discipline the population into compliance, now and in the future. This technique to regulate the conduct of the people and limit the space for articulating one's rights and liberties is becoming even more robust in contemporary India – and expanding to other affected groups. Techniques that were developed to target minorities and have been extended to suppress, for example, the protests of farmers against neoliberal reforms in the agriculture sector.

Protests, movements and civil society activism are hallmarks of civic virtue in a free, democratic society. The protests against the CAA also demonstrate the civic engagement of people with the State and show how participation demands that the 'voice of the people to be heard by those in power and decisions be reached after proper discussion and consultation' (Bhargava 2020). The anti-CAA protests, including the Shaheen Bagh movement, reinvigorated civil society and introduced a significant political churn – that led to the government postponing significant policy changes in relation to the nationwide NRC and CAA. The movement by Indian farmers against agricultural reforms that lasted despite the pandemic also forced the government to withdraw the neoliberal legislation.

This outcome suggests that civic action can be effective, and that continued efforts are essential if the overreach of State power is to be curbed. Ludwig Feuerbach and many other philosophers insist that civil society is a decisive component in steering societal direction than the State, and scholars such as Gramsci suggest that a unified civil society constitutes one of the fundamental challenges to the ruling class (Bobbio 1979; Ligouri 2015). In these senses, the protests against the CAA and the farmer's movement changed the civil society discourse in India and posed a significant challenge to State power and overreach.

Summary and Conclusion

In 2019, the Government of India introduced changes to its citizenship laws through Citizenship Amendment Act and proposed an expansion of the National Register of Citizens beyond the State of Assam. These legislative changes have made the identification of 'outsider' or 'migrant' a necessary process for identifying Indian citizens. While the NRC would identify all illegal immigrants, the CAA selectively discriminates against Muslims by offering to provide citizenship to illegal immigrants from all other religions from Muslim-dominated Bangladesh, Afghanistan, and Pakistan. In the State of Assam, a registry of citizens was motivated by the state's historical context, including the reasons for the large-scale migration of immigrants from Bangladesh. The State of Assam is protesting against the CAA because it will provide a pathway to citizenship for Hindu migrants from neighbouring countries such as Bangladesh. Assam has had a long history of struggle against illegal immigration. While the rest of India is focused on the discriminatory aspect of CAA, that is, the exclusion of Muslims from the citizenship opportunity presented in the Act, the protests in Assam were more closely related to anger against providing a pathway to citizenship for non-Muslim migrants. The proposed nationwide NRC has been put on hold after the nationwide protests and the onslaught of the Covid–19 pandemic. There are apprehensions concerning this proposal of a nationwide NRC as it would target illegal immigrants of all faiths. While highlighting the anti-secular character of the CAA, many also fear that many of India's Muslims may be deemed illegal immigrants if they are unable to provide adequate proof of citizenship, as they are not included in the Citizenship Amendment Act.

The question of who gets to count as a 'citizen' is extremely vexed, especially in a deeply polarised, factional and dramatic political landscape. Formal or legal inclusion within or expulsion from the nation-state defines where citizens are to be 'found', and this characteristic contributes to the definition of a citizen. The CAA and the proposed NRC

deprive those who are victims of any sense of rights or belonging to the nation. Those who are termed 'illegal' do not have any political community or nation from which these people can have any rights or exercise them. Implementing the CAA and NRC would lead to the loss of citizenship status and rights. Many people would be displaced; some would become stateless and others second-class citizens. The Citizenship Amendment Act and the National Register of Citizens are discriminatory and undermine democratic values. Most importantly, these two legal instruments also act as surveillance mechanisms for the State.

The period after the enactment of the CAA witnessed nationwide protests against the law, both violent and peaceful, but the Covid–19 pandemic affected the resistance against these laws. This article has highlighted how the circumstances posed by the pandemic prevented civil society from articulating 'the general will' through traditional civic engagement mechanisms: protests, gatherings, freedom of speech, and so on. The sudden halt of the protests led to further arrests of students and activists, and civil society resistance was impossible due to the pandemic. It gave the government impunity over its decisions without any accountability, both on the streets and in the courts. The rights of the citizens in a democracy were under grave threat due to no room for freedom of expression during the pandemic, as many civil liberties were suspended under the law governing the response to the public health emergency.

The new legal dimensions in Indian citizenship enacted just before the pandemic mark out who is eligible for the claim to citizenship in India, and the associated database is intended to distinguish the Indian citizen from the 'outsider' or 'immigrant'. The Covid–19 pandemic enabled the government to function with impunity over people's lives and to quell civil society protests against the CAA and NRC. The government appears to be maintaining the status quo regarding a nationwide NRC for the time being, but the challenges to citizens' rights and democratic institutions persist. The next few years will determine whether India can redefine and execute a broader conception of 'citizenship', one that goes beyond just legal status, and if the definition and determination of citizenship will adhere to the egalitarian and secular constitutional values.

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The Impact of Covid–19 on Ethnic Minorities in Sri Lanka

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Abstract

The unforeseen impact of *Covid–19* and its outcomes, including a variety of state responses, have directly or indirectly affected all segments of human society in multiple ways. Most importantly, certain communities have been more distressed than others. In this global context, Sri Lanka seems to be among the countries where the negative impacts of Covid–19 on ethnic minorities have been more severe and intemperate. The article's overarching research question concentrates on the Sri Lankan government's responses to the pandemic and their unequal impact on some ethnic groups since the first quarter of 2020 through 2021. This qualitative study finds that the spread of the virus extended and intensified the inequalities, frustration and discontent among ethnic minorities, as the experience of uneven impacts is clearly and directly associated with already-entrenched injustices that prevent the benefits of mainstream socio-economic processes from reaching certain Sri Lankan ethnic minorities. It is likely that this situation will continue well into the post-pandemic recovery stages. The article therefore concludes that Sri Lanka needs to undertake a coordinated, consultative process founded on the principles of equality, equity, social justice and human rights, to develop policies and strategies to address issues that rendered the sufferings of ethnic minorities severe during both the pandemic and the post-pandemic recovery stage.

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Introduction

As of December 2021, the pandemic has taken more than 5 million lives and has had far-reaching social and economic impacts on human societies across the globe. Covid–19 is a highly contagious disease that spreads through 'respiratory droplets and contact routes' (World Health Organization 2020a). Regardless of differences in wealth, language, religion, gender or age, its spread and impact on people are described as highly calamitous and heterogeneous (Mein 2020). Both between and within societies, the pandemic's effects have been unequal, and 'the world, it appears, is preparing to prosper the survival of the fittest' (Balamayuran 2020: 120). In response, UN Secretary-General António Guterres urged nations to tackle the crisis together to prevent stigma, hate, discrimination and *xenophobic* behaviours from being linked to the Covid–19 (United Nations 2020). In today's contexts, even developed nations with abundant resources have been incapable or negligent in providing speedy, relevant and effective responses to the difficulties faced by their minority groups and indigenous populations.

Urgent pandemic measures such as declarations of states of emergency, lockdowns, quarantines and business closures have multiplied the forms of discrimination against certain disadvantaged and vulnerable groups. In the United States of America, black and Asian communities have suffered from higher infection and mortality rates (Yaya et al. 2020; Gover, Harper and Langton 2020; Webb Hooper, Nápoles and Pérez-Stable 2020; Boserup, McKenney and Elkbuli 2020; Chapman 2020). Similarly, in the United Kingdom, black, Asian and minority ethnic (BAME) communities have been associated with higher mortality rates, compared with the white population (Minority Rights Group International 2021; Morales and Ali 2021; Keys et al. 2021). Similar infection and mortality trends have been documented in Europe, Asia and Latin America. As a result, the devastating impact of Covid–19 over the specific situation of minorities has intensified significantly (Bachelet 2020; Mein 2020; Gould and Wilson 2020; Pan et al. 2021; Chen and Wu 2021; Hwang 2021).

This article examines the relationship between the government's pandemic response and its unequal impact on minority communities in Sri Lanka. The study synthesises a wide variety of secondary literature with primary data from analytical reports produced by the

Ministry of Health, Ministry of Defence and Department of Government Information. The weekly analysis of the Epidemiology Unit of the Ministry of Health was assessed to identify the mortality trends across the communities of Sri Lanka. To determine the impact of Covid–19 on the country's ethnic minorities, focus group discussions and interviews with individuals belonging to minority communities, including government officials and personnel, were conducted in Western, Eastern, Northern and Central Provinces. Also, interviews with Sinhalese individuals in Central Province yielded views on the 'cremation only' policy. Initial reviews confirm the government's success in curtailing the spread of the virus. However, evidence collected through interviews and focus group discussions indicates that pre-existing discrimination and inequalities experienced by minorities have widened during the Covid–19 period. The insights gathered through secondary literature show that the spread of the virus presented a new situation for the nation and the pandemic responses, initiated mainly by an Executive President, were centripetal, nationalistic and militarised in nature; the president used the need for a public response as an opportunity to design ostensibly public health measures in ways that further suppressed certain minority communities and resulted in additional forms of discrimination against them.

To this end, the first section of this article briefly describes how countries worldwide have responded to the pandemic. The second section analyses the government of Sri Lanka's responses to the pandemic from the first quarter of 2020 through 2021. The third section provides some insight into the harms of pandemic responses for ethnic minorities in Sri Lanka. The final section looks forward as it briefly highlights the need to take coordinated consultative action to address the issues and challenges that make the sufferings of the communities of ethnic minorities hardest during the post-pandemic recovery stage.

Pandemic responses: Global perspectives

Many countries, including the richest, acted much worse than expected since the advent of the pandemic, although a few countries have shown great resilience. This is because these countries' policy responses, choices, practices and state public healthcare capacity were timely and adequate. Swift government intervention at the early stage of the outbreak helped to disturb the spread of the virus. Many countries in the Asia-Pacific region were applauded for being very active at the time. Among them, New Zealand was the first to contain the spread of the Corona virus. Its precautionary approach crushed the curve within a short period as the government had compelled the people to adhere rigorously

to physical distancing, testing, tracing and isolating infected persons. The country also benefitted from advanced health care facilities, transparent pandemic leadership and trusted public communication, which together brought Covid under control (Dewan 2020; Park 2021; Wilson 2020; OECD 2022). The Lowy Institute's Performance Index (2021), utilising available data up to early March 2021 to gauge the relative performance in 116 countries, supports the general idea that Asia-Pacific countries performed comparatively well at containing the pandemic. Even the few non- or less-democratic countries in this region were relatively effective in bringing the situation under control (Zakariya 2021). The case of Japan is a clear example of how a country with centralised authority can perform well without any legal, political or administrative constraints. There, consultative decision-making with the collaboration of experts, combined with efficient local governments, made pandemic-controlling efforts a success (Nagata et al. 2021).

At the same time, some democracies in the Americas and Europe did not perform satisfactorily at the beginning; indeed, some attempts to handle the pandemic can be described as outright failures. This reflects the fact that there is no guarantee that even democratic governance would yield the best-suited policies for dealing with a global crisis of this magnitude. Except for China, dictatorships such as Russia, Venezuela, and Iran have done terribly (Zakaria 2021). Different countries have dealt with the pandemic differently (Zakaria 2021; Lowy Institute 2021) and no political system has 'proved to be demonstrably "better" than another in the swiftness of its response or in reducing the lethal impact of the disease' (Gaub and Boswinkel 2020: 6). To sum up, the experience in the Asia-Pacific region is not uniform, beyond the vague observation that the pandemic forced virtually all governments at all levels to operate in a context of radical uncertainty (OECD 2020; Blofield and Hoffmann 2020).

In this connection, Holly Jarman (2021) refers to four types of state capacities to arrest the risk of virus transmission and to reduce the damage inflicted on individuals and groups in any political system: governance, surveillance, coercion, and social policy. She draws attention to governance and highlights the fundamental role of the government in safeguarding the lives of citizens in a pandemic situation. It is mandatory for any type of government, whether decentralised or centralised, to ensure greater transparency and accountability in the decision-making process in dealing with the pandemic. She emphasises the importance of inter-sectoral governance, which requires deliberate collaboration among various stakeholder groups and quick mobilisation of resources. Also,

her analysis provides recommendations on how governments should collect and analyse data, and how testing, tracking, and isolation should be instituted. In this connection, tactics of surveillance are to be transparent and non-discriminatory. As a third strategy, Jarman (2021: 57) discusses 'coercion', which refers to the 'use of the state's legal authority to make and enforce rules that protect society from the worst effects of the pandemic by changing the behaviour of individuals and organizations.' Finally, she underscores the importance of social policies in order to enhance welfare services for children's education, people with disabilities and low-income families. She emphasises the essential role of 'pre-pandemic social policies' related to health, education, employment and wellbeing. In addition, Jarman highlights the need to adopt new social policy responses to the pandemic in order to secure the social system in a time of crisis. This article acknowledges that contextualising the ideas of state capacity as detailed by Jarman contributes to the explanations of the pandemic responses of the government of Sri Lanka since March 2020.

Sri Lanka's response to Covid–19

The impact of the three-decade-long armed conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the government of Sri Lanka has significantly influenced the government's interventions and responses linked to Covid-related issues since March 2020. A long history of prejudice and discrimination led the Tamil youth of Sri Lanka to take up arms against the government of Sri Lanka in the 1970s. By the 1980s, the LTTE, an armed group, had become more active and dominant, destroying other Tamil militant groups and, from the mid-1990s, beginning to press its demand for a separate state through warfare. The LTTE encouraged Sri Lankan Tamils to mobilise as a single entity, disregarding the regional and caste differences, to oppose the manifestations of specific discrimination against Sri Lankan Tamils.[3] Although the LTTE was suppressed in 2009, the armed conflict had already taken the lives of tens of thousands of civilians and displaced approximately one million people (DeVotta 2009). This generated fear, mistrust and suspicion between communities and, a decade later, Sri Lankan Tamils still do not feel reconciled with other communities.

After the military defeat of the LTTE, a second major minority group, the Sri Lankan Muslims, began to experience targeted repression in all spheres of their life. Riots against

3 Tamil's influence on Sri Lanka is as old as that of the Sinhalese (Indrapala 1965). Relis gion and language separate this group from the Sinhala majority.

the Muslim community, including anti-halal and anti-slaughtering campaigns in some districts, exacerbated tensions between Sinhalese and Muslims. When a group of Islam-associated individuals performed a terrorist attack that has come to be known as the Easter bombings of 2019, the Sinhalese majority community turned even more aggressively against the country's Muslims, who now live in fear. Another group of people, Up-country Tamils,[4] who migrated from India to Ceylon as indentured labourers during the 19th century to work in the British plantations, has become the third minority in Sri Lanka. They were already burdened with poverty and lower levels of education, inadequate housing and poor healthcare before the pandemic arrived.

Considering the above, it appears that the ethnic minorities in Sri Lankan society continue to occupy a subordinate and marginal position, and they struggle to find their place in post-war Sri Lanka in the face of sustained structural disadvantage and violence. Therefore, it is still a major challenge for the Sri Lankan nation to find a way to grant equal rights for all in order to promote peaceful co-existence between various ethnic groups. Serious efforts need to be made to reduce the potential for mistrust and frustration and thereby restore harmonious community relations. In this context, Covid–19 reached Sri Lanka in March 2020, just as its threat to become a global pandemic was being realised. Using Jarman's (2021) insights to connect state capacity with responses to Covid–19, we now begin our in-depth look at Sri Lanka's responses in terms of governance, surveillance, rule enforcement and social policy.

Governance and surveillance of public health

Previous global health calamities proved that pandemic governance is not trouble-free even in the context of a scientifically advanced contemporary world. From the beginning of the Covid pandemic, public health authorities worldwide have played a significant role in preventing virus transmission. However, 'responding to a public health emergency such as Covid–19 requires effective government institutions capable of delivering both preventive and emergency medical care while also maintaining other essential public services' (World Justice Project 2020: n.p.). Such a situation urges inter-sectoral collaboration in the governance process adhering 'to the rule of law – open to the public, contestable in the courts and through elections governed by law, with the consent of the legislature, and reviewed by audit and other oversight bodies' (World Justice Project 2020: n.p.). Failure

4 Indian-origin Tamils prefer to be referred to as 'Up-country Tamils' (which means Tamils who live in the upper mountains). They are called plantation or estate Tamils as well.

in this nature of pandemic governance may erode the citizens' trust, and non-compliance with pandemic preventive regulations could have persistent effects on economic, political and social domains.

When considering pandemic governance in Sri Lanka, it is necessary to examine how the government of Sri Lanka took effective public health interventions and non-pharmaceutical measures to contain the virus transmission. As a first step, before any Sri Lankan had tested positive for Covid–19, on 26 January 2020 the Ministry of Health established the National Action Committee, comprised of 22 qualified medical experts, to take precautions and action to contain the virus transmission into the country. Instead of using existing legal structures such as the National Council for Disaster Management and the Disaster Management Centre, the government established the above *ad hoc* committee to deal with the Covid–19 pandemic (Fonseka and Ranasinghe 2021).[5] After locals were reported as having contracted the Corona virus, the government quickly announced a nationwide curfew, enforced severe travel restrictions and shut down all essential and non-essential services throughout the island.

Soon, pandemic governance was abruptly transferred to the military, which took charge of the National Operation Centre for the Prevention of Covid–19 Outbreak (NOCPCO), formed on 17 March 2020. Under the leadership of Lt Gen. Shavendra Silva, the Commander of the Army, and Dr Anil Jasinghe, Director-General of Health Services, medical and other experts and politicians were tasked with taking all necessary measures to manage healthcare and other public services related to the Covid–19 pandemic. The defence sector took the lead with the collaboration of the health sector. The coordinating responsibility of the complex public health and other issues related to Covid–19 was given to military personnel who had demonstrated unswerving alliance with Gotabaya Rajapaksha when he was the Secretary to the Ministry of Defence. Lt Gen. Shavendra Silva announced that all government officers should be prepared to work for NOCPCO if there is urgency. This approach to carrying out pandemic operations neglected Sri Lanka's experienced civil service professionals, who could and should have played a decisive role in planning, service provision, infrastructure development and resource mobilisation. The engagement of armed forces in response to the Covid–19 outbreak was justified through

5 The first National Disaster Management Council was established in May 2005 and the Disaster Management Centre was later created to oversee disaster preparedness, dissemination of early warning and coordination of disaster relief efforts throughout the island.

the argument that, being a well-organised institution, the military has the capacity to mobilise rapidly during times of uncertainty (Guruparan 2020). However, it is a known fact that the military in many western democracies did not lead pandemic responses; their role was limited to providing assistance and logistical support designed by the public health authorities.

In pandemic governance, the government had a major role in delivering healthcare facilities and ensuring the smooth distribution of essential services to citizens. In most countries, existing civil administrations performed such operations. Yet, in Sri Lanka, soon after the establishment of NOCPCO, the President appointed a number of task forces to coordinate preventive and management measures to mitigate the impact of the Covid–19.[6] These task forces were only answerable to the Executive President (Centre for Policy Alternatives 2021b). It also became difficult for the ordinary public to realise how decisions are made and implemented. At the same time, the Executive Presidency gave the government a chance to hide decisions taken for the sake of political convenience. On 26 March 2020, the Sri Lankan government appointed a presidential task force to direct and coordinate the delivery of continuous services for the sustenance of overall community life. Again, on 22 April 2020, the Presidential Task Force for Economic Revival and Poverty Alleviation was established under the leadership of Basil Rajapaksa, the president's brother, to concentrate on the challenges and opportunities in the context of Covid–19 outbreaks in Sri Lanka. Another presidential task force to study and provide instructions on measures to be taken by all armed forces to prevent coronavirus infections among members of the Tri forces was appointed on 27 April 2020. In addition, the Presidential Task Force for Sri Lanka's Educational Affairs was appointed on 28 April 2020 to oversee the continuation of educational services in the midst of the Covid–19 pandemic. In some countries, governmental multi-sector expert groups and independent expert groups were formed to oversee the socio-economic consequences of the pandemic, provide recommendations to frame public policies, and assess already enforced policy measures to arrest the adverse impact of the pandemic.

After a month, another two presidential task forces were established under Major General (Retired) Kamal Gunaratne, to: a) build a secure country, with a disciplined, virtuous

6 The National Operations Centre for Prevention of Covid–19 Outbreak (NOCPCO) was terminated from Covid–19 activities with effect from 9 December 2021. Its staff has been redirected to the Operations Center for Green Agriculture, under the leadership of Army Commander General Shavendra Silva.

and lawful society and b) handle archaeological heritage management. The Presidential Task Force for Archaeological Heritage Management in Eastern Province was to identify important archaeological sites and was given the power to develop appropriate programs and allocate land to preserve sites in Eastern Province. This entirely Sinhala body chose to ignore the fact that the province is populated by far more Tamils and Muslims than Sinhalese (Centre for Policy Alternatives 2020).[7] The creation of many task forces to deal with the pandemic raises the question of 'whether the pandemic is used to dislodge Sri Lanka's civil service and legitimise some action that may have dire consequences' (Fonseka 2020).

The pandemic governance became further challenged when the Executive Presidency of Sri Lanka became more entrenched on 13 August 2020 by promoting the Director-General of Health Services, Dr Anil Jasinghe, to the position of Secretary to the Ministry of Environment. Dr Jasinghe led the civilian government's response to the first pandemic wave, and fewer than 2850 cases were confirmed during that period (Epidemiology Unit of Ministry of Health 2020). This success was hailed by the international community (Amaratunga et al. 2020; DeVotta 2021; Hettiarachchi et al. 2021). By sidelining Dr Jasinghe with an environment portfolio and instead promoting a major general, Sanjeewa Munasinghe, to lead the Department of Health, President Gotabaya Rajapaksa was further strengthening the role of the military in the provision of public health. Dr Jasinghe's honest and forthright communication about Covid-–19 was much appreciated and admired by the public, but not by the government. After three months, the government announced in November 2020 that Dr Jasinghe would be brought to the Covid –19 Prevention Committee meetings (Ranasinghe 2020).The removal of Dr Jasinghe facilitated Lt Gen. Shavendra Silva, the Commander of the Army to dominate NOCPCO and further strengthened his position as the upper hand in Covid preventive activities in Sri Lanka. For example, Silva appeared in all media conferences to communicate Covid-related decisions taken by the government.[8] The armed forces were tasked to distribute humanitarian assistance and conduct awareness-raising campaigns while disinfecting public spaces including streets and public transport vehicles, countering misinformation, running quarantine centres and administering Covid vaccines. This is how the Sri Lankan

7 On 28 November 2021, 17 months later, the government added a Tamil and a Muslim to the task force.

8 Dr S. Sritharan functioned as the Acting Director until 27 October 2020, when Dr Asela Gunawardena was appointed to direct the department.

government sidelined healthcare professionals and civil authorities in the fight against the pandemic.

Furthermore, events such as the parliamentary elections (in August 2020) expedited the spread of the virus throughout the country and challenged the process of pandemic governance. It is important to note that the Election Commission of Sri Lanka postponed the parliamentary elections twice, in April and June of 2020, and finally agreed to conduct the elections on 5 August 2020. Political parties' rallies and pocket meetings to convey their direct messages to voters ended up with increased virus spread on the island, as social distancing measures were not followed. In addition to election campaign dynamics, the voting procedures significantly increased the virus threat on the island. Unlike the many other countries that quickly adopted special voting arrangements such as postal voting and early voting, proposals to conduct advance voting for quarantined persons were abandoned, ostensibly due to concerns that these could violate the election law.[9] The Ministry of Health merely extended the polling duration from 4.00 p.m. to 5.00 p.m., but also limited the vote to people who had completed the 14-day quarantine period.

The number of new cases began to increase further when garment factory workers in Minuwangoda contracted the virus in the first week of October 2020. Also, the irresponsible behaviour of migrants travelling from other countries to Sri Lanka expedited the spread of the virus in the country as they dodged the quarantine requirements (Amarasuriya 2020). Then, the outbreak of Covid–19 cases in the Peliyagoda fish market in the third week of October 2020 and infections at the prison of the Western Province intensified the Covid impact on Sri Lanka. Against this backdrop, when a person known as Dhammika Bandara introduced an ayurvedic syrup as a remedy, the government advocated its use in a refocused approach to public health. It was unusual in that Sri Lankan Western-style clinical trials were performed to gauge the efficacy of this tonic (Silva 2020). These trials and discussions at the political level further delayed the procurement of vaccines for the people of Sri Lanka.

9 When an election takes place in Sri Lanka, it is mandatory for all eligible voters to vote in person except a few state officers. The state officers engaged in election duties, the distribution of essential services and three services, police and Civil Defence Force (Election Commission of Sri Lanka n.d).At present, there is no mechanism set up for the Sri Lankan citizens living abroad to vote at any Sri Lankan elections. Under the current regulations of the election commission, the voters at polling booths between 7.00 am and 4.00 p.m. are allowed to cast their ballots. A few public servants are allowed to do postal voting as they engaged in the provision of essential service and assist to conduct the poll during the polling period.

Sri Lanka's political context also had a major influence on the pandemic governance of the Covid–19 pandemic. In the absence of parliamentary oversight, governance was exclusively in the hands of the executive and took the form of executive orders that were often implemented with military support. Then, when the election was held on 5 August 2020, the incumbent party returned to power with its largest-ever majority. Within two months, the Sri Lankan government under Executive President Gotabaya Rajapaksha enacted the 20th amendment with its 2/3 majority in the parliament. The 20th amendment provided unfettered powers to the President, bringing an end to the democratic practices introduced by the 19th Amendment during the regime of Maithiripala Sirisena. It also rendered ineffectual the checks that had been placed on the executive president and other aspects of accountable and rule-of-law governance in Sri Lanka. Globally there was a tendency among the governments in the first wave of the pandemic that 'heads of government were putting themselves forward as leaders, including in countries so small or with such limited local government as to limit possibilities for intergovernmental centralization…[However,] centralization was much less evident in the second wave' (Greer et al. 2022: 410). Not so in Sri Lanka, where the government deliberately promoted centralised second-wave pandemic operations under military leadership.

It might be suitable for the short term to have 'the involvement of only key stakeholders or a smaller number of important authorities to ensure time-bound effectiveness in decision making, implementation and effective coordination, among different sectors' (Kamalrathne, Amaratunga and Haigh 2021: 574). In Sri Lanka, however, the military came to lead virtually the entire pandemic response, while civil health authorities led by a major general played a supporting role. The president's militarised approach undermined both the principle and practice of multi-sectoral pandemic governance in the fight against the pandemic.

Further, to combat the public health crisis, the Sri Lankan government adopted a few public health surveillance measures to contain new infections, follow up cases and minimise virus transmission into society. Generally, an efficient health surveillance mechanism is an essential feature of public health systems. It reduces the burden of health crisis events (Litwin et al. 2022), by simplifying early screening, diagnosis, quarantine, and treatment, and by expediting policy interventions. However, as Jarman (2021) highlights, these surveillance measures should be non-discriminatory and transparent.

In Sri Lanka, to quickly recognise the infected persons and put up with prompt isolation and quarantine, first of all, the government released Gazette Extraordinary No. 2167/18 20 March 2020 and declared Covid–19 a quarantinable disease. Therefore, the procedures described in the existing Quarantine Regulations were to be applied. The authorities stated an ambitious goal – to halve the incidence of cases and reduce mortality to zero – and proposed to pursue this goal by reinforcing public health preparedness measures such as strict social distancing, lockdown with curfews, an inter-district travel ban, and closure of airports and ports. In the interest of arresting further transmission of Covid–19, the government took social rather than pharmaceutical measures. On 25 March 2020, the government formally defined 'public place', 'proper authority' and a 'diseased locality' in Gazette Extraordinary No. 2168/6. These were described as crucial mechanisms for tracking and controlling the prevalence and progress of virus transmission. This gazette notification named the Director-General of Health Services as the Proper Authority. Yet, the police and military were authorised to take necessary steps to curb the spread of the virus, including monitoring and enforcing compliance with Covid–19 response measures.

Further, to prevent community spread, the government of President Gotabaya Rajapaksha adopted compulsory cremation for persons who lost their lives to Covid–19 (Gazette Extraordinary No. 2170/8, 11 April 2020). The government vigorously defended the 'cremation only' policy, but the Muslims were highly dissatisfied with its implementation. Cremation had not been recommended by the health authorities – indeed, health-related authorities advised against it – yet it was imposed by the government purely for political reasons. This example illustrates a disagreement between stakeholders and the general public, which reflects the lack of transparency in pandemic governance.

On 15 October 2020, another gazette notification (No. 2197/25) announced that a one-meter distance from all other people in public places was now mandatory. The same gazette detailed quarantine procedures, bans on gatherings and other measures to prevent the spread of Covid–19. On 25 November 2020, to carry out surveillance, the government set up a home quarantine mechanism consisting of *Grama Niladhari*s, economic development and *Samurdhi* development officers, family health service officers and police officers to inspect the houses during the quarantine period.

Further, the websites of the Ministry of Health's epidemiology unit, the Ministry of Defence and the Health Promotion Bureau shared up-to-date information on new cases and deaths. They displayed weekly situation reports, guidelines and circulars related to

public health. In addition to the government's '1999' Covid–19 alert-and-assistance hotline, the Dialog mobile company also set up a '1390' hotline service for people to receive advice on the coronavirus and be guided toward online consultancies with doctors. The Information and Communication Technology Agency in Sri Lanka initiated a special digital project, 'Stay –Safe', from 7 November 2020, to facilitate tracing people who had been in contact with anyone who had been infected with Covid–19 (Presidential Secretariat 2020). However, this is more rudimentary than the digital and electronic surveillance systems used in some countries, such as apps, location data and electronic tags to expedite disease prevention, detection, tracking, reporting and analysis. For Sri Lanka, the initial and operational costs for digital and electronic surveillance systems were beyond its budget.

To strengthen the existing system further, the government set up the State Ministry of Primary Health Care, Epidemics and Covid Disease Control in December 2020 to ensure equitable access to primary health care and allied services throughout the country. Later in the same month, the government established another presidential task force, this time for National Deployment and a Vaccination Plan for Covid–19 Vaccine, to identify safe and efficacious Covid–19 vaccines for Sri Lanka in consultation with technical experts. On the recommendation of Shavendra Silva, the Commander of the Army, the Presidential Secretariat appointed 25 senior army officers as coordinating officers for all districts, effective from 1 January 2021. While this was happening, the government of Sri Lanka began to vaccinate the people, but slowly, as there was limited availability of vaccines. The number of newly confirmed cases started to fall significantly in late February. However, a third wave coincided with the celebration of the April Sinhala-Tamil New Year 2021 (International Monetary Fund 2021). As of August 2021, Sri Lanka's number of Covid deaths per million was two orders of magnitude higher than the Indian state of Tamil Nadu, Sri Lanka's closest neighbour, and fourth-worst in the world, after Georgia, Tunisia and Malaysia (*Economynext* 2021). It is important to highlight that 83.5 % of those who died had been unvaccinated. The Covid–19 summary sheet of the Epidemiology Unit by the third week of August 2021 stated that approximately 32 per cent (5,617,819 persons out of an eligible population of 17,655,390) were administrated the second dose, and booster vaccinations were not yet available.[10]

10 According to official sources, by the last week of August 2021, the total number of those infected with Covid–19 stood at 422,244 with 8,371 confirmed deaths (Epidemiology Unit 2021). Lamentably, more than half the total deaths (53 %) were from the Western Province. Among the dead, 57% were male and 43% female

In summary, the government of Sri Lanka relied on the military to lead the pandemic responses. Also, the pandemic provided an opportunity for the military to become more intimately involved in the governance process than ever before. Certain measures were brought forth to deal with a crisis that is very different from a terrorist attack or natural disaster, which begs the question: why did the government of Sri Lanka rely so heavily on military personnel to deal with the pandemic? As Fejerskov and Lang (2020) correctly note, the excessively militarised response in countering the pandemic threatened both civilian freedom and the legitimacy of civil authorities, and probably proffered challenges to democracy and solidified authoritarian practices. With opaque institutional mechanisms such as task forces and gazette notifications, it is not clear how decisions were made, and it was easy for the government to promote politically motivated decisions as essential to the war against Covid–19. In fact, the national response to Covid–19 will have political repercussions and consequences for years to come. When looking at existing surveillance systems in response to the pandemic, there is a great need to set up efficient digitalised information systems for early screening, diagnoses and treatment. While there is no official information as to the ethno-religious breakdown of diagnosis rates, much is known about Covid mortality. Further, due to an insufficient health surveillance mechanism that lacks electronic health records, digitalised information and sufficient health information infrastructure, Sri Lanka experienced an unnecessary delay in understanding, predicting and preparing to face the pandemic. This negatively influenced the processes of containing and mitigating the Covid–19 pandemic.

Rule enforcement and social policies

A global pandemic generally poses a great challenge to the enforcement agencies and judiciary (Brooks and Lopez 2020). In the pandemic context, the governments should define the role of police and military in 'seeking out vulnerable people and providing them with public health information, assistance on how to access services, and immediate protection from violence and discrimination' (Brooks and Lopez 2020). This may involve temporarily reassigning some law enforcement officers from patrol or administrative duties to other public safety missions, such as food distribution or transportation (Brooks and Lopez 2020). Many countries radically changed their approach to policing public safety in the new landscape. Prior to enforcing containment measures, the enforcement agencies should educate the people about the rules and then provide assistance to ensure that the rules are followed correctly. Also, the enforcement agencies must communicate policy changes immediately and broadly to citizens on every level, from the military to ordinary individuals (Brooks and Lopez 2020).

Yet, it has been witnessed that countries immediately sought the assistance of police and military, as Covid–19 generated unprecedented crises that affected everyone at the same time. This generated 'perceptions of bias, disproportionate use of force, and other human rights issues' (Zouev n.d.). Many countries adopted a wide range of measures including declarations of states of emergency and containment measures, yet these measures could be utilised to 'consolidate executive authority at the expense of the rule of law, suppressing dissent and undermining democratic institutions' (Zouev n.d.).

In the context of radical uncertainty, the ways the government of Sri Lanka enforced rules related to virus prevention and improvement of the quality of life of the people of Sri Lanka take on a new importance. Since January 2020, several extraordinary measures were taken ostensibly to arrest the virus spread and to reduce the impact of the public health crisis. When the prevalence of the Covid–19 virus began to increase, President Gotabaya Rajapaksa ordered the Armed Forces to maintain public order, with effect from 22 March 2020 (gazette notification 2168/1). The pandemic response was also termed a 'war on the pandemic' and a 'national security challenge' (Fonseka 2020).This required the army to strictly monitor and surveil curfews, stay-home orders, lockdown, social distancing, mask wearing and public gatherings. The police also took a major part in these tasks. Most notably, lockdown and quarantine measures came to be enforced differently throughout the country. The military and police enforced severe restrictions on travel, the right to assemble and freedom of movement in the areas where Tamils comprise a higher proportion of the population (Tissainayagam 2021; Tamilguardian 2022).

Social policy responses implemented by the governments during the pandemic differ from county to country. Even within welfare regimes, different social policy responses have been implemented. This is because they had different national social policies. Some countries already had a sufficiently supportive system, therefore 'responding to Covid–19 has not required a major departure in terms of policy orientation, though, as elsewhere, there have been new developments – for example, increased coverage of the risks of the self-employed and freelancers' (Béland et al. 2021: 255). Social policy as social security system ensures the 'protection of individuals and families whose livelihoods have been threatened by unemployment, sickness and loss of economic activity during the prevailing Covid–19 crisis' (Cantillon et al. 2021: 327). As earlier stated, 'pre-pandemic social policies' help to recover quickly from the consequences of the pandemic crisis (Jarman 2021) while these policies aim to stabilise the entire health, education, employment and welfare of low-income families and vulnerable populations within the country. Unemployment benefits,

universal credit payments, and lump-sum payments to low-income families are some of the social policy responses introduced in many countries, outside the regular social security system, in response to the pandemic.

In this connection, the social policy responses to the pandemic in Sri Lanka appear to be less comprehensive than required. The government of Sri Lanka opened the Covid–19 Healthcare and Social Security Fund on 18 March 2020 with an initial deposit of LKR 100 million (US$ 500,000) from the President's Fund to provide the necessary assistance and relief measures aimed at containing the spread of the virus. In tandem with the Central Bank, the government also made available relief and stimuli packages such as loans, exemption of demurrage and entry charges for ships, unemployment benefits, an interest-free advance payment and specific nutritional food items for beneficiaries of the Samurdhi Relief Programme, and offered extensions of deadlines on utility bills, assessment taxes and driving license renewal fees, as well as a mortgage relief, a lump-sum payment to households, suspension of the monthly loan payment instalments from the salaries of all public servants, and a goodie pack worth Rs. 10,000 (US$ 50) for those under self-quarantine, all in an effort to avoid catastrophic human, social, and health consequences. However, the data gathered through interviews indicates that cash transfers and distribution of essential rations packs have not been systematically distributed to vulnerable groups in the country. If this is indeed true, then Sri Lanka's social policies have been far from efficient.

In summary, the above matters certainly will have long-term impacts on individuals and groups in Sri Lanka. Thus, the following section sheds light on the impact of Covid–19 on Sri Lankan minorities with a special focus on state pandemic responses, demonstrating that these impacts have been distributed unequally.

Impact of Covid–19 on Ethnic minorities in Sri Lanka

The Covid–19 pandemic has compelled almost every nation to adopt health-related precautious measures to contain the spread of the virus. However, legitimate concerns about the pandemic have been misused to introduce 'laws and policies that are clearly aimed at consolidating power, stifling civil society, restricting independent journalism, limiting individual freedoms, curtailing political opposition, and discriminating against marginalised populations' (Repucci and Slipowitz 2020). The 2021 Freedom House global survey situates Sri Lanka within this current and apparently irreversible global trend. The following section provides an additional dimension to the analysis of how official

government responses have targeted the Sri Lankan minorities, directly or indirectly, in ways that propel them towards higher Covid–19 risk and lower overall quality of life. It explains how the early preventive measures taken by the government failed to prevent successive Covid waves, but successfully paved the way for enduring social and economic inequalities and exclusion of minorities from benefits made available to the rest of the population.

Sri Lankan Tamils

In many countries, swift state action in the face of pandemic ramped up surveillance of minority populations and framed them as the vectors of the disease who needed to be contained rather than potential victims in need of protection (Minority Rights Group International 2021). The information collected for this research reflects the fact that the impact of the pandemic-related health measures has been unevenly felt by Sri Lankan Tamils. Structural and policy responses concerning lockdowns, social distancing and isolation adopted by the government had more severe impacts on Sri Lankan Tamils than on other communities. Pandemic-related regulations on isolation, quarantine and social distancing have disproportionately affected the Sri Lankan Tamils. This insight has re-ignited the debate over whether there is an aim to generate new insecurities for Sri Lankan Tamils.

Since the current regime of Gotabaya Rajapaksha deemed military intervention necessary and useful for pandemic preparedness and health emergencies, Sri Lankan Tamils experienced a greater risk than others in the north and east during this grave public health crisis, because of their association with the LTTE. The concluded armed conflict in 2009 had closely engaged Sri Lankan Tamils who fought against the government of Sri Lanka as their only option for 'correcting social inequalities and deprivation attributed to a fundamental political issue' (Balamayuran 2018: 76). After a decade, the issues that had convinced Sri Lankan Tamils to fight a civil war remain unresolved.

Since the beginning of the Covid–19 outbreak, UN Secretary-General António Guterres reiterated to countries the world over that 'the threat is the virus, not the people' (Guterres 2020). However, the government of Sri Lanka framed the fight against Covid–19 as a war against a nation and described it as a threat to national security. Hon. Minister Keheliya Rambukwella went further and compared the combat against coronavirus with the battle against the LTTE. The minister stated that the corona virus is nothing to those who won

the war against LTTE. Connecting the pandemic to a civil war that affected a particular minority for decades in this way would not ease the situation.

In this context, the government deployed a large number of military personnel to perform various duties. Public health measures were used to insult and intimidate Sri Lankan Tamils in Tamil-populated areas. Soldiers were placed face-to-face with Sri Lankan Tamils, many of whom, even after 12 years, believe that war crime and crimes against humanity committed by the Sri Lankan military should be investigated and punished. Historically, the burdens of both wartime restrictions and public health-based restrictions on movement and behaviour fell unequally on different groups, even when those restrictions were mandated in good faith. The interviews gathered for this article show that by comparison, the stringent restrictions imposed in the areas of the Northern and Eastern Provinces were more severe and the Tamil community's movement during the pandemic came under stricter surveillance, which was managed by putting up additional army checkpoints and barricades. The measures greatly restricted the ability of Sri Lankan Tamils to work, move about outside their homes, and interact with friends and even family members. People travelling on the A9 road, which connects the district of Jaffna with Central Province, were strictly screened, yet this was not the situation elsewhere. Tamil people had to produce a valid reason for using A-9.

To enforce the regulations, the military was heavily deployed to surveil the movements of ordinary Tamil people on the streets. The level of compliance resulted in further exacerbation of discrimination already experienced by many Sri Lankan Tamils. Further, the Sri Lankan army arbitrarily arrested, detained and even beat up Sri Lankan Tamils for contravening the lockdown measures, including individuals who provide essential services in their area. The military personnel in Tamil areas adopted a strict lockdown while allowing a more lenient lockdown in other areas. Deficient mask-wearing became the legal pretext for the execution of state form of violence in the north and east. Obtaining a curfew pass, approval from the District Secretariat and Civil Affairs Division of the Army was needed. On occasion permission from Presidential Task Force was required. The various forms of surveillance measures carried out by the forced police and military, in the name of suppressing the Covid virus, effectively restricted the movements of some Tamils far more comprehensively than makes sense from a public health perspective.

In addition, since March 2020, police and intelligence services were mobilised for contact-tracing of infected persons in the north (Tissainayagam 2021). Even before the pandemic,

army personnel patrolling the streets day and night was normal. However, the pandemic provided a reason for a massive army personnel deployment. Different sections of the army were deployed to monitor people's every move; this is certainly not how the army and police worked in the other parts of the country. The military in several parts of the north and east placed barricades to control the movement of the local population. The government was more engaged in applying measures in the areas where Sri Lankan Tamils predominantly live than areas where Sinhalese are densely concentrated.

People were fined or sometimes arrested for breaking quarantine and lockdown regulations. In the north and east, the people were beaten for breaking rules. In this way, the police and military constructed the virus in the north and the east as an enemy to the Sri Lankan nation. In fact, this enabled the government to defend the militarisation in Sri Lanka, especially north and east. People in the north and east were predominantly targeted and excessive force was reported, although no cases had been found in the first wave of Covid–19 in the districts of Mullaitivu, Kilinochchi, and Mannar. In the Tamil areas, after curfew was announced, many barricades in the streets were set up by the military. However, this did not happen in other parts of the island. This clearly indicates the militarisation of state responses, exacerbated during the pandemic and performed with impunity.

Around 50 schools in the Jaffna and Mullaitivu districts were seized and converted into quarantine centres for armed forces without the consultation of the Education or Health departments (Tamil Guardian 2020). Local protests were ignored (Jang 2020; Tamil Guardian 2020). As everywhere on the island, army personnel administered vaccines, which raised other concerns among the Tamil community. Some speculated that the government was trying to murder all the Tamils living in the north, in order to allow China to occupy their lands. They supported this far-fetched claim by connecting the dots between military administration, a massive debt to China for infrastructure projects, and the decision to use a China-produced vaccine in this part of the country. Many individuals interviewed for this research expressed fear about the Sinopharm vaccine.

Although public health officers provided the vaccine doses, the military organised and monitored the vaccination programme. Most of the quarantine facilities were located in the north and east of the country in conditions that still resemble military occupation (Jang 2020). In a nutshell, the widespread threat of the Covid–19 virus and its devastating consequences has provided the opportunity for the government of Sri Lanka to increase its

military presence in Northern Province. Also, the placing of strict surveillance mechanisms through the police and military have further restricted the freedom of movement of Sri Lankan Tamils. Even without Covid, government policy in Northern Province and Eastern Province is basically military occupation and population suppression. Many people in government wish to promote the image of a democratic, multicultural Sri Lanka to the outside world, and continued de facto occupation in Northern Province is inconsistent with this image. But they also worry that a new civil war might break out at any time. The pandemic provided a rationale for continuing policies that have no connection with public health.

Sri Lankan Muslims

It has been recorded that one-third of the Covid–19-related mortalities were of minorities, of which more than half were Muslims. Muslims appear to have the highest Covid–19 mortality rates nationwide (Epidemiology Unit 2021). Muslims make up 9.2 per cent of the total population, yet represent 16 per cent of deaths confirmed to have been due to Covid–19. By comparison, the Sinhalese as the largest ethnic group represent 74 per cent and recorded 68 per cent of Covid–19 related deaths. Sri Lankan Tamils and Up-country Tamils constitute over 17 per cent of the population, but only 13 per cent of Covid deaths. The ethnic imbalances related to Covid–19 deaths pave the way for an in-depth investigation as to why the mortality rates among Sri Lankan Muslims were higher in the face of the pandemic.

Generally, what 'antidemocratic leaders have in common, however, is their use of convenient scapegoats to distract [critics] from governance failures, bolster public support, isolate domestic opponents, and drive a wedge between their own citizens and international advocates of political freedom' (Freedom House 2018). In the pandemic context, to divert attention from the country's deteriorating economic and political condition during the Covid–19 outbreak (DeVotta 2021; Moinudeen 2021), the government of Sri Lanka targeted Muslims, who have enjoyed little public sympathy since Easter Sunday, 21 April 2019, when eight members of a Sri Lankan Islamist group coordinated attacks on three Christian churches and three leading luxury hotels in Colombo, taking the lives of 259 people, including 49 foreign nationals, and injuring more than 500. This was the first-ever terrorist action to be associated in any way with the Sri Lankan Muslim community, and Muslim political leaders were among the most vocal critics of the attacks. However, the Easter Sunday attacks led many, including politicians and state media, to propagate a frightening image of Muslims in Sinhalese minds. The

pandemic gave the government the opportunity to impose new restrictions on Muslims and their religious practices, and to scapegoat the Muslim community (Abdul Saroor 2020; Moinudeen 2021; Amarasuriya 2020). In this light, the government's 'cremation only' policy can be seen primarily as a vehicle for the harassment of Muslims that had, at best, a limited connection to public health.

Guidelines, set on 27 March 2020 by the Ministry of Health, had allowed both cremation and burial of the suspected or confirmed Covid–19 deaths, with certain conditions. However, when the first Muslim death occurred in Negombo on 30 March 2020, the public authority insisted on cremating the body, against the family's wishes. A subsequent regulation (11 April 2020) made cremation compulsory. Cremation is forbidden under Islam. As a result, compulsory cremation is directly against religious beliefs and discriminates against individuals belonging to the Muslim community. The government needs to realise that a public health emergency does not give the privilege to violate the fundamental rights and liberties of individuals; in fact, the government has a duty to protect them.

Between 27 March 2020 and 31 December 2020, 50 Muslims succumbed to the disease and all were cremated (Tamil Guardian 2021). Civic resistance activities such as peaceful protests began to take place everywhere in the country. Petitions against the 'cremation only' policy were filed at the Supreme Court, but all were dismissed on 1 December 2020 with the consent of a majority of the judges. Sri Lanka's medical establishment quickly rose in response. An expert committee consisting of 11 microbiologists and virologists appointed by Sudarshanie Fernandopulle, the state minister for primary health services, pandemics and Covid prevention on 24 December 2020 recommended the inclusion of both burial and cremation in the policy. During the second wave, the death rate of Covid–19 infected Muslims was more than 15 per cent and more burials were to take place. Although a few Sinhalese monks appealed to the President to review the mandatory cremation many Sinhalese believed that the burial of dead bodies should not be questioned.

At this critical stage, the country's two medical associations came forward and advocated for the safe and dignified burial and cremation for Covid–19-related deaths. On 31 December 2020, the College of Community Physicians of Sri Lanka (CCPSL), an authoritative body, released a position paper highlighting that 'with more than 85,000 published scientific literature on Covid–19, not a single case has been reported due to

virus transmitted through a dead body' (CCPSL 2020: 2). The CCPSL also urged the government to adhere to global guidelines 13, 14 and 15, allowing each citizen of Sri Lanka to be cremated or buried as per their and the family's wishes, within the strict guidelines recommended by the Ministry of Health (CCPSL 2020). On 1 January 2021, the Sri Lanka Medical Association also supported the burial of Covid–19 dead bodies. However, when Health Minister Pavithra Wanniarachchi addressed the Parliament one week later, she stressed that the decision on compulsory cremation would not be altered for social, religious, political or any other personal reason, and falsely claimed that the buried bodies would contaminate the groundwater and lead to the spread of the coronavirus.

This created a strong foundation for Muslims to doubt the government's efforts in the fight against the pandemic. However, international pressure continued against the 'cremation only' policy, with the UNHCR, Organization for Islamic Cooperation and Amnesty International continuously taking the lead. In addition, Muslims joined a five-day 'Pothuvil to Polikandy' March for Justice (3–7 February 2021) with Sri Lankan Tamils in the North-East, culminating in a P2P' rally that demanded an end to compulsory cremation. With all the pressure from the local and global bodies, the government of Sri Lanka decided to permit burials of Covid–19 victims, but this provides little comfort for the families of more than 200 Muslims who were cremated before the policy was changed.

In addition to the clearly intended denigration of the 'cremation only' policy, individual-level affronts by members of the police and military personnel were so common that it is possible to imagine that their actions were directed. In the name of public health, officers of both institutions were allowed to enter homes, by force if necessary. Many virus-infected Muslims have recounted how aggressive and militarised responses were during what should have been routine contact tracing and quarantine enforcement exercises. Government authorities, especially security personnel, used intimidation and excessive power to trace infected people and place them in quarantine centres. Ali Zahir Moulana, former Member of Parliament, stated that 'the health officials and police visiting the grieving families are very insensitive. They round them up like they are terrorists. It is not just discriminatory; it is inhuman' (quoted in Srinivasan 2020). This shows that contact-tracing measures have been implemented differently at the local level.

Although the cremation policy has been lifted, the Muslim community has not recovered from its impact (Slater and Fonseka 2021; Amnesty International 2021). Muslims who contracted the virus have been seriously discriminated against at hospitals by public

health officials (Abdul Razak and Mohamed Saleem 2021; DeVotta 2021). Muslims avoided public hospitals due to fear of discrimination. Muslims were at high risk of virus transmission in part due to their over-representation in the business and commerce sector and partially due to cultural factors such as living in densely populated areas, and other social and economic factors such as education and health.

A few recent studies have pointed out that economic and social disparities have played a significant role in the disproportionately high numbers of Muslims who contracted Covid–19 (Silva 2020; DeVotta 2021; Abdul Razak and Mohamed Saleem 2021). While analysing the influence of population density in the distribution of infections from early March to late May 2020 in the USA, Wong and Li (2020) emphasise that population density does not appear to have been a significant factor in the early stage of the pandemic, but it had a major effect during the later stages. Their analysis matches to a great extent the case of Muslims in Sri Lanka. Muslims are concentrated in densely populated areas where, ethnicity aside, the virus has been vicious. This situation has projected a misleading image of Muslims in the face of pandemic – population density and by no means religious affiliation is the culprit – yet has laid bare pre-Covid–19 Islamophobic structures.

Up-country Tamils

The Covid–19 pandemic has disrupted every aspect of the lives of Up-country Tamils in Sri Lanka. Unlike their Sri Lankan Tamil counterparts, a significant portion of the Up-country Tamil community lives hand-to-mouth with daily wages that rarely exceed Rs. 1000 (US$ 5). Even before the Covid–19 pandemic, the estate workers of the Up-country Tamil community had experienced falling living standards and staged wage hike protests, leading to some demands being accepted, albeit with some conditions.[11] The Covid–19 negative impacts are common to many within this ethnic group and the unequal access to accommodation, health, employment and education by generations has made them more vulnerable than others.

For Up-country Tamils, the distancing measures adopted during the pandemic were impractical and almost impossible, due to the poor quality and overcrowded housing conditions. Accommodation and housing for the vast majority of Up-country Tamils had remained unchanged since they were set up under British rule. A rectangular building is

11 Rs. 1000 (US$ 5) is paid only to those who have minimum daily output of 20 kg of green leaves per day.

partitioned into many line units, each divided into a small living room and a tiny bedroom. More than ten families share facilities such as water taps and toilets. These line-houses are unsuitable for the large, extended families that inhabit them. In the pandemic context, the overcrowded conditions have exacerbated the risk of contracting Covid–19. Emergencies like Covid–19 provide opportunities to reconsider the social policies related to housing for Up-country Tamils in the 21st century.

More than the housing, healthcare and transport in the plantation setting are desperately insufficient. During the pandemic, the lack of an efficient health care system has significantly disadvantaged the Up-country Tamils. Healthcare existence, much less health equity, is still not a reality in plantation settings. Clinic staff does not include physicians with MBBS qualifications. Instead, plantation employees and their families may use an estate dispensary with outpatient services and a medical assistant who doesnot even possess the required basic qualifications. Inadequately developed health care facilities compelled people from the estate areas to travel to town hospitals for Covid–19 treatment. Further, the pandemic has proven how essential public transport is for access to essential services. None exists for the estate workers. The closest hospital is a several-hours' walk on unpaved, zigzagging roads, an exhausting journey even for healthy people. In the pandemic context, the poor transportation infrastructure and facilities exacerbated the frustrations of Up-country Tamils.

Further, although the government of Sri Lanka announced pandemic relief packages for low-income categories, these have not reached all members of the Up-Country Tamil community. The government's social policy responses were not enhanced to support the longer-term unemployed among the Up-country Tamils. Struggling estate families were provided with a monthly pandemic relief allowance of Rs. 5000 (US$ 25) in the initial round of government support. However, estate workers and garment factory workers have not received an additional cash allowance of Rs. 5,000 (US$ 25), which was distributed widely throughout the country, on the grounds that their employers should take care of their welfare (Chandrabose and Ramesh 2021). Conditions became even worse during the second round. Although travel restrictions were lifted and individuals were allowed to perform their economic activities, the provision of direct transfers of cash allowance of Rs. 5,000 (US$ 25) was restricted to the recipients of elders' allowance, differently abled, chronic kidney disease, and Samurdhi programme, and not to many other vulnerable families.

In addition, persons employed in the plantation sector are generally not eligible for redundancy pay or furlough pay. Even before the pandemic, estate workers received no occupational benefits during sick leave. When estate workers contracted Covid–19, the plantation companies did not provide any financial support, nor did they facilitate access to health and social services. They did provide some grocery items, but this was treated as a loan. Temporary workers were left destitute during the complete lockdowns, as they were effectively unemployed.

Above all, the nationwide school closures during the Covid–19 led the Up-country Tamils to deal with a sudden shift to distance learning. Limited access to the internet severely affected the educational outcomes of the Up-country children. Estate children did not possess smartphones or laptops, the essential prerequisites for effective distance learning. Their parents are deficient in digital knowledge and cannot provide the required learning atmosphere for their children. The move to online learning has thus magnified the 'already existing socio-economic inequalities entrenched in the state's educational framework including those children living on tea plantations' (Vincent and Kitnasamy 2020). Therefore, 'the children in plantation communities are in danger of not only dropping out of school but also of being pushed into child (including bonded) labour' (ibid).

Also, the conditions of survival for women in general have considerably worsened. Anecdotal evidence indicates that women of all ages have been subject to unprecedented levels of violence and a considerable increase in domestic violence has been recorded in many estates. Covid–19 has also had a significant impact on the Up-country Tamils due to the lack of access to essential services. The limited access to supportive systems has severely affected the everyday life of Up-country Tamils in Sri Lanka. Since the plantation companies were not committed to containing the risk of Covid–19, the pandemic left estate workers, their families and their community unprotected. The workers, especially tea-pluckers who are mainly women, were at severe risk of workplace exposure as they interacted with other workers, yet they were not provided with personal protective equipment such as facemasks, gloves and sanitisers. Again, the workers were not able to bear the expenses for this kind of purchase.

The above situation, exacerbated by the pandemic, is likely to be attributed to broader existing social and economic inequalities and suggests that people from the Up-country Tamil community experience major barriers when accessing health and education facilities in the face of the pandemic. In fact, half of the relief offered by the government in response

to the pandemic did not reach the Up-country Tamils, leading to a further widening of socio-economic inequalities. Almost all ethnic minorities of Sri Lanka have been affected by the pandemic, yet Up-country Tamils are likely to live under deprived conditions worse than those experienced by other ethnic minorities. The government of Sri Lanka has failed to provide adequate support to the Up-country people. As a nation, Sri Lanka has an abundance of healthcare facilities, but they are not accessible to Up-country Tamils, whose inadequate healthcare options have a disproportionate impact on life and mortality in the face of the pandemic. The government's response to pandemic-related social policy for Up-country people is therefore inadequate and discriminatory.

Conclusion

It is clear that the desperate negative impacts of the grave global health crisis on ethnic minorities are severe and distressing in Sri Lanka. It is important to keep in mind that the numerous social, economic and health vulnerabilities of minorities in Sri Lanka are deeply rooted in historic and ongoing social and economic injustices. At the same time, the government's official responses to the pandemic have been neither inclusive, resilient, nor impartial. They appear to be very much nationalistic and centralised. The government used the pandemic to implement measures to control minority communities that they had dreamed of but could not implement in normal times. Of course, these moves can be expected to lead to lasting damages to public health, the economy and politics.

As far as the Sri Lankan Muslims are concerned, the government's rules and regulations to contain the virus posed a serious cultural threat with long-term implications. These regulations were not simply spur-of-the-moment decisions, but a strengthening of Islamaphobic structures that have existed for some time. Muslims are at greater risk than Sri Lankan Tamils and Up-country Tamils, as they have been experiencing both covert and overt forms of discrimination and violence in the aftermath of the Easter Sunday attacks. Sri Lankan Tamils, who have been discriminated against for decades, have been again threatened due to precautions and regulations enforced by the army and police who act as powerful officials rather than civilian authorities in the northern and eastern areas of the country. The overwhelming presence of the military during the pandemic has made the Sri Lankan Tamils more vulnerable to punishment for non-compliance with pandemic regulations. Continued marginalisation and harassment is likely to encourage certain groups, especially young people, to move towards a radical path which could lead to a vicious cycle of conflict, frustration and mistrust between communities. Up-country

Tamils are most likely to live in crowded housing with inadequate access to healthcare, education and livelihood opportunities. These very conditions prevent them from adhering to health regulations, primarily social distancing and quarantine requirements. If the government fails to address the real issues faced by these three ethnic minorities, it will lay the groundwork for an even more fragmented Sri Lanka in the near future.

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