MESA 8

TABLE 8

Luchando con el Estado. Parte 1
Contending with the State.

CHAIR
Daniel Kerr [US]

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Satyajik Das Gupta [India]
“Voices of Vanguards and Victims: Oral Histories of Public Interest Litigation as a Political Tool for Accountable Democratic Governance”

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Philip Lewis Bonner [South Africa]
“Power and Democracy in the post-1994 Mpumalanga Province of South Africa”

—

Rommel A. Curaming [Brunei Darussalam]
Voices of Vanguards and Victims: Oral Histories of Public Interest Litigation as a Political Tool for Accountable Democratic Governance.

Satyajik Das Gupta
(India):

Abstract: This paper stands situated at a thematic confluence of three interrelated developments in the past and contemporary academic and intellectual pursuits of mine: a) A more than two-decade-long methodological and epistemological engagement with the practice of oral history as an independent discipline of historical research with special references to the role of the marginalized and socially vulnerable communities who remain rather inadequately represented in varied mainstream archival activities of government-run agencies and bodies; b) Almost an equally old and perennial civil society concern for using critically structured research and documentation in assessment of need for and impact of NGO/INGO-run Third and/or development sector human and social service work targeted at the poor and the needy; and c) A concerted attempt at using methods and skills acquired in
activities mentioned in the previous two items for improving poor and disadvantaged people’s access to justice so that they become legally empowered at this juncture of globalized economic reforms and structural adjustment with it’s concomitant emphasis on the progressive dwindling and shrinkage of all kinds of government aid and support for the growth of the social sector in the South Asian sub-continent in general and in the east Indian province of West Bengal in particular.

From a brief exposition on the evolution of the problematic and methodology of ‘critical biographic query’, it moves on to conceptualize “accountable democratic governance” and “legal empowerment of the disadvantaged” and thereafter takes up a link-up exercise in showing how the very effective legal instrument of public interest litigation has become a strategic means of democratic governance. In the concluding section of the paper, entitled “Oral History of PIL Experience: Reconstruction of Activist’s & Beneficiaries’ Versions”, a bunch of findings and inferences have been presented by drawing upon a single narrative of a leading PIL activist, Subhas Dutta, and those of the beneficiaries of the PILs Dutta has filed so far.
EVOLUTION OF THE PROBLEMATIC AND METHODOLOGY OF ‘CRITICAL BIOGRAPHIC QUERY’

This paper stands situated at a thematic confluence of three interrelated developments in the past and contemporary academic and intellectual pursuits of mine: a) A more than two-decade-long methodological and epistemological engagement with the practice of oral history as an independent discipline of historical research with special references to the role of the marginalized and socially vulnerable communities who remain rather inadequately represented in varied mainstream archival activities of government-run agencies and bodies; b) Almost an equally old and perennial civil society concern for using critically structured research and documentation in assessment of need for and impact of NGO/INGO-run Third and/or development sector human and social service work targeted at the poor and the needy; and c) A concerted attempt at using methods and skills acquired in activities mentioned in the previous two items for improving poor and disadvantaged people’s access to justice so that they become legally empowered at this juncture of globalized economic reforms and structural adjustment with it’s concomitant emphasis on the progressive dwindling and shrinkage of all kinds of government aid and support for the growth of the social sector in the South Asian sub-continent in general and in the east Indian province of West Bengal in particular.

After having carried out a fair amount of archive-bound historical research of the Rankean variety at Kolkata’s Centre for Studies in Social Sciences (CSSSC) under Prof. Partha Chatterjee’s supervision, I felt the need to grapple with the complex intermingling of language, memory and identity in understanding the Bengali Communists of the late 1930s and 40s. This ‘subalternist’ quest for militant peasant activists began in the mid-1980s with a substantial ‘oral history’ component not quite effectively incorporated into a doctoral dissertation which I had submitted to the Dept. of History, Calcutta University, in early 1991. Meanwhile, between 1988 and 1990, I had worked on the project “Social Existence Forms of Unorganized Labour in Metropolitan Calcutta” under Prof. Asok Sen of the CSSSC. By the time I completed the doctoral and post-doctoral assignments for the Indian Councils of Social Science and Historical Research, both of which got me attached to the CSSSC, I had become well initiated to problems of narrative construction, ‘moralizing functions of narrativization’ (I even succeeded in communicating with Prof. Hayden White) and issues of linguistic protocols and representational dilemmas in the context of the critical philosophies of historical and social science research.

A little later I got an opportunity to involve some NGO functionaries and civil society activists in two documentation projects on ‘marginalization and destitution in post-colonial Calcutta’ and ‘processes of unprotected work in South Asia: street and garment work in Karachi, Kolkata and Dhaka’, which I coordinated between 1998 and 2004 under the SEPHIS Programme of the IISH, Amsterdam. From around this point in time I began to realize that non-governmental public action, a sizeable quantum of which consists of social sector work various government departments, agencies and bodies routinely delegate to individual NGOs and their collectives/networks, tends to be ‘celebratory’ in all practical purports. Most of these projects/programmes build on strategies of what I call ‘donor-driven event management’ and that, too, remains overwhelmingly ‘publicity oriented’. I have found this to be true of most Kolkata-based NGOs and branches and units of two national-level human rights organizations.

At the level of philosophical and/or critical reasoning, the exercise looks critically at what I call “unconscious and/or ill-baked internalization” of the values/ideologies of ‘enlightened vanguardism’ and ‘benevolent social work’. Either way activists or development professionals nurture rather condescending or unduly patronizing attitudes towards beneficiaries of projects/programmes they direct, supervise or coordinate. The need to explore beneficiaries’ opinions and perspectives is felt only in the context of proving or disproving what is considered important in their benefactors’ programming. The attitude in major part is still one of palliative philanthropic work and its ‘beneficiaries’ matter largely as ‘faceless’ numbers or objects of donor-driven project work. This also remains the net result of most state-run macro statistical activities aimed at generating information about poor people’s livelihood. I had proposed a “progressive piling up of ‘life-story/life-history’ materials in a kind of ‘biographic data bank’. This may lead to the emergence of a different culture of NGO work requiring ‘thick description’ of ‘ground realities’.
At the level of theoretical influences/musings, it builds on the nuances/implications of the following formulations: (a) Antonio Gramsci’s emphasis on ‘the episodic mode of subaltern consciousness’ [The position I am taking here is that disadvantaged and poor children will be naturally inclined to narrate experiences in episodic details and will not feel comfortable with answering questions/queries put in abstraction done through essentialization of themes/subjects]; (b) Clifford Geertz’s notion of ‘ethnographic inscription of social discourse’ and ‘thick description’; (c) Hayden White’s concept of ‘moralizing functions of narrativization’ and (d) Fred Inglis’ theorization of ‘the biographic mode as the most authentic theoretic explanation in cultural studies’. The task of constructing and deconstructing ‘biographically structured narrative fragments of “lived realities”’ will also deploy some of the standard techniques and strategies oral historians resort to in invoking “memorial knowledge”.

CONCEPTUALIZING ‘ACCOUNTABLE DEMOCRATIC GOVERNANCE’ AND ‘LEGAL EMPOWERMENT OF THE DISADVANTAGED’

Before elucidating the eventual link up of the method of “biographic query” as part of an ongoing exploratory oral history exercise with my current legal research probing into a select set of issues and considerations relating to access to justice and legal empowerment which different classes of resource-poor and socially disadvantaged people remain compelled to confront in their day-to-day and longer term dealings with the severely overburdened and infrastructurally deficient justice delivery system of the east Indian province of West Bengal, a brief exposition of the way I have delved into the concepts of ‘accountable democratic governance’ and ‘legal empowerment’ may be in order.

For quite sometime now I have remained concerned with the nature and extent of legal empowerment and access to justice for our disadvantaged legal aid seekers and the most crucial criterion I’ve used for evaluating the same relate to the cost effectiveness and quality of justice we are able to offer to an overwhelming number of the disempowered clients of our discernibly ill-structured justice delivery system. Pretty early in my career as a legal aid and human rights functionary, I realized that the effectiveness much of our execution and monitoring of the programmes we try to implement in the field of legal service delivery and capacity-building will depend very heavily upon authentic need and impact assessment exercises and to be able to do so, we need to carry out systematically structured sound research and documentation.

Some essential first lessons in academic understanding of various socio-economic and cultural impediments to legal empowerment of the poor in a Third World society like ours were learnt more concretely when I began to coordinate a documentation project entitled “Marginalization and Destitution in Post-Colonial Calcutta” under the SEPHIS[South-South Exchange Programme of Research on the History of Development] Programme of the Inter National Institute of Social History(IISH), Amsterdam in the late 1990s. In close collaboration with one of the oldest child care NGOs of Kolkata, Prantik Jana Vikas Samity (PJVS), who could be visited at http://www.pjvs.org/, I had planned, coordinated and monitored a series of data collection exercises in a chosen cross-section of slums and squatter settlements of east Kolkata to study various aspects of the life and labour of an astonishingly wide variety of informal sector workers. As an extension of the programme, a second project on “Processes of Unprotected Work in South Asia: Street and Garment Work in Karachi, Kolkata and Dhaka” was also carried out to look into the politics and culture of marginalization and the exclusion of the urban poor from various institutionalized processes of metropolitan planning and municipal governance.

During the entire period covered by the two projects mentioned above, I had ample opportunities of acquiring some first-hand knowledge about certain core livelihood compulsions of informal sector workers and the cultural specificities of ‘unprotected’ labour processes against the backdrop of a perennial lack of pro-poor urban planning and governance policies which necessarily lead to serious violations of some basic human rights of the working poor and consequentially, also to their social exclusion from the mainstream endeavours of economic development. In May, 2000, I had drafted, on behalf of the Hawker Sangram Committee (HSC), which spearheaded the hawkers’ movement against the mammoth eviction drive called ‘Operation Sunshine’ carried out by various agencies and departments of
the Govt. of West Bengal, the memorandum which the HSC had submitted at the National Policy Workshop on Street Vending.

Between 2002 and 2007, a number of civil society campaigns and awareness/sensitization programmes and initiatives and also some other networking and capacity-building activities carried out in the Third / development sector had given me varied opportunities to plunge headlong into a huge pool of words of mouth generated through incidents involving exploitation and torture of dispossessed women and children in need of care and protection as well as in conflict with law. All the while I was doing oral history in a somewhat tangential manner, trying to impress upon my colleagues the importance of the method of “biographic learning” for whatever we used to be called upon to accomplish in these fields of human service endeavour by lending ears to the men, women and children who at times did want to tell us what they wanted and what they didn’t. From early 2008, in my present capacity of Director, Programming & Research, Legal Aid Services-West Bengal (LASWEB), I’ve been encountering a whole lot chronic structural/methodological shortcomings and practical inadequacies of NGO and government-led legal empowerment activities, especially in terms of dealing with inabilities of sustained follow-ups, documentation and effective impact assessment. These shortcomings, in particular, have made me duly aware of some stark realities facing poor and distressed woman litigants in particular. Inconvenienced by what I call inherently tendentious protraction of litigation and underreporting of crimes and offences, we could do more if, as rights and paralegal functionaries, we somehow can manage to just listen to what these hapless souls may wish to convey to us. Here again the importance of doing a sort of “oral history of pro-poor legal work” stands vindicated in a whirlpool of motifs and tendencies of people who remain incurably mistrustful of the orality of lived experience as a source of evidence-making for legal pursuits.

The double-edged helplessness of poor and disadvantaged litigants in the pre and post-litigation periods of court work, which results from their own resource-poorness and lack of legal literacy as well as their lack of effective access to private and public legal service providers had made me ponder over the issues of accountable democratic governance in the specific context of providing time and cost-effective justice to those who need them the most almost on a day-to-day basis. I’ve also been developing LASWEB’s Right to Information Initiative and have initiated a dialogue amongst various civil society organizations, academics and government functionaries for effective implementation of the RTI Act, 2005. So far not much networking has really been achieved in this regard. One of the main purposes of the initiative has been to empower LASWEB’s district-level CBO collaborators to proceed towards ensuring greater accountability of local municipal authorities, government agencies/departments and other constituted development authorities in respect of their bungling and protraction of several development and welfare projects/programmes.

As a senior paralegal civil society functionary with substantial academic and intellectual interests and stakes in the formulation and execution of public policies on social sector and other developmental engagements of various government departments, agencies and constituted bodies, I consider the issue of “accountability and transparency” to be the most crucial for effective democratic governance in a country like India where very complicated and huge intermingling of mutually conflicting policies and strategies of economic growth and legal empowerment have been adopted at this juncture of what I would call ‘unevenly balanced semi-capitalist growth’.

In order to hold governmental authorities responsible and accountable for all kinds of bureaucratic bungling, delays, mismanagement and deliberate negligence, which take place pretty often due to unduly crafty decision making and deliberately fraudulent execution of developmental and welfare programmes and projects in connivance with political bosses and functionaries, we have now begun to make use of the two very potent legal instruments of “right to information application” and “public interest litigation” to demand information and explanations from the wrong doers. It’s my considered opinion that we have to make a concerted bid to turn these initial efforts into a kind of people’s movement to spread awareness of the importance and effectiveness of these activities in ensuring that processes and technologies of democratic governance become strengthened in quantitative and qualitative terms. Such moves will also
help the legally harassed and inconvenienced fight out the evil effects of ‘protraction of litigation’ in the structurally anti-poor adversarial justice deliver system of a country like India and put in the hands of civil society campaigners and NGO functionaries like us some very powerful shields by which we could try to protect the interests of the exploited and the oppressed.

PUBLIC INTEREST LITIGATION AND ACCOUNTABILITY OF DEMOCRATIC GOVERNANCE

Public interest litigation has become a very effective legal instrument in the hands of civil society functionaries, organic intellectuals, public-spirited human service professionals and social policy enthusiasts involved in widening the spectrum of accountable democratic governance. In a severely under-resourced and overburdened justice delivery system like India’s, the disadvantaged citizenry’s access to cost and time-effective quality justice always remains a matter of deep social concern for varied agencies undertaking non-state / non-governmental public action on bureaucratic bungling, mismanagement and tendentious handling of development and welfare projects and programmes. Protraction of litigation stands as the main hindrance to legal empowerment of the poor and the needy and it is caused by systemic factors like undermanning of both the subordinate and higher judiciaries, corrupt practices of court officials / functionaries and unethical practices of lawyers motivated overwhelmingly by prospects of pecuniary gains.

In this grim situation, public interest litigation has come to acquire substantial potential for doing utmost justice to cases of violation of rights of inconvenienced and harassed litigants transcending limits of private concern, vested interest and ulterior individual motif. The creation of an “epistolary” jurisdiction for petitioners / litigants by diluting and broadening the narrow pedantic concept and the traditional rule of locus standi has enabled the disadvantaged and their protagonists / compatriots to carry out socially purposeful legal battles in multi-dimensional contexts of urban renewal, poverty alleviation in rural and semi-urban areas, right to education and information and varied activities pertaining to environmental decay and degradation. Long-standing grievances and wrongful execution relating to state-managed public action in these areas of governance have been forcefully addressed through numerous public interest litigations during the last few decades. The Indian experiments and experiences in this regard have led to exemplary developments with their due shares of inadequacies and failures.

My specific engagements with various problems and prospects of public interest litigation (PIL) in the context of the role played by a select group of PIL activists began to assume a concrete shape through the activities I had to carry out for a legal research study tour on “Comparative Aspects of Public Interest Litigation in India and China”, which was organized under the auspices of the Danish Institute for Human Rights [DIHR], Copenhagen, where LASWEB, DIHR and Dongfang Public Interest and Legal Aid Law Firm [DFLF], Beijing were collaborators. The exercise was an integral part of a wider project entitled “Comparative Histories of Public Interest Litigation in India and China: Judicial Activism, Civil Society Initiatives and ‘Poverty Jurisprudence’ in Divergent Politico-Legal Systems of Governance.”

The central problematic of this philosophically informed socio-legal research exercise germinated through my treatment of issues concerning the histories and contemporary developments of public interest litigation (PIL) in India and China. It addressed two interrelated “higher order epistemological queries” on the use and abuse of this very potent legal instrument of interventionist social and/or civil society action for accountable democratic governance and access to justice amidst entanglement of several concerns and considerations of law, society and culture in the context of the application of an essentially Western means of legal adjudication like public interest litigation (PIL) for effective legal redress in non-Western societies like those of India and China. One of the lead propositions was that the widely prevalent discursivities ingrained in the ‘celebratory’ and ‘propagandist’ assessments of PIL-related matters, which have emanated from various non-governmental and civil society organizations/agencies/bodies involved in filing PILs for a wide range of developmental and welarcy purposes, have created an ever-protruding impression of PIL remaining a panacea for taking the modern state to task for all its misdeeds and failures. There does emerge an almost neatly painted picture of a bipolar world of PIL activists always holding unambiguously mandated briefs of “public interest” from the
disadvantaged and state agencies playing the role of proverbial villains masquerading all possibilities of just human development.²

In the strategic context of the resource-poor and disadvantaged people’s access to cost-effective and quality justice in India, I have been addressing the following central research problematic:

Whether and to what extent the legal instrument “public interest litigation” has served the purpose of expanding, intensively as well as extensively, the resource-poor and disadvantaged Indian people’s locus standi in approaching courts of law for effective legal redress in the task of holding various state agencies and constituted bodies accountable for non-performance, negligence and dereliction of duties and also of exposing aberrations / excesses committed in violation of the provisions and stipulations of various laws of the land;

The three thematic components of the above-mentioned central problematic would be:

(a) Mapping the success and failure scenarios relating to holding state agencies and constituted bodies accountable for inordinate delays, bungling and mismanagement of development and social welfare projects / programmes by emplotting the multi-layered histories of public interest litigation from its arrival in the Indian judicial system in the late 1970s to the present times;

(b) Tracing the influence of the legal philosophies of the American practice of Social Action Litigation [SAL] upon what has been referred to as the “poverty jurisprudence” of the Indian public interest litigation in the thoughts of the legal luminaries who pioneered the latter practice as well as through interviews with a select group of leading civil society functionaries who are currently engaged in using this legal instrument for a variety of social and political purposes;

(c) Mapping the thoughts, perceptions and assessments of a select group of targeted beneficiaries of a couple of public interest litigations by trying to critically document the follow-up developments relating to the same;

ORAL HISTORY OF PIL EXPERIENCE: RECONSTRUCTION OF ACTIVIST’S & BENEFICIARIES’ VERSIONS

Treating oral history as both “re-creation” and “democratic knowledge”[John Tosh, The Pursuit of History, Longman, 2002] and building on a the methodologies of “life-writing”[Max Saunders, King’s College, London: http://www.kcl.ac.uk/artshums/depts/english/modules/2012-13/level7/7aem444.aspx] and “ethnographic inscription of social discourse”[Clifford Geertz, The Interpretation of Cultures: Selected Essays, Basic Books, New York, 1973], I have drawn overwhelmingly on a colligated emplotment of “biographically structured narrative fragments” of lived experiences of an individual named Subhas Datta [https://www.google.co.in/search?q=correct+meaning+of+confabulated&oq=correct+meaning+of+confabulated&gs_l=hp.3...6367878.6375854.0.6376820.31.25.0.6.6.0.424.3667.0j17i2j0i120.0...0j.6.6.0.424.3667.0.3667.0.0.0.0.1c.1.29.psy-ab&abq=correct+meaning+of+confabulated&oq=correct+meaning+of+confabulated&gs_l=hp.3...6367878.6375854.0.6376820.31.25.0.6.6.0.424.3667.0j17i2j0i120.0...0j.6.6.0.424.3667.0.3667.0.0.0.0.1c.1.29.psy-ab.5.26.3537.8&UWbK_rQw&pbx=1&biw=1280&bih=681&dpr=1&cad=cvb&sei=njhlUua4DIWBrgfaj6H4Ag#q=subhas+datta+environmentalist], one of the most eminent public interest litigation activist in India, who has to his credit a total number of 69 PILs, all filed and argued entirely by himself. I have had the opportunity of consulting written records of these public interest litigations dealing with varied issues of environmental decay and degradation, which have received favorable orders.

Additionally, I have been recording Mr.Datta’s “words of mouth” by interviewing him to create a bunch of ‘life-story/life history’ material relating not just to his personal motivations, achievements and inadequacies, but also his interactions with a larger segment of functionaries/agencies/personnel from the judiciary and varied law-enforcing agencies in so far as his knocking repeatedly the doors of justice for effective and timely follow-up actions are concerned. In so doing, I have been guided methodologically by the following theoretical formulations/strategies of ‘biographic learning’ and ‘narrativist queries’:
1) Clifford Geertz’s notions of ‘ethnographic inscription of social discourse’ and ‘thick description’; 2) Gramsci’s formulation of the ‘episodic mode of subaltern consciousness’; 3) Heyden White’s theorization of the ‘moralizing functions of narrativization’ and 4) Fred Inglis’ formulation of the ‘biographic mode’ as the most ‘authentic theoretic explanation in cultural studies’. I have also been incorporating, juxtaposing and intermingling the epistemological and methodological nuances and devices of these formulations to ‘inscribe’ on the text of my ‘life-writing’ of Mr. Dutta’s endeavours the compulsions of legal intervention and political practice that he seems to have complied with in a spirit of individual courage and social defiance.

Before stating the major findings of this ongoing exercise in recording the ‘biographically structured narrative fragments’ of Mr. Dutta’s PIL experiences, which have been collected and transcribed through several formally structured questionnaire-based interviews and sessions of informal and open-ended conversations spread over a period of the last few months, I should like to mention a little about some of the major PILs he has filed so far. Let me also mention here that following the DIHR-sponsored legal research study tour, we have been trying to develop a project on “exchange of Indian and Chinese PIL petitions covering several environmental issues” for an initial trial exercise in translation/transliteration or transcreation of materials and get them evaluated by a joint committee of Indian and Chinese PIL experts in terms of (a) coherence and clarity of contents; and (b) logical consistencies and substantiation of arguments/law points raised in the translated petitions. On the Indian side, Mr. Dutta’s huge collection of PIL petitions will have to be drawn upon extensively.

Mr. Dutta is an environmentalist and he has specialized mainly in the area of what is known as ‘environmental justice’ by trying to ensure accountability of various government departments, constituted bodies and local municipal agencies of the Government of the east Indian State of West Bengal for not doing the needful to prevent environmental degradation and decay in the following cases: [Just a few examples are being sited below from the most recent period]

1. **PIL on Tarakeshwar Holy Water Pollution [2011]**: This petition was a PIL filed by Subhas Dutta who is an activist and was based on the ground that holy water served at the Tarakeshwar temple (charanamrita which is a mixture of milk and water) was unfit for consumption. A high concentration of foecal coliform was found in the sample of the water as was detected by the Pollution Control Board. The Green Bench of the Calcutta High Court heard the matter along with its merits and directed the Municipality to take the following measures. Subhas Dutta had claimed that the water of the pond from which charanamrita is taken is polluted as people bathe and take holy dips in the same water. People with diseases also perform the same ritual as they believe that the water has healing properties. Sewer outlets also flow into the pond to further contaminate the water.

2. **PIL on Howrah Urban Tank [2009]**: This PIL petition was filed a petition before the Calcutta High Court seeking directions to prevent the “killing of” water bodies. The Inland Fisheries Act of West Bengal prohibits the filling up of lakes but the powerful land mafia is blatantly violating this provision. The orders given by the Court were not satisfactory and thus Subhas on behalf of the HGNS (Howrah Gantantrik Nagarik Samiti) approached the SC. Dutta sought in this petition the protection of 110 water tanks located in Howrah. The SC admitted the petition and in a historic move it directed the Calcutta HC to form a special Green Bench to deal with this petition. The impact of this petition was spectacular as it was a first of its kind.

3. **PIL Filed on Oil Spill in Hooghly River [2010]**: This PIL was filed in the Calcutta HC after the collision of two ships resulting in an oil spill. The marine life of the river would be adversely affected and the ‘hilsa’ fish in particular. The High Court agreed to the demands of the petitioner for the ship owners to provide compensation to the affected fishermen along with taking steps for the restoration of biodiversity inter alia. The Court asked Dutta to assess the damage before such order could be passed.
The oral history of Subhas Dutta’s PIL ventures establishes the point that his motif and conduct of requisite legal work is not partisan in spirit and there is no ulterior or avowed political design or some kind of ‘aggrieved individual ego’ behind what he has espoused to accomplish. There is a very clear indication of what we may call ‘civil society zeal’ backed up adequately by a concomitant ‘civil society concern and/or consciousness’, which cuts across ‘boundaries of narrow political ideologies. Dutta has taken up issues critical of governmental activities / technologies of both the left ruling and anti-left opposition parties and combines. His forthrightness does make a fairly strong assertion of a civil society will to combat and confront shortcomings and excesses of the state apparatuses.

He has immense faith in the rule of law and shows discernibly hard work to place issues before what he calls ‘the temple of justice’, i.e., the judiciary. He is a chartered accountant by profession and doesn’t have a law degree, but this has never ever deterred him from taking on very able and established legal practitioners, many of whom have praised him for legal acumen and sensibility of very high quality. He maintains workably cordial relationships with representatives of the electronic and print media and has enjoyed a solid lot of media exposure for quite sometime now. Banking upon a distinguished social standing, he continues to build on a reputation characterized by personal integrity and trustworthiness. I have often asked him about the real source of his strength and tenacity. Without pondering over the matter even for a moment, he has always come up with the same answer: a will to fight out social evils as a duly aware member of the advanced citizenry and I think there lies the real civil society flavor of the work Dutta has done in the midst of a seemingly all-pervading ‘statist inertia’ and ‘non-accountability’ in matters of developmental and welfareist activities, in the absence of which, participatory democratic governance remains a perennially unfulfilled lofty ideal of modern statecraft.

The oral history of experiences collected from select segments of persons who have been affected by activities covered in the PILs filed by Mr.Dutta leads to three major findings: (a) An overwhelming majority of them have remained blissfully unaware of what Mr.Dutta has done or is trying to do. They keep talking about their sufferance and inconveniences in great details, but respond quite unfavorably to suggestions about taking any kind of collective action to deal with the same. They also remain discernibly critical and at times rather caustic about all kinds of political misdeeds and machinations they consider responsible for the states of affairs these wrongful activities have forced them to land up in. A handful of them, who have shown a fair amount of knowledge of Mr.Dutta’s work, have pointed out that despite all his good intentions and sincere efforts, nothing much has changed and it’s effective follow-up action by various concerned administrative and law-enforcing authorities that needs to be taken in the true public interest if he really wants to mean business in these trying times.

The main purpose of this oral history exercise lies in creating a polyphony of mutually consistent as well as adversarial perspectives, ideas and realizations of vanguards of environmental crusades and their hapless victims to represent many voices of human agencies involved in environment-related public interest litigations as their exponents, beneficiaries as well as adversaries. Beginning from the huge archival repository of written materials consulted from Subhas Datta’s private collection, I have moved on to the realm of multi-layered ‘oral sources’ contained in the informal conversations and structured interviews with Mr.Datta and a select group of his associates and compatriots as well as those whose biological and material wellbeing have been affected by the activities causing the environmental decay and degradation under reference.
NOTES AND REFERENCES

2. My in-depth interviews with a few leading activists have led to critical explorations of ulterior motifs and politically charged circumstances of filing PILs in atmospheres where ‘rule of law’ as understood in the Western industrial democracies doesn’t exist and an appreciably meaningful ‘public participation’ in such activities remains extremely far-fetched in its true intent.

BOOKS
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8. Sonia Hurra’s ‘Public Interest Litigation: In Quest of Justice’, Mishra & Co., Ahmedabad, 1993; Articles on the Indian PIL Scenario

3. Public Interest Litigation as a Tool for Vulnerable Groups: Lessons from India by Joshua Castellino, FLAC Public Interest Law Seminar Series, Seminar No.3, June 16, 2006;
5. Public Interest Litigation In Indian Supreme Court: A Study in the Light of American Experience by Clark D. Canningham, Vol-29, No.4, 1987;
10. Social Change and Public Interest Litigation in India by Jasper Vikas George: An Online Text Submission at the Portal: Independent Media Centre;
12. Procedural Obstacles to Public Interest Litigation by Colm Mac Eochaidh, FLAC Public Interest Law Seminar Series, Seminar 1, May, 2006;

Rommel A. Curaming (Brunei Darussalam):

Abstract: Jibin Arula was the sole survivor in the so-called Jabidah Massacre in 1968 which many believed had triggered the long-standing conflict in Mindanao between the Muslim separatists and the Philippine government. Because of the politically damaging implications of the event, both domestically and internationally, the Philippine government under Marcos did what it could to obliterate evidences and conceal or distort details of the gruesome incident, leaving Jibin Arula’s memory as the principal source of information about it. Jibin Arula has been hailed as courageous, even heroic, for telling the truth about the massacre and thus was seen to help keep the spirit of democracy and ‘people power’ alive in the face of the state’s unrelenting effort to curtail it to serve its own political interests. What this paper seeks to do is examine the oral interviews that he gave to the press in the span of four decades to demonstrate the complicated and shifting relationship between oral history and its supposed promise of democracy or empowerment. It argues that malleability and resilience of memory depends on one’s ability to exercise power as individual to the extent the socio-political context allows; and that the promise of people empowerment and other democratic aspirations that are often associated with oral history depends to a significant extent on the balance of power between competing political interests.
Oral history is not necessarily an instrument for change; it depends upon the spirit in which it is used.\(^1\)

The potentials of oral history to open up pathways for democratizing historical practice has long been recognized, even celebrated\(^2\). The ‘tyranny of the archives’ that for some time in the 19th and 20th centuries had restricted formal (e.g. academic) historical knowledge production to what has been documented and archived has given way in the past several decades—grudgingly still in many quarters—to a certain level of toleration, if not really acceptance, of the use of the oral sources in history writing. The widening use of the technique and the proliferation of large and small-scale oral history projects, both within the discipline of history and beyond, is a testament to the still growing recognition of the usefulness of oral history for scholarly and other purposes. The movement is alive and expanding.

The link between oral history and democratic aspirations is premised on, among others, the contrasting methodological, epistemological and (both implicitly and explicitly) political positioning that oral history is often thought to take vis-à-vis the more conventional history. Whereas conventional history has often been associated with political history dominated by ‘big men’ in the palaces and august halls of the parliament or city halls, oral history allows the voices of common people, including the marginalised men and women, to construct stories of the social processes far removed from the concerns of the politically powerful.\(^3\) This divide seems sharper in societies where power is highly concentrated and where certain narratives are keenly guarded as sacred. But even in societies where political power distribution is more open and fragmented, this divide is often there as offshoot of the lingering distrust among many academic historians towards oral sources.\(^4\)

What this paper seeks to do is examine the potentials and limits of oral history as a vehicle for democratic aspirations. By looking at the case of Jibin Arula, the sole survivor of Jabidah massacre which happened in Corregidor Island in the Philippines in March 1968, this paper aims to demonstrate the unstable relationship between oral history and democracy. It argues that the relationship is contingent upon the shifting calculus of power relations in a given context, analysts’ perceptions of which is in itself from being fixed. An illiterate, Jibin could not write an account of his experience. His memories of the event, of which he was repeatedly asked to recall in the past four decades, were recorded in interviews he gave to the press. This paper will, firstly, clarify the context or background of the whole incident from the moment the Philippines’ claim to Sabah was activated in 1962, to the time Jibin Arula applied and was accepted in the secret commando training in late 1967, all the way up to the time he died in August-September 2010. Second, it will examine the transcript and video of his interviews with the press to see how and why his memories of the event changed, in instances it did, and which remain fixed through time under different contexts. Finally, it will analyse how and why Jibin Arula and his memories have been utilized by different groups for their own purposes, including those who claim to promote democracy and people’s rights against state’s authoritarian tendencies. The idea is to map out the shifting dynamics between oral history and democratic aspirations against the backdrop of the long-standing conflict in Mindanao and accompanying campaigns by civil society organizations for peace. The argument of this paper is two-fold: that malleability and resilience of memory depends to an extent on one’s ability to exercise power as individual to the extent the socio-political context allows; and that the promise of people empowerment and other democratic aspirations that are often associated with oral history depends to a significant extent on the balance of power between competing political interests.

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A BACKGROUND: CONTEXTS AND ARULA’S LIFE STORY

Sometime in 1967, a clandestine plan was hatched by Philippine military operatives to recruit and train a commando group that reportedly would infiltrate and sow disorder in Sabah. Allegedly the plan was to set the ground for asserting the Philippines’ claim to it. The claim to Sabah had long been dormant but owing to the concerns over the impending formation of the Federation of Malaysia, it was activated in June 1962 when the then president of the Philippines, Diosdado Macapagal, formally filed the claim. Succeeding Macapagal, Ferdinand Marcos pursued the claim and, allegedly, he entered into an agreement with the Sultan of Sulu to carry it out on behalf of the latter and get enormous rewards if it succeeded. With the Federation still struggling in the mid-late 1960s to consolidate its hold on its territories and home affairs, Marcos allegedly thought it was the best time to assert the claim. Anytime later he must have deemed would no longer be auspicious.

Jibin Arula was one of over a hundred who were enticed to participate. With a young family and badly in need of employment, he returned in late 1967 to Jolo after a stint in Zamboanga del Sur as a helper in a farm. Like many other young men in the locality, Jibin dreamt of a job in the military. The steady income and career path it offered made it attractive. His very limited schooling, however, easily disqualified him. Upon hearing that recruitment was ongoing, and that there was no literacy requirement, he and friends applied and were accepted. Initially, they trained at Simunul, an island just about 50 kilometres from the shores of Sabah. For an unclear reason, the training was long after after moved to Corregidor Island, which is over a thousand kilometres up north, in Manila Bay (See Fig. 1)

The trainees were promised an allowance of 50 pesos per month. When the allowances had not been paid after a few months of hard training, and with poor food provisions, the trainees grew restive. A group of trainees wrote a letter to Marcos to complain about the situation. The letter was likely to have been intercepted by the military trainers. The details of what happened thereafter were shrouded in mystery. Reports speculated that the trainers may have suspected that the group was infiltrated by Malaysia’s spies. By early-mid-March 1968, the whole training appeared to have been abrogated as trainees began to be transported in batches to undisclosed locations. When it was the turn of Jibin Arula’s batch of twelve trainees to leave the camp, he recalled it was deep in the night and they were brought to an airstrip, called McKinley airfield. A plane was supposed to be waiting for them there. Their military handlers instructed them to get off and walk to the plane. Soon they heard gunfire. They ran and the group appeared to have been mowed down and killed. Jibin Arula was hit, too, but he managed to continue running until he fell off the cliff, on to the sea. He swam and was able to keep himself afloat for several hours until fishermen who were passing by saved him and brought him ashore, in a seaside town in the province of Cavite. It so happened that the governor of Cavite belonged to a political party, Liberal Party, that opposed Marcos. Jibin Arula was immediately interviewed by the Liberal Party leaders and they realised instantly the politically explosive nature of his stories. They kept him in protective custody. His life, so Arula claimed himself, was never the same after that incident.9

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In the following months, Jibin Arula was at the hub of the full-blown political storm, both within and beyond the national border. The elections in which Marcos was set to run for another term were slated for the following year, 1969. The oppositionist Liberal Party that sought to prevent his re-election aimed at scoring as much political points against him. With the survival of Jibin Arula, the top secret military training in Corregidor was exposed and the government was castigated severely for adventurism and murder. Jibin Arula gave face to the abuses and risky adventurism of the Marcos regime. It was a golden opportunity to embarrass the regime and the Liberal Party stalwarts would not let pass.

Across the border, Malaysia was furious. The reports about the clandestine training and its purported purpose were easily seen as the height of Marcos’s duplicity, particularly against the backdrop of Marcos’s state visit to Malaysia just months before the incident. There was also a quid pro between the two governments on addressing the problems of smuggling in the Sulu Sea area, whereby Malaysia helped the Marcos government. 11

The news about Jabidah massacre made a headline for several months since March 1968. While the scandal was brewing, Jibin Arula was put under the protection of Cavite’s political kingpin, the Montano family. Reportedly, government operatives wanted him killed so the opposition groups provided him protection. When Marcos won re-election in November 1969, it became clear that Arula was no longer of much need by the opposition party. Aware of the lingering risk of retribution, his benefactor suggested that he hide in an isolated place, far from Manila and Mindanao. With 12,000 pesos courtesy of the Montanos, Jibin left Cavite in early 1970 and settled in Antique, a province in the Visayas. He knew that for safety reason he could no longer go back to Jolo where his wife and family were. He wrote a letter to his wife informing her of the situation and letting her to marry someone else. He also asked her to leave their four children with his mother as he planned to get them later. Meanwhile, he stayed in Antique with his new wife with whom he had three children.12

Just as meteoric his rise to a ‘star witness’ status in 1968, Jibin was also quickly forgotten. The military tribunal that handled the case dismissed it in 1971.13 With the press muzzled during the Marcos years, Jabidah massacre would not be heard of again until 1986 when the Marcos regime collapsed and the new government under Corazon Aquino decided to re-open the investigation. So as not to endanger diplomatic ties with Malaysia, however, the proceedings were done closed door.14 This decision put a lid on the extent

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10 This map was taken from Google Map, https://www.google.com/maps/dir/Simunul,+Philippines/Corregidor/89.615359,115.8043561,zp/data=!4m1!4m1!1s0x224198471d9d843a:t.6j78ke702014!1!3m1!2s7762m211f19.850d4.911m31t11s0x33962111b0b16c3.09e0f3dec3be546e3/s2m21e120.3768342/414.364728 accessed on 15 April 2014
12 Arguillas, Q and A with Jibin Arula: 41 Years after the Jabidah Massacre, Last of Four Parts, ‘Sana Wala Nan Gulo Sa Mindanao.’
to which the memories of Jabidah massacre and Jibin Arula would circulate in public consciousness. In 1990, a movie about it was made and shown in commercial cinema, but the interpretation of the event was significantly changed that it was stripped of much of the politically potent aspects of the event.\(^\text{15}\)

In 1996, the Final Peace Agreement between the Moro National Liberation Front [MNLF] and the Government of the Philippines [GOP] was signed. Perhaps as recognition of Jibin Arula’s sacrifices and role in allowing the public to know about Jabidah massacre, Nur Misuari appointed him as ‘consultant’ with 7,000 pesos as monthly honorarium. This arrangement lasted until 2000 or 2001.

Meanwhile the signing of the peace agreement between the government and the MNLF did not pave the way for resolving the conflict in Mindanao. The MILF was not covered by the agreement. The MILF sought a separate negotiation with the government, which began in 1997. Under the Estrada administration, the conflict in Mindanao intensified particularly when it launched an all-out war against the Muslim rebels in March 2000. The all-out campaign against the MILF resulted in a string of victories with the capture of MILF’s key camps, but it did not lead to the decimation of the rebel group and peace in Mindanao. When Estrada was ousted in 2001, the new government under Gloria Macapagal-Arroyo reversed the previous government’s all-out war policy. Peace negotiations with the MILF was pursued once again. The progress was sporadic, on and off, and slow for several years, and there were occasions when serious differences threatened not only to stall but even abrogate the whole process. The negotiations were held closed doors with the panellists from the government and the MILF, plus the representatives from Malaysia which served as the mediator. When hints at breakthroughs were reported in the media in 2007, the sense of anticipation and optimism among civil society groups soared, only to be mired again under the weight of serious challenges that followed, including clashes between the rebel and government troops. The roller-coaster-like situation bred a shifting and mixed sense of hopelessness, fear, desperation and optimism among peace activists and common people. Against such a backdrop, various NGO organizations intensified their campaigns to push both parties—the government and MILF—to work together to reach a peace agreement. The 40th anniversary of the Jabidah massacre in March 2008 became the major rallying point of the peace campaigns. The organizers put a marker on the site where Jabidah massacre happened and they invited Jibin Arula to re-tell his story in public for the first since the late 1960s. It was one of the major highlights of the commemoration.\(^\text{16}\)

The peace campaigns continued. The activists felt that an agreement was within reach. When an announcement was made in July 2008 that a major impasse on very thorny issues related to ancestral domain was overcome, and that a key agreement would be signed before the end of that month, many people were excited and jubilant. It was a good news that the conflict-weary people of Mindanao had long been waiting for. The secrecy surrounding the whole negotiations, however, fuelled grave suspicions. When the announcement on the signing was made, not a few people demanded that the details of the agreement be made public. A petition to the Supreme Court for a temporary restraining order was filed. The Supreme Court agreed with the petitioners and disallowed the signing schedule in early August 2008. What could have been the climax of the highly-anticipated Memorandum of Agreement on Ancestral Domain (MOA-AD), an agreement that was believed to pave for a long-lasting peace in Mindanao, turned out to become a start of yet another round of frustrations and violence between MILF and government troops.\(^\text{17}\) Many plunged in anger and despair, but many civil society organizations took what happened as a temporary setback. The campaign in support of peaceful resolution of conflict continued.

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In the following year, the NGO-led peace campaigns proved even more expansive and high profile. Aware of the need to put the peace negotiations back on track after the debacle on MOA-AD and the ensuing violent skirmishes between the government and MILF troops, the peace activists planned for 18 days of peace rallies in various cities in Mindanao, culminating in the commemoration of Jabidah massacre on 18 March 2009. They invited Jibin Arula as special guest to speak about his experience and to express his support for the peace initiatives.

The adverse impact of the debacle proved enormous. Despite official declarations of the supposed serious efforts to keep peace efforts on track, things appeared very tenuous and uncertain. Distrust of the Arroyo government mounted and it came from both the supporters and detractors of the MOA-AD. With the presidential elections looming in the following year, the incumbent president became a sort of a lame duck insofar as addressing the Mindanao question was concerned. More and more observers agreed that it was better to wait for whoever will be the next president. As peace negotiations slowed down or stood still, so did peace campaigns by NGOs. During this time, Jibin Arula was not heard of in the media. The next time he was heard of again was in February 2011. This time, it was a report on his tragic demise in a vehicular accident which happened sometime in August-September 2010. It was truly unfortunate not only because the accident happened, but more so because it got to be known five or six months late even among Mindanao peace campaigners. The details about his death were hazy. He seemed to have died in the most unceremonious way, far removed from intense media attention that characterized some episodes of his life.

WHOSE POWER? WHOSE DEMOCRACY

It is commonly said that the extent of one’s anonymity at death bed is directly proportional to how badly one lived. Whether this saying applies to Jibin Arula cannot be known pending the details of his relationship with his family and friends and how they received the news of his death. However, for someone who at some point was a ‘darling’ of the media and was cuddled by some of the most powerful politicians in the country, the way how his death was completely missed by the media speaks volume to fragility or flexibility of power relations that makes or unmakes one’s claim to fame. It also warns of the delicacy of the link between oral history and the promise of democracy in knowledge production and distribution.

The first analytic point I wish to highlight here is the democratic promise well served by Jibin Arula’s oral testimonies. Being the lone witness and survivor of the massacre, his stories carry authenticity and authority, particularly against official history of the Jabidah massacre that the Marcos regime wished to promote. To note, initially, the military operatives tried hard to cover up the killings by allegedly disposing of the bodies of those killed into the sea. With Arula’s testimonies, they could have easily succeeded. When the existence of the secret commando training could no longer be denied, they insist that it was not meant to infiltrate and sabotage Sabah, but it aimed at neutralizing the groups who intended to do so supposedly on behalf of the Sultan of Sulu. Without Arula’s stories to the contrary, they could have made headways in misinforming or confusing the public.

It is important to note, however, that the democratizing impact of Arula’s oral testimony was made possible not mainly by the content or truthfulness of his testimony, believable it may have appeared to be on its own, but by political contexts which proved favourable for his claims to thrive. As noted earlier, he was protected by top opposition politicians and the main reason was that he was very useful for their mission to inflict the most potent political damage on Marcos’s bid for re-election. Their support made possible access to the service of the best lawyers, the biggest media networks, and effective bodyguards who could prevent him from being killed and silenced forever. Also, with his message coinciding well with

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what the whole information machinery of the opposition party wished to promote, it was assured that it would have more than a fair share of hearing in public.

The very competitive and commercial features of journalism in the Philippines during that time also helped set a very favourable context for stories as dramatic and scandalous as Jibin’s. It was every newspaper’s dream to have a scoop as big as Jabidah massacre, regardless of whose political interests it was likely to serve, be it Marcos’s or the opposition’s.

Aside from Marcos and the oppositionists, the other group that figured in political calculus insofar as being served by the democratizing potentials of Jibin’s testimony was that which eventually became a separatist group, the Moro National Liberation Front (MNLF). This group was likely to have been formed in 1969 or 1970 or anytime later than 1968, but it officially designated 18 March 1968, the day the Jabidah Massacre happened, as its founding day. Doing so underscored the importance of that incident—and of course, Jibin Arula’s stories that allowed it to be publicly known—in the formation and sustenance of rebellion. As recalled by Nur Misuari, the founding leader of the MNLF, it was on the nightly vigils at Malacanang in the wake of Jibin Arula’s media-publicised stories of the Jabidah massacre that his political career and the early germ of the MNLF were born.20

The realisation of the democratic promise of oral testimonies lies significantly on those stories being believed by groups and individuals no matter how strong the social and political forces that run in the contrary. As noted in the background above, Jabidah massacre quickly evaporated in national-level discourses after Marcos won elections in 1969. There were a few times—1986, 1990, 1994, 2000—since then that it seeped back through public discussions via various public media, but overall, it was largely forgotten until the recent years when NGOs efforts to campaign really hard for peace in Mindanao. During those lengthy years when it was hardly heard of in the national press,21 the MNLF kept the memories of this tragic event alive in the minds not only of its members and supporters but other Muslims as well. There were also other groups who refused to forget, but for different reasons. The politicians opposed to Marcos cannot forget Jabidah, not because they were concerned about Muslims in Mindanao, but because they cannot forgive Marcos. There were also those who believed in the cause of reclaiming Sabah because they believed it was rightfully owned by the Philippines, and Jabidah massacre was taken as a mnemonic marker for a good cause that went awry because of the ‘irrational’ opposition to Marcos22 or due to selfish, business interests of some people.23 In short, the democratic promise of oral history may be realized through the will power of individuals and groups who have strong motivations to pursue certain interests. Largely, however, it depends on a favourable alignment or confluence of forces beyond the control of the agent (Jibin Arula) and beyond the scope of the content of the narrative itself [stories about Jabidah massacre].

The democratic promise of oral history proved tragically ironic for Jibin Arula. Whereas his testimonies allowed freedom for a narrative that could have been easily suppressed by the Marcos regime, it served as one of the fuels for Muslim separatism, and it transformed him overnight in 1968 from a nobody to a celebrity of sort being a star witness to a politically explosive crime, towards the end of his life he expressed bitterness about the whole experience. He regretted that he came out to tell the story at all.24 In his view, what he did ruined his life and that of his children, and that it led to the long-standing and violent rebellion in Mindanao which cost so many lives, properties and dreams.25 If his testimony about Jabidah massacre unleashed forces otherwise tied to or easily neutralized by the dominant power of the state or

22 See Aljunied and Curaming, “Mediating and Consuming Memories of Violence” for an analysis of contesting views on Jabidah massacre. See the novel by Ricardo Octaviano, Sabah of the Philippines (Manila: Central Book Supply Inc., 2004) for an example of this view.
23 For an example of this, the film Jabidah Massacre (1990).
25 Arguillas, “Q and A with Jibin Arula: 41 Years after the Jabidah Massacre, Last of Four Parts, ‘Sana Wala Nang Gulo Sa Mindanao.’”
the Christian-dominated elites, the same stories put him in a cage from which escape was not imminent—fearing for his life, having to hide in Antique, marrying another woman, changing the course of life for, in his view, the worse. It was like a tyranny of fate standing in stark contrast to the democratizing spirit that his stories have made possible for others. If being able to tell one’s story was redemptive or empowering for individuals or groups who have been suppressed or marginalised by the unfavourable socio-political or economic conditions, it may also be an enslaving or emasculating for others, like the case of Jibin Arula. This highlights the double-edge impact of remembering and oral historicizing.

Fluidity or malleability is another characteristic usually associated with memory and oral sources. This feature is often cited as one of the weaknesses of oral history, to which Alessandro Portelli has a good defence. Such fluidity is evident in Jibin’s and other people’s or groups’ memories of Jabidah massacre. In Jibin’s earliest testimonies that appeared in the press in March 1968, it was clear that he explained the mutiny that led to the massacre as being due to the non-payment of the promised allowance of 50 pesos per month and the poor food provided to the trainees. A few days later, a Muslim organization issued a clarification indicating that the ‘real’ reason for the mutiny lay not in mundane matters as non-payment of allowance but in something more principled: the realisation by the Muslim trainees that the mission they were preparing for turned out to be the stabilization or infiltration of Sabah which could result in deaths of fellow Muslims, even relatives, there. According to this version, the recruits were misled and that upon knowing the real purpose they decided to withdraw. From that point on, belief in Islamic teaching and solidarity with fellow Muslim came to be incorporated into the narrative of Jabidah massacre. In fact, it became the central element in the whole narrative. Giving the narrative an ‘Islamic twist’ made Jabidah massacre a very powerful political symbol of oppression and exploitation by the Christian-dominated government. Nur Misuari and the MNLF have made a good use of such a symbol to rally generations of Muslims behind its struggle for self-determination. That MNLF officially declared 18 March 1968 as its founding moment, notwithstanding the likelihood that it was in fact founded a year or two later, was among the clever ways by which Nur Misuari had appropriated the memories of Jabidah massacre for political purpose. For over four decades, it was the dominant narrative about this tragic incident, and Jibin Arula himself had in due time included in his story telling the angle of Muslim solidarity and piety.

Notwithstanding the primacy in the past four decades of such a narrative—primacy made possible by MNLF’s and civil society organizations’ clever appropriation of the memory of Jabidah—what remains constant since 1968, even amplified if we go by Jibin’s most recent recollections of the event as recorded from 2008 to 2010, is the less than religious roots of the mutiny. He kept on repeating and emphasizing the non-payment of allowance and poor food provisions as the reasons why they complained. Elsewhere, my colleague and I offered a possible explanation for Jibin’s Arula’s obstinate emphasis on the material bases of the mutiny, despite the popularity of the Islam-focused explanation.26 In that article, we have attributed the stability of Jibin Arula memory of this particular aspect to his persistent struggle against financial insecurity and to the fact that he had grown distant from his Islamic roots as he lived away from Mindanao for decades to avoid threat to his life. As earlier noted, Jibin’s life was characterized by destitution both before and after his involvement in Jabidah massacre. Following James L. McClelland’s ‘connectionist model’ of stable ‘memory traces,’ we have argued that the constancy of poverty in his life may have set a mental template for emphasizing things compatible with it.27

27 Ibid.
CONCLUSION

Whether democratic promise often attributed to oral history may be fulfilled depend on various factors attendant both to the agents involved and the contexts of remembering and the circulation of social memories. The differential in power relations at a particular stage of remembering, memorialization and knowledge production and distribution determines to a significant degree whose interests would be served. Therefore, whenever the democratic promise is invoked in the use or practice of oral history, it is pertinent to ask whose democracy it may serve, and whose power gets reflected, and whose got shunned, in each phase of the exercise. The case of Jabidah massacre, Jibin Arula’s recollection of the event, and how various groups have appropriated the memories of Jabidah seem to be very fertile ground for exploring the complicated and shifting relationship between oral history and democracy.

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