

Bhopal Gas Leak :: Twenty Five Years

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December 02, 2009 was observed as the twenty fifth anniversary of the Bhopal gas leak disaster – the worst industrial disaster in world history (1). Several media articles were published and protests carried out. Experts warned of the dangers still lurking in the factory premises and the government officials made some statements and carried out solidarity visits to the affected region.

The question that crops up is that why should the situation be still so tense twenty five years after the unfortunate incident? What has made it so difficult for everyone to forget this incident? There have been other horrible disasters in India claiming several more lives; however, those are rarely talked about in the same breath as Bhopal.

What is so different about Bhopal?

Why is Bhopal different?

The Jantar Mantar in New Delhi is the showpiece of civil society campaigns, protests and *dharnas*. Almost every time one passes by the monument, one is able to see some or the other protest march, some groups staging a *dharna* etc. However, there is one group which seems to have a perpetual protest stall at the place. Nine times out of ten, one can observe Bhopal gas leak affected fellow citizens fasting and/or staging protest *dharnas*. So common is their presence that one may not be surprised if the unassuming layman considers their stall a permanent part of the place instead of a temporary protest base.

One is compelled to wonder as to why are these people still protesting after so many years of the unfortunate event. In fact, it would not seem naïve to believe that those genuinely affected may have long left for the heavenly abode while their survivors would have grown up and should now be moving forward in life instead of spending time in a never ending perpetual protest. Perhaps, this is exactly the opinion the Union environment Minister Shri Jairam Ramesh espoused when he recently made his infamous statement (2).

However, consider the fact that the health implications of the disaster led to severe crippling diseases including genetic defects (3) maiming generations permanently. Add to this the fact Union Carbide, the company which operated the unfortunate plant was let off with a monetary fine and the court cases have been dragging along thereby delaying, nay, denying justice. A recent report from CSE shows that the factory has still not been cleaned up and that is still polluting the region. In fact, twenty five years later, thousands of tonnes of hazardous waste is lying around and over time has seeped into the groundwater leading to another round of slow poisoning (4). Perhaps, these are some of the issues that the affected citizens are fighting for – their basic fundamental rights; rights which the constitution of the country guarantees to each citizen.

Given both the extent and length of this struggle, it would not be too farfetched to claim that the combination of the disaster and the handling of its aftermath have created a new social stratum – that of “Bhopal Gas Tragedy Victims”. The affected citizens would empathise with

each other and their social bonds would have been strengthened through the years of tears and sorrow. The very fact that the struggle has spanned generations brings in an element of permanence in this stratification. This is a baffling realisation. While every civilised society would like to immediately correct the wrongdoings of such magnitude, the state in this case has completely failed to provide real substantive democracy to the affected citizens. In fact, the lack of legal justice even after so many years makes one wonder whether the procedural aspects of legal equality and legal rights of this group have been upheld at all.

Instead of actively addressing the issues at hand, one sees attempts to sweep them under the carpet – be it the statement by the minister (2) or the plan to construct a memorial in remembrance of the victims (5). Those in positions of responsibility intend to forget the issue while those who have been marginalised continue to struggle for their rights.

If one compares this struggle to other calamities of this magnitude, it is only natural disasters which come to light – Gujarat earthquake 2001, Orissa cyclone 1999. However, these were handled with utmost care and led to no social stratification. In fact, it would be hard to imagine the civil society even remembering these incidents a few years hence. The affected citizens in these cases were swiftly supported and helped to recover and get back to normal lives.

There is no question of justice in most natural calamities. There is a sole focus on relief and rehabilitation. On the other hand, the case of Bhopal had two dimensions – justice, and relief & corrective action. The state seems to have made some progress in providing relief and rehabilitation. However, the legal justice aspect is completely missing. In fact, it is a shame to the state that Union Carbide could not even be made to reveal the composition of the poisonous gas and it got away citing “trade secrets” (1).

The failure of the Indian democracy is unambiguously clear. The dream of substantive democracy and fraternity seems a mere pipedream when the state itself is unable to uphold the principles of legal equality and justice. The bigger fear is that the social fabric of the nation would continue to be torn by the creation newer social strata through such failures.

The solution is extremely easy to put in words – “the government should handle this better”. However, its implication and implementation is out of the scope of this write-up. That said, however, any feasible solution needs to essentially include speedy justice to all affected stakeholders. Unless that happens, this new social stratum would only get stronger with time.

Works Cited

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