

## Alternative Visions of Just World Order: Six Tales from India

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This Article outlines six distinct visions of just world order reflected in recent academic and political discourse in India. These perspectives may be designated as establishment, left, Dalit, subaltern, anti-modernist, and spiritual. Each of these perspectives offers a certain understanding of the state, society, globalization, and international institutions. These different perspectives, in the absence of any systematic and concerted “new thinking” in the literature on international law and institutions, are germane to understanding the response of the Indian state and people to issues relating to globalization, international law, and international institutions.<sup>1</sup> It is also important to turn to these perspectives because both the globalization process and the growing role of international law and institutions have compelled political forces and social thinkers to engage in discussion on issues such as sovereignty, trade, use of force, human rights, and the meaning of a just world order in general. Since these perspectives now address themes central to international law and institutions, they provide rich critical resources not only to think through alternative strategies to establish a just world order, but also to conceptualize its contours and content.

While five of the six perspectives are contemporary, the spiritual perspective of Sri Aurobindo was articulated primarily in the colonial period but has been included because it was among the first to deal with world-order issues and the creation of a world state. It has also been discussed to emphasize the need for ethical practices in any strategy of “complex internationalism” to create a just world order.

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1. While I have attempted in my own writings to offer “new thinking” on international law and institutions, it is for others to judge whether these qualify as such. See, e.g., B.S. Chimni, *An Outline of a Marxist Course on Public International Law*, 17 LEIDEN J. INT’L L.1, 1–30 (2004); B. S. Chimni, *International Institutions Today: An Imperial Global State in the Making*, 1 EUR. J. INT’L L. 1, 1–39 (2004). It may be mentioned that the “old thinking” is associated with the writings of scholars such as R.P. Anand and Judge Nagendra Singh. For a brief critical review of “old thinking” see B. S. Chimni, *Teaching, Research and Promotion of International Law in India: Past, Present and Future*, 5 SING. J. INT’L & COMP. L. 368 (2001).

## I. THE ESTABLISHMENT PERSPECTIVE

What may be called the establishment perspective is perhaps best articulated in a recent book by the economist Jagdish N. Bhagwati, entitled *In Defense of Globalization*.<sup>2</sup> It is representative both of the hopes and of the anxieties of the ruling elite in India regarding “economic globalization.”<sup>3</sup> In his book, Bhagwati seeks to demonstrate that “the various . . . causes that we all embrace, such as advancement of gender equality and reduction of poverty, are advanced, not set back, by globalization.”<sup>4</sup> According to him, this explains why policymakers and the public in the South see globalization as a positive force.<sup>5</sup>

Bhagwati’s defense of the contemporary globalization process is not entirely meritless, especially because his defense of globalization is, contrary to the impression created by the title of his book, not unqualified by reservations. For example, in the chapter entitled “Corporations: Predatory or Beneficial?,” while his overall conclusion is that multinational corporations (“MNCs”) are “a benign force,” he accepts many of the critics’ recommendations for corporate regulation.<sup>6</sup> He thus first argues that if restrictions are to be removed from activities of MNCs to ensure more orderly and efficient allocation of the world’s scarce resources, tax breaks and subsidies should also be removed.<sup>7</sup> Second, he concedes that there are cases of dramatic intrusions by MNCs into political space.<sup>8</sup> Third, he accepts that MNCs, “through their interest-driven lobbying, helped set rules in the world trading, intellectual property, aid, and other regimes that are occasionally harmful to the interests of the poor countries.”<sup>9</sup> Fourth, he hopes that a universal mandatory code on corporate social responsibility will emerge so that MNCs do not exploit the rules of the game.<sup>10</sup>

In the context of the East Asian crisis of the 1990s, Bhagwati is also critical of free capital flows, as he argues that they harm free trade: “The freeing of capital flows in haste, without putting in place monitoring and regulatory mechanisms and banking reforms, amounts to a rash, gung-ho financial capitalism. It can put nation-states at serious risk of experiencing massive, panicked outflows of short-term capital funds, which would drive their economies into a tailspin.”<sup>11</sup> But, by advancing this critique, Bhagwati sets aside the most crucial feature of the globalization process: the influx of international financial capital. His case for globalization thus rests on the belief that Third

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2. While Jagdish N. Bhagwati is now a U.S. citizen and a professor of economics at Columbia University, he is an influential voice in Indian academic and government circles.

3. JAGDISH N. BHAGWATI, *IN DEFENSE OF GLOBALIZATION* 3 (2004).

4. *Id.* at 4.

5. *Id.* at 8.

6. *Id.* at 163.

7. *Id.* at 165.

8. *Id.* at 168–69.

9. *Id.* at 182.

10. *Id.* at 194.

11. *Id.* at 199–200.

World states *can* and *will* adopt a particular package of national policies to foster capital investment.

Where “free trade” is concerned, Bhagwati, like many leaders of Third World states, opposes links between trade and environmental and labor standards in the WTO and believes that moral persuasion rather than denial of market access is a better route to achieve such objectives. He also emphasizes the value of more open borders and free migration when he explains, “The world badly needs enlightened immigration policies and best practices to be spread and codified.”<sup>12</sup> He therefore calls for the creation of a World Migration Organization.<sup>13</sup>

More generally, Bhagwati is not an uncritical champion of multilateralism. He writes,

It is useful to remember that *interdependence* is a normatively attractive, soothing word, but when nations are unequal, it also leads to dependence and hence to possibilities of perverse policy interventions and aggressively imposed coordination policies with outcomes that harm the social good and the welfare of the dependent nations while advancing the interests of the powerful nations.<sup>14</sup>

In the context of the WTO, he therefore stresses the need for institutional safeguards such as adjustment assistance to ensure that those hurt by trade liberalization expansion can be provided relief.<sup>15</sup> He even calls for the World Bank to give automatic support “when the WTO’s Dispute Settlement Mechanism brings a significant loss of income and attending adjustment problems for producers in poor countries who have lost market access.”<sup>16</sup>

Yet overall, Bhagwati’s response to critics of globalization is that “globalization *already* has a human face.”<sup>17</sup> Reading Bhagwati, one often gets the feeling that he is addressing the more radical critics of globalization. Sensible critics would merely differ with his overly sanguine view of the benefits that globalization entails for the developing world. Bhagwati’s anxieties, on the other hand, haunt the ruling elite in India, albeit with a difference. Given the global power dynamics, and the collaborative character of the ruling elite, Bhagwati’s provisos cannot be translated into practical policies with the result that liberalization policies do not always work for the poor and disadvantaged.

## II. THE LEFT PERSPECTIVE

The traditional Left, embodied by the two Communist parties of India as well as by individual critics, characterizes the present global order as being

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12. *Id.* at 218.

13. *Id.*

14. *Id.* at 227.

15. *Id.* at 234–35.

16. *Id.* at 235–36.

17. *Id.* at 221.

neo-imperialist. The Left is sharply critical of the neo-liberal program that is being imposed on Third World countries by international financial institutions and codified in several WTO texts. The Left identifies the rise of international financial capital as the major social force with the potential to subvert dependent and dominated economies. This development has led to the loss of economic sovereignty and the institutionalization of polyarchy in Third World states. In their view, democracy has been reduced to a choice between different political parties with essentially the same economic program, and any attempt to resist domination invites the hostility of the imperial world led by the United States. From Allende's Chile to Lula's Brazil today, the Left points out that alternative visions have not been tolerated by imperial powers led by the United States. Indeed, these scholars assert that violence is an integral part of imperial politics as the "humanitarian intervention" in former Yugoslavia and the invasion and occupation of Iraq in violation of international law testify.

Imperialism in the age of globalization is, in the Left's view, driven by a class configuration that has seen the ascendance of factions of the transnational capitalist class ("TCC") in both First and Third World countries. The TCC considers allegiance to the neo-liberal model to be its distinct advantage. Consequently, only a global coalition of democratic and Left forces can effectively resist it.

While the official Left in India, composed of the two main Communist parties, has survived the impact of the demise of the Soviet Union and the undermining of the idea of socialism, it has not been able to capture the imagination of the Indian people because the movement has failed to offer an acceptable alternative political program. It is worth emphasizing that it is not the Left's economic program, which is now (following China) suitably modified in practice (in states like West Bengal where the Left has long been in power) to assign a role to the market, which is the key obstacle to obtaining popular support. It is rather the failure to outline an alternative democratic political framework that has been debilitating.

In terms of organizing resistance to policies that do not benefit the marginal and disadvantaged sections of society, the Left's relative absence in areas where new social movements have been active (environmental and human rights policy) has been a problem, although its role in the women's movement has been considerable. Finally, the organizational structure and politics of the Left are more suited to a Leninist era when democratic processes were difficult to sustain in the face of an oppressive state.

In sum, while the official Left's critique of the existing world order is persuasive, its alternative is still embedded in a political vision that has lost credibility. An alternative political framework has not been advanced at least in part because the Left does not believe that it currently has a future either on the national or international level. The Left sees itself as more involved in a "holding pattern," which permits greater flexibility in practice even while clinging to theoretical certainties that have been inherited from the past.

Besides the official Left, there are individual Left critics. In recent years, the writings of Arundhati Roy have been particularly influential. She indicts contemporary global politics above all for the fact that “today, it is not merely justice itself, but the idea of justice that is under attack . . . . It has forced us to lower our sights, and curtail our expectations. Even among the well-intentioned, the expansive, magnificent concept of justice is gradually being substituted with the reduced, far more fragile discourse of ‘human rights.’”<sup>18</sup>

### III. THE DALIT PERSPECTIVE

The Dalit perspective has emerged through the work of Dalit intellectuals as a part of a growing movement. According to B. R. Ambedkar, one of the movement’s most influential and founding voices, “Dalithood is a kind of life conditions which characterize the exploitation, suppression and marginalisation of Dalits by the social, economic, cultural and political domination of the upper castes’ Brahminical ideology.”<sup>19</sup> Ambedkar defined caste as “an Enclosed Class.”<sup>20</sup> Following in his footsteps, contemporary Dalit intellectuals are seeking to rewrite not only the history of Indian nationalism, but also the social and political history of post-colonial India. Kancha Ilaiah notes that what Gandhi represented in the Indian freedom struggle was Hindu nationalism.<sup>21</sup> While this is perhaps going too far, even sympathetic critics of Gandhi note that he left the economic and social roots of untouchability “relatively untouched and failed to organize and make the Dalits an effective and autonomous political force.”<sup>22</sup> Consequently, Independent India was seen as being “controlled by the Brahmin/bourgeois dominated Congress party which had begun a process of co-opting and integrating lower-caste representatives and of speaking in the name of ‘agricultural laborers’ and the ‘rural poor,’ but without giving these sections any real power.”<sup>23</sup>

In this view, the Nehruvian State (1947–1962) oversaw the process of the “Brahminization of the state structures” through the domination of recruit-

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18. Arundhati Roy, *Peace and the New Corporate Liberation Theology*, THE HINDU, Nov. 7, 2004, available at <http://www.hindu.com/mag/2004/11/07/stories/2004110700640200.htm> (last visited Apr. 28, 2005).

19. Gopal Guru, *The Language of Dalitbahun Political Discourse*, in CLASS, CASTE, GENDER 259 (Manoranjan Mohanty ed., 2004).

20. B. R. Ambedkar, *Castes in India: Their Mechanism, Genesis and Development*, in CLASS, CASTE, GENDER, *supra* note 19, at 143. Dalits constitute nearly sixteen percent (around 160 million) of the population of India. They have traditionally been considered untouchable and, in that sense, outside the hierarchy of the caste system. They continue to suffer exclusion and severe oppression at the hands of the upper castes.

21. Kancha Ilaiah, *Towards the Dalitization of the Nation*, in WAGES OF FREEDOM: FIFTY YEARS OF THE INDIAN NATION-STATE 269 (Partha Chatterjee ed., 1998).

22. BHIKU PAREKH, COLONIALISM, TRADITION AND REFORM: AN ANALYSIS OF GANDHI’S POLITICAL DISCOURSE 10 (2nd ed. 1999).

23. Gail Omvedt, *The Anti-caste Movement and the Discourse of Power*, in CASTE AND DEMOCRATIC POLITICS IN INDIA 422 (Ghanshyam Shah ed., 2002). See also CHANDRA PRASAD, BHAN DALIT DIARY: 1999–2003: REFLECTIONS ON APARTHEID IN INDIA (2004).

ment boards, educational institutions, the judiciary, the military and police agencies by brahminical forces.<sup>24</sup>

The Dalit challenge today poses a critical question: “what to emphasize more: Western hegemony or caste domination within India, reflecting the issue posed much earlier during the independence movement as to what was more important—social emancipation or political autonomy . . . . If it is both, how to reconcile the two?”<sup>25</sup> The present strategy, according to R. Kothari, is to think “of the struggle against imperialism and other such things as of second order importance.”<sup>26</sup> But as he perceptively notes:

Unless the new consciousness aimed at bringing about radical transformation also sees itself as a part of a larger social and global movement opposed to both capitalist and imperialist designs . . . they are bound to face the pincer movement . . . of backlash on the one hand and co-optation on the other.<sup>27</sup>

These statements require elaboration in terms of how Kothari perceives the Dalit political program and its political strategy. However, social activists like Omvedt have taken the controversial position that liberalization and globalization will empower the Dalits as they will undermine brahminical/elite control over the economy. Others are ambivalent on the issue of globalization, recognizing that its emergence may not necessarily break down caste barriers and lead to economic and social empowerment of Dalits.<sup>28</sup> But, on the political plane, the Dalit movement believes that in a globalized world, it can use international fora to draw attention to its concerns. Thus, Dalit organizations effectively used the Durban World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001 to contend that there was much in common between the categories “race” and “caste,” in the face of stiff opposition from the Indian government.<sup>29</sup>

The Dalit perspective also results in a distinctive take on a range of development issues. Thus, for example, Omvedt criticizes the Narmada Bachao Andolan (NBA), led by Medha Patkar, for its “neo-Gandhian eco-romantic environmentalism” revealing “the anti-rural bias” of urban intellectuals and policymakers and the unrealistic rejection of the market economy.<sup>30</sup> On the other hand, Omvedt notes that the Ambedkar formulation of “state socialism” has to go hand in hand with addressing “environmental issues, questions of the

24. Ilaiah, *supra* note 21, at 275.

25. R. Kothari, *Rise of the Dalits and the Renewed Debate on Caste*, in STATE AND POLITICS IN INDIA 449 (Partha Chatterjee ed., 1997).

26. *Id.* at 450.

27. *Id.* at 457.

28. R. Umamaheshwari, *Interview: Towards a constructive ‘globalization,’* SEMINAR MAG. WEB EDITION (Nov. 27, 2001), at <http://www.india-seminar.com/2001/508/508%20interview.htm> (last visited Apr. 27, 2005).

29. *See id.* *See also* PRAKASH LOUIS, THE POLITICAL SOCIOLOGY OF DALIT ASSERTION 191 (2003).

30. Gail Omvedt, *Struggle Against Dams or Struggle for Water? Environmental Movements and the State*, in INDIAN DEMOCRACY: MEANINGS AND PRACTICES 429 (Rajendra Vora & Suhas Palshikar eds., 2004).

exploitation of peasants' and women's subsistence labor, and indeed the entire question of 'alternative development.'"<sup>31</sup>

#### IV. THE SUBALTERN STUDIES PERSPECTIVE

The subaltern studies school has been important in reconceptualizing and writing colonial history as well as in critiquing the post-colonial Indian state. It has gone through at least two phases and has now possibly entered a third phase.

The first phase occurred in the 1980s, when the influence of Marxism and leftist politics was still central. This phase combined an "enthusiastic response to popular, usually peasant, rebellions, with growing disillusionment about organized left parties, received versions of orthodox Marxist ideology, and the bureaucratic state structures of 'actually existing socialism.'"<sup>32</sup>

The second phase has seen the decline of the subaltern in subaltern studies, along with the rise of the postmodern school of thought.<sup>33</sup> This phase saw the subaltern studies school distance itself from the project of writing better Marxist histories to attack "the problem of universalism/Eurocentrism" with domination being "conceptualized overwhelmingly in cultural, discursive terms, as the power-knowledge of the post-Enlightenment West."<sup>34</sup>

There have been many criticisms of the second phase of the subaltern studies perspective. First, as Gayatri Spivak has noted, the subaltern studies scholars "perceived their task as making a theory of consciousness or culture rather than specifically a theory of change."<sup>35</sup> Second, partly for this reason, the school did not find it worthwhile to identify the global social forces that support and sustain dominance over the developing world. The culturalist perspective distracted from studying the norms and institutions that control the globalization process.<sup>36</sup> Third, having announced the failure of the modern state, the subaltern studies perspective had little to say about the turn toward neo-liberal policies of the Indian state. What was offered was a critique of development as a goal rather than of neo-liberal development policies.<sup>37</sup>

In sum, the postmodern phase of subaltern studies has not paid attention to contemporary global economic and political structures, norms, and institutions. However, some First World scholars have deployed subaltern studies to this end. Thus, Dianne Otto applied the subaltern studies approach to international law to analyze the demands of the Third World states in the NIEO phase and critiqued them for their elitist nature and character.<sup>38</sup> In this view,

31. *Id.* at 429.

32. SUMIT SARKAR, *WRITING SOCIAL HISTORY* 82 (1997).

33. *Id.* at 83.

34. *Id.* at 84.

35. David Ludden, *Introduction to READING SUBALTERN STUDIES: CRITICAL HISTORY, CONTESTED MEANING, AND THE GLOBALISATION OF SOUTH ASIA* 18 (David Ludden ed., 2001).

36. *Id.* at 13, 17.

37. Partha Chatterjee, *Introduction to WAGES OF FREEDOM*, *supra* note 21, at 8.

38. Dianne Otto, *Subalternity and International Law: The Problems of Global Community and the Incom-*

what Third World states should have advanced was a critique of modernity and the modern nation-state and the idea of governmentality.<sup>39</sup> But Otto did not explore an alternative vision and praxis that would replace these ideas and practices, which is not atypical of much postmodern scholarship in international law.

The recent writings of Partha Chatterjee, a leading voice of the subaltern studies school, suggest the outline of a third phase and perhaps signal the return of the prodigal son. In an essay entitled *The World After the Great Peace*, Chatterjee looks at the phenomenon of globalization. After emphasizing the growing role of international finance capital and other international laws and institutions, he briefly reflects on Hardt and Negri's *Empire*. He notes in a critical vein that "Hardt and Negri's celebration of the supposedly radical break between the old order of industrial capital and national sovereignty and the new reality of global empire without a center is, without doubt, hasty and starry-eyed."<sup>40</sup>

Indeed, as he puts it, "India's sovereignty has been earned at much cost. Not even in our worst nightmare can we Indians think of giving it up."<sup>41</sup> Such sentiments seem somewhat difficult to reconcile with the earlier critique of the modern nation-state but are welcome nevertheless. As for the strategy to resist imperial globalization, Chatterjee points out that globalization cannot be wished away and that what is called for is "flexible, mixed, and variable anti-empire politics."<sup>42</sup> This flexibility includes the use of the United Nations "to put a check [on] absolute power."<sup>43</sup> Left critics have similarly argued for a complex internationalism and flexible politics to encourage the empire to extend and deepen global democracy.<sup>44</sup>

## V. THE ANTI-MODERN PERSPECTIVE

The view of anti-modernists is similar in many respects to the second phase of the perspective insofar as its ramifications are concerned. For instance, both perspectives include comparable views on the problematic nature of the modern state. In the words of Ashis Nandy, the leading spokesperson for the anti-modern perspective, there is "something rotten in the state of the state."<sup>45</sup> The modern state, in his view, consists of four ideological elements: national security, development, scientific rationality, and secularism.<sup>46</sup> These ideological

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*measurability of Difference*, 5 SOC. & LEGAL STUD. 337, 352 (1996).

39. *Id.* at 353–54, 359.

40. PARTHA CHATTERJEE, *THE POLITICS OF THE GOVERNED: REFLECTIONS ON POPULAR POLITICS IN MOST OF THE WORLD* 103 (2004).

41. *Id.* at 93.

42. *Id.* at 103–04.

43. *Id.* at 152.

44. See generally B.S. Chimni, *International Institutions Today: An Imperial Global State in the Making*, 1 EUR. J. INT'L L. 1 (2004).

45. ASHIS NANDY, *THE ROMANCE OF THE STATE AND THE FATE OF DISSENT IN THE TROPICS* 14 (2003).

46. *Id.* at 10.

elements have been manipulated by the post-colonial state to do enormous violence to people and their cultures in the name of progress. What is worse, “even the various modes of defiance against the state” are informed by the “standardized concept of it.”<sup>47</sup> While the Marxists are critical “of the very different kinds of state that lesser mortals in the savage world had lived or experimented with,” the anarchists display a lack of awareness on this point.<sup>48</sup> In these circumstances, Nandy writes, the dream of one world has emerged as a nightmare, and

haunts us with the prospect of a fully homogenized, technologically controlled, absolutely hierarchized world, defined by polarities like the modern and the primitive, the secular and the non-secular, the scientific and the unscientific, the expert and the layman, the normal and the abnormal, the developed and the underdeveloped, the vanguard and the led, the liberated and the savable.<sup>49</sup>

Unfortunately, Nandy notes, alternative approaches are few and do not “as yet pose a serious threat to the dominant culture of the state.”<sup>50</sup> He himself puts his faith in participatory politics emanating from a theory of the state “rooted in the nonmodern understanding of modernity and in a worm’s-eye-view of the imperial structures and categories that go with modernity.”<sup>51</sup> But which agencies would usher in participatory politics? Nandy mentions “a vigorous human rights movement . . . which is trying to make democratic participation more real to the lowest of the low.”<sup>52</sup> Nandy also hopes that “a culture-sensitive polity in India” (as opposed to the present statist orientation) “will extend representation . . . to the myriad ways of life in the hope that in the twenty-first century Indian democracy will reflect something of the uniqueness of this civilization, too, and pursue the principle ‘freedom with dignity’ as a basic human need.”<sup>53</sup>

On the theoretical plane, the emergence of a culturally sensitive polity turns on the rejection of the enlightenment concept of history in which “there is no past independent of history.”<sup>54</sup> Thus, modern historians have “come to crucially shape the selves of the subjects of history,” thereby taking away the “capacity of citizens to self-define.”<sup>55</sup> Such a history “allows one to identify with its secular trends and give a moral stature to the ‘inevitable’ in the fu-

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47. *Id.* at 5.

48. *Id.* at 6.

49. Ashish Nandy, *The Intimate Enemy*, in *EXILED AT HOME: COMPRISING AT THE EDGE OF PSYCHOLOGY, THE INTIMATE ENEMY, CREATING A NATIONALITY* vi (1998).

50. NANDY, *supra* note 45, at 14.

51. *Id.* at 28.

52. *Id.* at 30.

53. *Id.* at 31.

54. *Id.* at 94.

55. *Id.* at 95.

ture,” giving rise to new justifications for violence.<sup>56</sup> In contrast, according to Nandy, “traditional India not only lacks the Enlightenment’s concept of history; it is doubtful that it finds objective, hard history a reliable, ethical or reasonable way of constructing the past.”<sup>57</sup> There is only the context-sensitive world of myths and legends.

Since traditions have never been taken seriously in post-colonial India, the image of the ideal state is still, according to Nandy, “heavily dependent on nineteenth-century Anglo-Saxon texts.”<sup>58</sup> But Nandy does not tell us much about the concept of the native state and how it would function in a globalized world. Instead, he sounds like a mainstream liberal with his espousal of the cause of the human rights movement. Be that as it may, he is perhaps right in calling for excavating democratic local, cultural, and political traditions that were overlaid by colonial practices.

Therefore, Nandy could be suggesting the need to mobilize vernacular forms of resistance to struggle against neo-imperialism. *Inter alia*, this calls for retrieving non-Western forms of knowledge and non-modern forms of the state, although it is not easy to tell what was authentically indigenous. Equally, as Nagaraj has pointed out, Nandy “does not pay enough attention to structures of injustices and violence that existed in the premodern India.”<sup>59</sup> He entirely ignores, for example, the problem of gender injustice in premodern India. This neglect vitiates his case for established tradition.

## VI. THE SPIRITUAL PERSPECTIVE

The final perspective is the spiritual one, which is articulated as a just world order in the writings of Sri Aurobindo (1872–1950). While this view is presently espoused by only a handful of his followers, his emphasis on spiritual transformation finds a general resonance in the thinking of the ordinary Indian. Furthermore, Sri Aurobindo is among the few Indian thinkers to have paid explicit attention to the creation of a world state; his reflections on the subject also have contemporary resonance. Based on a coherent theory of the evolution of human society, Sri Aurobindo argued that the ideal of human unity would inevitably be realized. But the ideal of human unity must have spiritualism at its foundations if it is to contribute to the individual and collective growth of nations and peoples. It is important to emphasize, however, that Sri Aurobindo did not dismiss material progress, and his way of thinking therefore does not fit the neat stereotype of the materialist West and the spiritual East. Indeed, he offers a unique understanding that allows a simultaneous commitment to reason, ethical politics, and individual spiri-

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56. *Id.* at 97.

57. *Id.* at 106.

58. *Id.* at 112.

59. D. R. Nagaraj, *Introduction* to EXILED AT HOME, *supra* note 49, at xv.

tual growth.<sup>60</sup> In short, he was concerned with the limits of reason rather than with its rejection.

Sri Aurobindo spent fourteen of his formative years in England<sup>61</sup> and had a very “Anglicized upbringing.”<sup>62</sup> In the second phase of his life, he returned to India and joined the anti-colonial struggle, embracing political extremism. He criticized the moderate congressional leadership for indulging in “a little too much talk about the blessings of British rule.”<sup>63</sup> He helped organize secret societies, and also assisted in the elaboration of a program of massive passive resistance against the partition of Bengal in 1905, revealing the possibilities of a broader movement.<sup>64</sup> In 1908, he was implicated in what is known as the Alipore Bomb Case, which led to his “lone incarceration in Alipore jail for nearly a year.”<sup>65</sup> He came out of jail “a changed man.”<sup>66</sup> Thus began the third and final phase of his life. He left Calcutta in 1910 and settled in Pondicherry, a French settlement, and began his long quest for spiritual realization.

In the first edition of the collection of essays on *The Ideal of Human Unity*, written between 1915 and 1919, Sri Aurobindo noted the inevitability of the unification of the life of humanity as a result of those imperative natural forces which always lead to the creation of larger and larger human aggregates.<sup>67</sup> “The family, the commune, the clan or tribes, the nation, the empire are so many stages in [the] progress and constant enlargement” of humankind.<sup>68</sup>

But in both *The Human Cycle*, the work most relevant to our concerns, and *The Ideal of Human Unity*, Sri Aurobindo repeatedly points to “the insufficiency of formal unity without a growth of religion of humanity . . .”<sup>69</sup> He noted that the ideal human unity could not be realized by social and political adjustments alone. What was called for was inner change:

[W]hile it is possible to construct a precarious and quite mechanical unity by political and administrative means, the unity of the human race, even if achieved, can only be secured and can only be made real if the religion of humanity, which is at present the highest active ideal of mankind, spiritualizes itself and becomes the general inner law of human life.<sup>70</sup>

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60. See B. S. Chimni, *Retrieving ‘Other’ Visions of the Future: Sri Aurobindo and the Ideal of Human Unity* (2005) (on file with the Harvard International Law Journal).

61. TARA CHAND, *HISTORY OF THE FREEDOM MOVEMENT IN INDIA* 151 (1972).

62. SUMIT SARKAR, *MODERN INDIA: 1885–1947* 97 (3d ed. 1985).

63. *Id.* at 98.

64. *Id.*

65. CHAND, *supra* note 61, at 152.

66. *Id.*

67. SRI AUROBINDO, *THE HUMAN CYCLE, THE IDEAL OF HUMAN UNITY, WAR AND SELF-DETERMINATION* 258, 267 (4th ed. 1971).

68. *Id.*

69. *Id.* at 258.

70. *Id.* at 548.

So far as political unity is concerned, as Sri Aurobindo saw it, the world-state would be established through “the creation of a central body which will at first have very limited functions, but, once created, must absorb by degrees all the different utilities of a centralised international control, as the State . . . .”<sup>71</sup>

Therefore, while Sri Aurobindo was extremely critical of the League of Nations, he saw its creation as “an event of capital importance” inaugurating “a new era in world history.”<sup>72</sup> He likewise saw the establishment of the United Nations as a “capital event, the crucial outcome of the world-wide tendencies which Nature has set in motion for her destined purpose.”<sup>73</sup> Indeed, despite the serious structural and ethical weaknesses that informed both organizations, he warned against pessimism.

What were the key political obstacles to human unity? In Sri Aurobindo’s view, the major impediment to realization of a democratic world-state was “the State idea” because “self-protection and self-expansion by the devouring of others were its *dharma*.”<sup>74</sup> He concluded that there is, at present, “neither any true and enlightened consciousness of human opinion to restrain the predatory State nor any effective international law.”<sup>75</sup> However, writing in 1915, he noted the emergence of “a cosmopolitan, international sentiment,” albeit admitting that this sentiment was “still rather nebulous and vaguely ideal.”<sup>76</sup>

The ideal of human unity, Sri Aurobindo knew, could assume various political forms. According to Sri Aurobindo, given past historical trends:

[I]nternational unification must culminate or at least is likely to culminate in one of two forms. There is likely to be either a centralised World-State or a looser world-union which may be either a close federation or a simple confederacy of the peoples for the common ends of mankind.<sup>77</sup>

In his view, “the last form is the most desirable, because it gives sufficient scope for the principle of variation which is necessary for the free play of life and the healthy progress of the race.”<sup>78</sup> For “unity we must create, but not necessarily uniformity.”<sup>79</sup> The latter, he notes, is the work of the politics of empire.

#### CONCLUSION

Each of these six tales offers a critique of the present global public order and a vision of a just world order for the future. In arguing his persuasive

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71. *Id.* at 551.

72. *Id.* at 556.

73. *Id.*

74. *Id.* at 280.

75. *Id.* at 281.

76. *Id.* at 550.

77. *Id.* at 551.

78. *Id.*

79. *Id.* at 401.

case for a politics of non-violence, Gandhi emphasized the “fundamental and inescapable fact of human life that all knowledge was partial and corrigible.”<sup>80</sup> It is in this spirit, and in the absence of a body of literature addressing substantive issues arising out of globalization and the growing role of international law and institutions, that the insights offered by each of these perspectives needs to be the subject of critical reflection and appropriation to establish a just world order.

At least one set of conclusions may be elicited from the preceding six perspectives. First, there is the common theme of resistance to Western domination/empire/neo-imperialism. It reflects the popular feeling that an unjust world order is being imposed on the people of India, and more generally on the Third World, by powerful global social forces and international institutions. Second, the pull of the idea of sovereignty has been strengthened by the increasingly intrusive role of international institutions (particularly the WTO, the IMF, and the World Bank) and the growing use of force against Third World states in violation of international law (including the former Yugoslavia, Afghanistan, and Iraq). Third, there is a growing belief that international institutions need to come to terms with the idea of difference; clearly, the laws and policies of institutions like the WTO, IMF, and the World Bank do not enjoy the equal support of all social groups in India. Therefore, in order to gain legitimacy and support, these institutions urgently need to address the question of whether a “democracy deficit” exists. Fourth, there appears to be a consensus that the market has a place in any imagined arrangement of the Indian economy, despite the popular view that the ongoing economic liberalization program must have a human face. Fifth, there is a general agreement that a key agency of the globalization process, the transnational corporation, needs to be regulated to ensure that it does not influence the creation of international rules that are to its advantage alone or disregard host state development objectives. This view finds support, however mild, from within even the establishment perspective. Sixth, human rights vocabulary has become the most accepted political form in which to couch protest against the state and international institutions. While the idea of sovereignty has widespread support when it comes to neo-imperial policies and practices, the role of the state is the subject of growing critique from the class, caste, and gender perspectives. This has created, among other things, ambivalence on the question of whether sovereignty can be used as a shield to prevent raising human rights issues in international fora. Seventh, there is a perceived need for a strategy of complex internationalism to resist imperial domination; this strategy could range from the use of institutions such as the U.N. to oppose “absolute power” to the uniting of old, new, and vernacular social movements. Eighth, there is the general sense that a just world order cannot be brought about only through new political/material arrangements; it has to be supported by some form of

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80. PAREKH, *supra* note 22, at 72.

spiritual transformation of individuals and groups. Accepting the dialectic between inner and external change, political leaders and forces should act in the tradition of Gandhi and embed their struggles in ethical practices. Finally, so far as the political form of a future world-state is concerned, the preference is for a loose confederation that allows all nations and peoples to express themselves, especially at the cultural level, with equality and dignity.<sup>81</sup>

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81. On the imperial character of the emerging global state, see Chimni, *International Institutions Today*, *supra* note 1, at 1–39.