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Bhopal Gas Disaster Verdict: Virtual Clean Chit for Corporate Crime

More than 25 years after the infamous Bhopal Gas Disaster, a trial court in Bhopal has delivered a verdict that is nothing but a cruel mockery of justice. Not only does the verdict insult the victims of one of the world's worst industrial disasters by letting off the mighty CEOs who were the chief perpetrators either scot free or with a ridiculously light sentence, it amounts to an assurance to MNCs they will enjoy total impunity in India even when their negligence and violations of regulations leads to loss of thousands of Indian lives and injury to several thousand more.

In December 1984, 40 tonnes of Methyl Isocyanate (MIC) leaked out of the Union Carbide Corporation's pesticide plant in Bhopal, exposing over 5,00,000 people to the toxic fumes. 25,000 people died as a result, and hundreds of thousands of persons suffered irreversible damages to their health. The poison in the soil and water continues to affect future generations.

After over 25 years, the trial Court gave its verdict allowing the Union Carbide CEO Warren Anderson (declared an absconder) to go scot free, while convicting eight representatives of the Indian operatives Union Carbide India Limited (UCIL) including former UCIL Chairman (and present CEO of Mahindra and Mahindra) Keshub Mahindra for a mere two years. All those convicted received bail on the same day.

The injustice of the Bhopal verdict is not just a comment on judicial failure to deliver justice - it rings a warning bell that every Indian should heed. It warns us as to how the Indian establishment's policy of pandering to the United States and its corporations (a policy of which the Civilian Nuclear Liability Bill is the latest example) is injurious to the health and safety of India's people. The US establishment is fully aware of these implications: it has reacted to the Bhopal verdict by "hoping that the verdict will not affect" the growing ties between India and the US and the Nuclear Liability Bill in particular, and instead will provide "closure" for the victims of the tragedy.

For the Obama Administration to speak of the verdict offering "closure" to the Bhopal Gas victims is a callous act of adding insult to injury. The US has ruled out any discussion of extradition of Warren Anderson to face criminal charges in India, and is urging India to pass the Civilian Nuclear Liability Bill that seeks to protect the US suppliers of nuclear reactors from liability to pay compensation in the case of a nuclear accident, and to cap the liability of operators at a mere \$470 million - a sum that the Bhopal experience has proved to be grossly inadequate.

Contrast this attitude of the US with the Obama Administration's angry declarations to pursue criminal charges against British Petroleum for the oil spill off the Louisiana coast that claimed 11 lives recently. Protecting US corporations from civil and criminal liabilities for Indian lives lost, and pursuing criminal charges against corporations responsible for American lives lost - the shameful US double standards are all too apparent!

The Indian Government has done nothing to demand that Warren Anderson, CEO of Carbide, be extradited to India to face trial. Dow Chemicals, which has taken over Carbide, has refused to take responsibility for cleaning up the Union Carbide factory wastes, yet Indian ruling class parties and governments have done their best to roll out the red carpet for Dow. Following the trial court verdict, Congress spokesperson Abhishek Manu Singhvi has shed crocodile tears for the Bhopal victims by demanding that the laws on rash and negligent acts be made more stringent. This posturing is exposed by the fact that Singhvi himself is also the long-term legal counsel for Dow Chemicals!

Not only must we protest against the shameful verdict and demand that Warren Anderson be extradited and Dow Chemicals made to pay for cleaning up the polluted sites and for medical care of the victims, we must also call insist on the blacklisting of the offending MNCs and above all, scrapping of the Civil Nuclear Liability Bill to ensure that the tragedy of Bhopal and its shameful consequences are never repeated on Indian soil!

Message from West Bengal Municipal Polls

On May 30, urban as well as semi-urban West Bengal (many municipalities are still considerably rural) voted to elect 81 municipal bodies across the state. Unlike panchayat elections, municipal elections are not held simultaneously all over the state - many municipalities have a different electoral calendar. Yet as municipal elections go, this was surely the biggest round of elections covering the metropolis of Kolkata and its predominantly middle-class neighbourhood Bidhan Nagar (Salt Lake) as well as modest sub-divisional and block headquarter towns in peripheral districts. The results have predictably been disastrous for the ruling Left Front. Its writ now runs in only 18 of these 81 municipal bodies, just a third of what the Left Front had won five years ago.

There was no formal electoral tie-up between the TMC and the Congress in these elections. Commonsense suggests that such a division should prove beneficial for the Left Front. In fact, the entire 'revival package' or 'survival strategy' of the CPI(M) in West Bengal revolves around a pathetic attempt to wean the Congress away from its partnership with the TMC. Yet results clearly show that the CPI(M)/LF has lost miserably despite the TMC-Congress divide. In fact, had there been a formal tie-up between the Congress and TMC, the CPI(M)/LF tally would have been further reduced. The erosion of the LF is reflected most tellingly by its humiliating loss in municipalities considered invincible CPI(M) strongholds till recently. The CPI(M)'s failure to open its account in a municipality like Memari in Bardhaman district is probably the most shocking of all results in these elections.

The People's Democracy editorial on West Bengal municipal poll results has made a ridiculous ostrich-like attempt to downplay the poll debacle and its implications for the LF. The editorial argues that every election is a different ballgame, and therefore there is nothing supra-municipal about these elections and their results. As far as the May 30 municipal polls are concerned, nothing could

be farther from the truth. Municipal issues took a backseat in most places and the entire election became just another referendum against the CPI(M)'s increasingly discredited rule in the state. The CPI(M) too fought the polls in this overarching political context – its campaign highlighted its belated attempt to address Muslim grievances and on the last day of the campaign there was a desperate attempt to cash in on the Gyaneshwari Express tragedy. It is another matter that nothing worked in favour of the CPI(M).

Before last year's Assembly by-elections Jyoti Basu had infamously appealed to traditional Congress supporters to vote for the CPI(M) which had predictably fallen on deaf ears. During the municipal poll campaign, Buddhadeb Bhattacharjee carried it one step forward and asked BJP supporters in his home constituency Jadavpur to support CPI(M) nominees against TMC! The State CPI(M) Secretary of course sought to make light of this loaded political appeal by soliciting votes from Congress and TMC supporters as well! Who knows how many more such gems are awaiting us in the run-up to 2011!

The Chief Minister and one of his key cabinet colleagues, industries minister Nirupam Sen, both avoided the PB meeting after this latest poll debacle. CPI(M) circles are debating whether the cause of the debacle should be searched in administrative lapses inside West Bengal or in the central leadership's violation of the Party's Coimbatore Congress line which had apparently ordained the party to stick to the course of collaboration with the Congress and not risk any confrontation. The so-called rectification campaign remains a non-starter. In any case the rectification document reads more like an ethical edict against consumerism than a political call to fight opportunism.

Talking about consumerism, is it just a question of new party members falling prey to the dominant cultural milieu driven by India's globalising capitalism? Could there be a more shocking example of consumerism than the CPI(M)'s 2009 LS election campaign that revolved overwhelmingly around the 'tragedy' of Tata Nano not being able to be 'born' in West Bengal?

Apart from 'consumerism', the other issue being debated in the CPI(M) seems to concern democratic centralism. The latest issue of CPI(M)'s theoretical quarterly has a signed article by Prakash Karat in defence of democratic centralism. But if the major lapses in West Bengal all belong to the domain of 'democracy' what about the centralised guidance under which this democracy has all along been conducted? What about the party's 'updated' programme and tactical line which has redefined the role of state governments led by the party as brutal agencies of implementation of neo-liberal policies, a role which has been played out to perfection by the Buddhadeb regime under the benign supervision of CPI(M)-style 'democratic centralism'?

No matter how the CPI(M) deals with these questions in the coming days, the Left movement in the country cannot afford to overlook the message from West Bengal, and will surely have to provide an appropriate communist answer to the rightwing resurgence happening in the state in the garb of maverick populism.

Call the PM's Bluff on Human Rights in Kashmir

During his recent visit to Kashmir, the Prime Minister made a declaration that violation of human rights on part of armed forces would not be tolerated. On the very eve of his visit, three youths were killed in a fake encounter in Machil, Kupwara, with army officials staking claims to rewards based on

false claims of having killed militants. And this incident is no aberration - there are allegations by human rights groups of mass graves all over Kashmir, and in none of the innumerable cases of fake encounters has the Government at the Centre or in J&K ever shown any will to prosecute or punish the offenders.

Not only that, in the few cases (such as the Pathribal fake encounter of 2000) where charges have been filed against army officials accused of fake encounters, the Government and Army alike have encouraged the accused to take recourse to the infamous AFSPA in order to escape trial. In cases like the alleged rape and murder of two young women a year ago at Shopian, the Central Government and its investigative agencies have all colluded to cover up the truth.

As long as the Central and State Governments collude to patronise and protect the military personnel in Kashmir who take fake encounters and custodial torture and killings to be the norm, any talk of 'human rights' on part of the Prime Minister can only be eyewash. Instead of hollow slogans of human rights, the people of Kashmir need withdrawal of armed forces, scrapping of the AFSPA, and timely and ruthless prosecution of all military personnel accused of extra-judicial killings.

Indo-US 'Strategic Dialogue': Binding India Closer in Imperialism's Embrace

The Indo-US Strategic Dialogue that has taken off early this June in Washington DC, capital of the United States, is an attempt to bring various key Indian sectors closer into the US embrace. The process, begun during President Bush's visit to India, with the Indo-US Knowledge Initiative on Agriculture being launched alongside negotiations towards the Nuke Deal, is now being taken much further and deeper.

The 'Strategic Dialogue' saw India represented by Minister for External Affairs S M Krishna, Deputy Chairman of the Planning Commission and architect of the neoliberal project in India Montek Singh Ahluwalia, HRD Minister Kapil Sibal, and Minister of State for Science and Technology Prithviraj Chavan, and the US by Secretary of State Hillary Clinton, as well as representatives of the US Security and Intelligence establishment.

According to a 'U.S.-India Strategic Dialogue Joint Statement' issued on conclusion of the Dialogue, the Dialogue covered the many opportunities to deepen cooperation between the two countries - in security and counter-terrorism, trade and investment, science and technology, infrastructure investment, climate change, energy security, education, agriculture, food security, and healthcare. As Robert O. Blake, Jr., US Assistant Secretary, Bureau of South and Central Asian Affairs, indicated in his press briefing on the eve of the Indo-US Strategic Dialogue, "On the bilateral front, we have 18 separate dialogues underway between the United States and India to really try to capture the full scope of the opportunities ahead of us."

In the same press briefing, the US Assistant Secretary categorically informed his American audience that the US was keeping a close eye on the nuclear liability legislation in India, which when passed "would provide a very important legal protection and open the way for billions of dollars in American reactor exports and thousands of jobs." In the wake of the recent Bhopal verdict, it is clear that while the liability legislation spells "billions of dollars" and "legal protection" (read impunity) for US reactor companies, it spells more corporate crimes and endangering of the safety and health of people in India.

The US interest in education legislation in India, in particular the Foreign Universities Bill, also came out clearly, with US representatives expressing the hopes that this Bill would soon be enacted. Behind the US eagerness for the Indian education market lie not just commercial interests but long-term political and foreign policy objectives. The US-educated Indian-American community has played a key role in facilitating the present phase of Indo-US strategic partnership. With Indian students getting American degrees on Indian soil, the pro-American constituency within Indian middle classes and policy-making establishment is likely to expand further. The 'Obama-Singh 21st Century Knowledge Initiative', already launched last year, is yet another mechanism through which the US is likely to influence and shape the education agenda in India.

The Strategic Dialogue comes in the wake of the launching of 'Economic and Financial Partnership' between India's Ministry of Finance and the US Department of the Treasury in April 2010, the Indo-US 'Framework for Cooperation on Trade and Investment' in March 2010 and the 'Memorandum of Understanding on Agricultural Cooperation and Food Security.' The thrust of all these 'partnerships' was indicated by Hillary Clinton's urging of India "to reduce or ease caps on investment in critical sectors." She also noted that "the US military holds more exercises with India than with any other country". The US military-industrial complex is clearly looking to corner the huge Indian market for arms imports - a key part of the "strategic dialogue" agenda.

US Under Secretary for Political Affairs William J. Burns, on the eve of the Strategic Dialogue noted that India had "\$1 trillion worth of new projects to build highways, airports, electrical power stations and other infrastructure", representing "major potential opportunities for American firms", and also argued for "easing of caps on investment in critical sectors" to facilitate the entry of US firms.

While there was much talk of shared counterterrorism objectives, there was conspicuous silence, even on the Indian side, on the dubious and murky attitude of the US to David Headley, one of the key masterminds of the Mumbai terror attack.

The Headley episode and the Bhopal gas disaster are just two reminders of the deep inequalities between the US and India and double standards of the former towards India. Any 'strategic partnership' between the two can only be scripted and directed by the US in its own interests - and is bound to be deeply damaging to the interests of the Indian people. We must resist this growing US interference in critical sectors of Indian economy and national life and defend and assert India's sovereignty and independence with all our might.

Red Salute to the Dauntless Martyrs of Ghorhuan!

Inauguration of Martyrs' Memorial and Pledge Assembly

On 3rd June 1975, the eve of Emergency, fifteen brave soldiers of people including Comrades Virad Manjhi, Gyaneshwar Yadav and Rambabu Yadav inscribed a new chapter in the epic battle for liberation of Indian people. They chose to confront the oppressors of people and embrace martyrdom rather than slipping away from the encirclement - an alternative they could have exercised - after 18 hours of courageous battle with police of many thanas and paramilitary forces like the CRP and BMP at Ghorhuan village in Masaurhi block of Patna Dist. All the fifteen comrades never hesitated for once in seriously risking their own life for realization of New Democratic Revolution led by CPI(ML) - an India where workers and peasants would also be the governors of affairs along with rest of the

democratic section.

Comrade Virad Manjhi (40, hailed from Dehri village in Punpun) was the chief commander of Lal Dasta (red squad) and also member of the then Patna-Gaya Zonal Committee. Comrade Gyaneshwar Yadav (native of Baxar; a.k.a. Nagendra) only 25 at the time of martyrdom, was member of Bihar State Committee and chief political advisor of the Lal Dasta. Amongst the Party organisers Comrade Rambabu Yadav (28; a.k.a. Kailash) was member of the Patna-Gaya Zonal Committee, Comrade Prakash Chandra Mukherjee (27; a.k.a. Gopi) was area committee member and Comrade Ramjatan Manjhi (22; also younger brother of Com. Virad Manjhi) was also a squad commander. The other martyrs were all soldiers of the squad – Ramji Manjhi (21; Dehri in Punpun); Rajvallabh Ravidas (20), Rajaram Ravidas (25), Kavindar Ram (20) and Girija Paswan (22; all four hailing from Dekuli vill. In Punpun); Nageshwar Manjhi a.k.a. Suresh (26; Behrawan Chak, Punpun); Ramdas Paswan (20; Harwaspur in Masaurhi); Ramavtar Sav a.k.a. Sipahi ji (50; Larha in Dhanrua) and Kishori Bind (40) and Bindu Paswan (24), both hailing from Madhuban in Dhanrua.

People of many villages where Party's struggle is prominent have erected memorials on their own initiative for the martyrs hailing from their villages. However, none of the martyr at Ghorhuan was native of this village. The Masaurhi Dhanrua Committee decided to construct a glorious memorial at Ghorhuan and the comrades worked round the clock to accomplish this in a short period of 18 days. Party's pro-people sculpturers have erected this memorial in such a way that it has animated the dreams and sacrifices of the martyrs. Comrade Mohan Manjhi who received bullet injury in that battle and spent long years in jail donated all of the land for the memorial without a second thought. The memorial is thirteen feet tall, fifty feet long and eighteen feet wide. Bihar State Committee member and area incharge Com. Satyanarayan Prasad took responsibility for the work. The memorial inspires the onlooker for fighting for a new and better world.

Our political adversaries spread rumours that three lakh rupees have been taken from the Govt. for this memorial and this mischief of theirs was promptly exposed by our cadres very soon. The night before the inauguration village people, mainly everyone from the Mushahar toli maintained vigil all night. There is one Harijan Residential School at Ghorhuan whose all students attended the inaugural ceremony in their school uniform. It was a big festival for the people of Ghorhuan village.

People from all over Patna dist. gathered in Ghorhuan for the ceremony, even those comrades of 70's who have long become politically inactive came with their families to attend this festival. Many comrades born in Kurmi caste who had distanced themselves during Party's struggle against Bhumi Sena post Ghorhuan also came for this ceremony. It was evident that this ceremony has shattered caste boundaries and kindled afresh class solidarity and consciousness. Notable was the presence of large number of women whose near and dear ones have sacrificed their lives in Ghorhuan and other similar liberation struggles. They all found an identity in this ceremony which evoked the feeling for reinvigorating their revolutionary legacy. In the process of erecting this memorial other memorials close by were also renovated.

Many cultural performances were there on this day. In the beginning Comrades Dipankar (Party GS), Nandkishore Prasad (Party's State Secretary) and veteran Party leader Pawan Sharma felicitated the families of martyrs and those who were jailed in this struggle. Party Flag was presented to Com. Mohan Manjhi and his wife.

The pledge taking ceremony started after the inauguration of the memorial. Com. Pawan Sharma who was then working in this region recalled the entire incident in its context, of how the police and paramilitary had encircled the village and how the comrades safely guided the people out of the village and when till evening the police could not enter the village and many of the police personnel were killed they set the village on fire. The fifteen comrades were martyred in police firing when

they were leaving village to escape fast spreading flames.

The pledge ceremony was also addressed by other State level comrades who underlined the importance of the Ghorhuan and similar battles by mentioning that whatever pro-poor policies like NREGA have been legislated are the result of these struggles.

In the end Comrade Dipankar Bhattacharya addressed the pledge taking ceremony. He said that this battle for liberation was historic and has been kept alive by many heroic martyrs and is still very long. He referred to the talks of caste divisions and said there was no division among the fifteen martyrs of Ghorhuan on basis of 'upper' caste or dalits, intellectuals and illiterate workers, or urban and rural. All these comrades sacrificed their lives together for a common dream - of a new society! All of us here today are living the same dream and the struggle for it is spreading and advancing constantly on the basis of increased participation of workers and peasants, women and young men in the struggle led by the Party and the Red Flag. Bihar's oppressed class has won dignity and respect due to these struggles. However, Bihar still faces a big issue - i.e. of land reforms, he said, in absence of which Bihar is still backward where poverty and unemployment is utmost. Bihar's poor and toiling people will gain full dignity and real independence only when the agenda of land reform is accomplished and landless people get land for tilling, homeless get the land for their own dwelling place and sharecroppers and pattedars get all rights and facilities. That day the feudals will learn what worth they are.

He said that the feudal forces backed by the State power and currently counting their last breaths are threatening of massacres. If, on the one hand founders of private militias, planners and perpetrators of massacres are uniting in the name of Kisan Mahapanchayat, then on the other Maley (CPIML) has resolved that the agenda of land reform will be implemented in its comprehensiveness. We have resolved that this battle, even if we have to fight alone, we will take on the entire feudal forces of Bihar because this is the Party of Ghorhuan martyrs, Virad Manjhi's Party, Jagdish Master's Party, Butan Ram's Party and it has enough strength to sweep-off the feudal forces, he said.

He said that the reason behind Nitish Kumar's forming the Land Reforms Commission was his fear due to broad mobilization and consolidation of poor and oppressed against feudal forces and now under fear from feudal forces he has refused to implement the Commission's recommendation. Pointing to large number of legislation related to land reforms he said that none could be enacted in flesh and blood because feudal forces have bulldozed them every time and till the poor people do not take upon themselves the responsibility for actually implementing it in letter and spirit it will not happen. Today we have to strongly say that the reins of Bihar will be in the hands of those who are in favour of land reforms.

In the end it was decided that every year when we celebrate Martyrdom Day on 28 July we will go and contact the families of every martyr of our struggle.

P.S.

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