'JUST' COMMUNICATION

THE PERCEPTIONS OF JUSTICE AND THE BHOPAL GAS TRAGEDY

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Despite 27 years of rehabilitation efforts after the Bhopal Gas Tragedy, protests and demands for compensation highlight an unmet demand for justice. The causes and consequences of the tragedy have been extensively covered in the literature. Communication and the perceptions of justice, as distinct from the substance of justice provided remain to be analysed. An understanding of how various actors communicate (or not), the means of communication, the factors affecting communication and how it is understood (or not) can provide insight into key stumbling blocks in achieving socio-environmental justice. This study charts the attempts made towards socio-environmental justice, analyses the means of communication and explores how communication becomes constitutive of politics among diverse sets of actors involved in the process of rehabilitation.

The analysis of the paper is undertaken through three key steps. First, narratives of justice and injustice are charted from the points of view of different actors, including the victims, government, the company and the civil society groups. Second, the cultural, economic and political roots in which actors produce such narratives are traced. Third, an analysis of how narratives of justice are emboiled in the complex politics of power and the search for material incentives is undertaken. This is undertaken through fieldwork focus groups and semi-structured interviews with victims of the gas tragedy at Kabakhana slum. Semi-structured interviews with various other actors are also undertaken to understand communication linkages between the victims and other actors.

The study highlights how communicative practice around claims to the delivery of justice has been fraught with systemic distortions rooted in culture, power and economy. Such distortions in communication are manifested in the lack of accountability in political institutions, technobureaucratic control of communicative processes, informal and non-transparent coalition of actors, and empty populist rhetoric of justice – such as media and activist amplification of demand for the justice. We conclude that any search for ‘just’ communication has to first recognize the social embeddedness of communication process and then to explore the prospects of exposing the underlying distortions in communication. Socio-environmental justice can be advanced through the strengthening of links between political accountability and communication.
1. INTRODUCTION

The Bhopal Gas Tragedy is the worst industrial disaster in the world. On the night of the 2nd of December 1984 a series of technical failures and poor safety mechanisms led to the release of lethal gases in Bhopal. Immediately after the event, crisis management was characterised by chaos, confusion and the vested political and commercial interests of both the Government of India (GOI) and the Union Carbide Corporation (UCC)\(^1\). The desire to suppress information as a means to insulate the accountability and responsibility of these two key actors catalysed the series of injustices that continue to affect victims today.

Despite 27 years of rehabilitation efforts, a sense of injustice will always taint the immediate and long-term perceptions of the tragedy. Today it is only the degree of injustice can be managed. Communication plays a key role in the perception of justice between various actors and how injustices, both embedded and newly emerging, can be managed. In understanding the need for justice, a distinction is drawn between substantive justice and an individual’s perceptions of justice. Perceptions of justice manifest through communication and the socio cultural and economic context in which communication between various actors operate. Victims of the tragedy, predominantly belonging to low income groups, view the degree of justice provided to them from a very different perspective than the profit maximising motives of Dow Chemical. In many cases the perception of justice is more important than the substance of the justice (Tyler 1994).

This study has two key goals. First, adopting an actor-oriented approach, we aim to provide new ways of understanding the tragedy by analysing the narratives of justice and injustice that emerge from various actors. Through this any distortions in communication can be identified providing an understanding of the motives and mechanisms in which they are manifested. Second, we aim to provide new ways of framing responses to mitigating the ongoing consequences of the Tragedy.

Findings indicate that communication deteriorates perceptions of justice for the victims of Bhopal for two key reasons. First, at a practical level, the communication of information surrounding the tragedy has been unreliable, unknown, misinterpreted and suppressed. The means and mechanisms of communication from various actors have been driven by the desire to further individual agendas at the expense of the interests and needs of many. Secondly, emotional forces change perceptions of justice. It is difficult to see how justice can be served when the loss of life and the ability for so many to live life to the fullest is taken away. The moral and ethical responses evoked from the tragedy make it impossible for any compromise to be reached. Because of these factors any outcome will always seem unjust.

1.1 BACKGROUND OF THE BHOPAL GAS TRAGEDY

On the 2nd of December 1984, operational failures caused 42 tonnes of methyl isocyanate (MIC) and its compounds to escape from the Union Carbide Corporation (UCC) pesticide plant in Bhopal, India. The toxic cloud of gas killed between 5 000 to 20 000 and injured or disabled up to 200 000. It is estimated that up to 550 000 people continue to suffer from the after effects – gas-related illnesses such as lung cancer, kidney failure, and liver disease, with others suffering birth defects as a result of genetic mutations in their parents’ reproductive systems (Mukherjee 2010).

The Union Government of India filed claim for $3.3 billion from the UCC in the US court, but the case was transferred to Indian jurisdiction. Ultimately the compensation between the Government of India and UCC was settled at $470 million in 1989. Despite numerous petitions by survivor groups, the Supreme Court allowed UCC to sell its stake in UCIL (Union Carbide India Limited) to McLeod Russel (India) Ltd of Kolkata and announced its merger with Dow Chemical. A part of the compensation of $470 million was disbursed by the Government among the gas victims. The effects of the disaster continue to resonate long after the event with ongoing environmental, social, medical, economic, and political issues.

1.2 RESEARCH GAPS

The Bhopal Gas Tragedy has been covered extensively in various literary forms. However, it has generated more controversies than a proper analytical understanding of the various components that goes into defining it as an industrial disaster (Mukherjee 2010). Various studies undertaken previously have attempted...
to consolidate facts from reports and scientific studies. Studies have been undertaken using a logical framework analysis to understand the causes and consequences of the disaster (Eckermann 2005). Communication and its role in changing perceptions of justice remain to be used as a framework to understand Bhopal Gas Tragedy.

1.3 RESEARCH PROBLEM

The approach undertaken for this study is poor, bottom-up and attempts to analyse the deep dissatisfaction of the victims affected by the tragedy. In the general crisis management literature, little attention has been paid to the individual experiences of an organizational crisis once it unfolds (Pearson and Clair 1998). The current study, therefore, explores individual experiences at the Kabadkhana slum in close proximity to the Union Carbide Corporation site. This study attempts to understand why there is such a deep dissatisfaction, what are the various forces at play that enable this to occur and to add to an understanding of how better communication linkages can enable the consideration of all voices towards a perception of socio-environmental justice.

The research question to be explored in this paper is - How can communication ensure the perception of justice for the victims of the Bhopal Union Carbide disaster? To obtain an understanding of this, some other questions to be answered include:

(i) What are the existing communication lines between various stakeholders?

(ii) What is preventing the flow of accurate, reliable and transparent communication between stakeholders?

(iii) How does the systemic distortion of communication affect the already disadvantaged?

(iv) How do victims struggle with the distorted lines of communication? If there are distorted lines of communications, what alliances form to ensure that the voices of the disadvantaged are heard? and

(v) How can communication between various stakeholders be improved for better accountability?
1.4 RESEARCH METHODOLOGY

Kabadkhana slum was chosen as the site to explore the issues of communication (See figure 1). It was chosen due to the proximity of the site to the UCC tragedy site. A full day site visit was undertaken to understand the key issues faced by the victims of the gas tragedy. The site visit started with a focus group with the leader of the community as well as other members of the community. This focus group consisted of 9 individuals and insight was obtained into the key issues faced by the victims of the gas tragedy including living conditions, compensation received, interactions (and lack of) with other actors and examples of innovation in terms of their adaptability to adverse circumstances. A member from the local community who was a gas victim himself then guided us throughout the slum. A North-South and East-West axis was explored to observe the conditions of the slum and to interact with a variety of people. Informal interviews were undertaken with various members of the community along these two routes. Curiosity of the local members of the community would often lead to several focus groups along the way as crowds gathered and the victims of the gas disaster shared their stories of injustice. A total of 21 people were interviewed on the first day of the visit and this helped in crystallising the issues of communication (or lack of) for further exploration.

Figure 1: Kabadkhana Slum in relation to the UCC Site

source: Bhopal Master Plan
To explore the issues of communication, a literature review was undertaken to understand (i) the key actors associated with the Bhopal Gas Tragedy (ii) policies in place and (iii) to understand the issues that have been addressed previously and remain to be explored. The books, newspaper clippings, internal documents of various actors and reports at the Bhopal People’s Health and Documentation Clinic (Sambhavana Trust) were reviewed. The literature review was followed by interviews with members of the Kabadkhana slum based on a stratified sampling approach. The criteria used for selection of the sample was based on gender (we wanted to obtain perspectives from both men and women) and the number of years they had been living at the slum (we wanted to ensure that they were gas tragedy victims). Semi-structured interviews were also undertaken with other stakeholders including the Department of Bhopal Gas Tragedy Relief and Rehabilitation (1), the Bhopal Municipal Corporation (1), Sambhavana Trust (1), Bhopal Gas Peedih Mahila Udhyog Sangathan (1), Urban Administration and Development Department (2) and academics from MANIT (1) and SPA Bhopal (1). This was then followed by an analysis of policy documents and reports and textual analysis of the interview transcripts to extract excerpts which are used throughout the discussion of the report.
2. COMMUNICATION AND THE PERCEPTION OF JUSTICE

2.1 COMMUNICATION IN THE CONTEXT OF INDUSTRIAL DISASTERS

There is a need to approach each of these crisis stages with a focus to meet the different management needs and challenges represented by different dynamics and dimensions in each stage (Sturges 1994). Most of the communication management literature has focused on the accuracy and timeliness of communication without due consideration of meeting the audience’s psychological and physical needs (Sturges 1994). The content of crisis communication should not only be a defensive strategy of doing what is necessary to reduce the negative implication of not communicating (Sturges 1994). There is a scarcity of literature that focuses on the need to define, and then practice, communication linkages for notification of key organisation personnel, or in the case of catastrophic crisis, authorities who must activate systems for protecting the public from negative consequences (Quarantelli 1988). Crisis management discussions have also, so far, focused on (i) preparation for meeting the challenges of crisis and (ii) the behaviour of the organisation and its members during the time period associated with the crisis with (iii) communication during the crisis to publics (stakeholders) important to the organisation, receiving the least attention. This paper will therefore, contribute to this as it focuses on communication linkages and on the communication (or not) during the Bhopal Gas Tragedy.

2.2 COMMUNICATION DEFINED

Communication varies according to context. It is a two way process of transmitting information from one source to another. The underlying assumption of effective communication is that the information is accurate, the source is reliable and the receiver understands what is being transmitted.
2.3 EFFECTIVE COMMUNICATION FOR ENVIRONMENTAL JUSTICE

No amount of resource allocation can compensate for the loss of a life or a disability. Accordingly, injustice in Bhopal is linked not only to substantive justice but also the perception of justice. Effective communication can be seen as a means to enhance the perception of environmental justice. Justice has different components, means different things to different people - substantive justice, and perceptive justice. Substantive justice consists of distributive and procedural justice. Substantive justice is largely influenced by perceptions of justice and how justice is seen to be done (Tyler 1994). Perception of justice is guided by the notion of individuals evaluating fairness based on how they react in groups and organisations to third-party allocations and dispute resolution decisions as opposed to an absolute or relative favourability (Tyler 1994). Tyler (1994) highlights that the most appropriate psychological model of justice is the relation-dominated model. The relation-dominated model links loyalty to whether groups provide their members with a positive sense of identity and feelings of self-worth and self-respect. This is in contrast to the traditional explanation of people caring for justice to pursue self-interest. Within distributive justice literature, people are thought to recognise that longer-term gain in interaction with others requires a restraint of short-term self-interest whereas within the procedural justice literature, people are suggested to recognise that they cannot negotiate solutions to difficult conflicts and, hence, cannot retain decision control in all interactions. It is noted that in such a situation, people give up decision control and evaluate justice in terms of the opportunities a procedure gives them to present evidence to a third party (process control). In each case, people are tempering their desire to maximise their short-term self-interest in acquiring desired resources, which benefits from on-going social relationships. Social exchange concerns are important to any complete understanding of the psychology of justice (Tyler 1994). The perception of justice can, however, be compromised by the lack of reliability, accuracy and problems in understanding the transmission of knowledge. This is especially the case for communities with varying socioeconomic and ethnic diversity (Vaughan 1995).

Communication
- Accuracy
- Reliability
- Transparency
- Effectiveness
- Actors
- Perception of Justice
- Criteria
- Social Embeddedness

CRISIS

Figure 2: Communication framework
In instances where an organisation’s environment is complex and unstable, internal and external stakeholders cross over boundaries as they become involved in the crisis (Lerbinger 1997). Pearson and Clair (1998) highlight how stakeholder links may become adversial in the heat of a crisis as stressful internal and external interaction can promote conflict. The Bhopal Gas Tragedy has garnered local, national and international attention. The actors that are involved are therefore, from various spheres. The classification of the actors involved in the gas tragedy is undertaken based on the framework put forward by (Ray 1999, Dougherty 1992) – enabling publics, functional publics, normative publics and diffused publics. The case of the Bhopal Gas tragedy is not based on an organisation but an event and involves various actors. Enabling publics provide the authority and control the resources that allow the organisation to exist. These include the Union Carbide Corporation (UCC) and the Government of India (GOI). Functional publics are those that have been affected by the gas tragedy, the victims. Normative publics are those that share similar values or have similar problems. These include other industrial organisations such as UCCI that were existing in Madhya Pradesh. Diffused publics are those actors such as the media, environmentalists, residents, the community and the public at large. Figure 1 highlights the linkages between various actors.

Union Carbide Corporation/DOW Chemicals
Union Carbide Corporation
India
Government of India
Madhya Pradesh Government
Bhopal Municipal Corporation
Department of Planning and Development
Department of Water Supply
Department of Revenue and Tax
Department of Health and Sanitation
Department of Bhopal Gas Tragedy Relief and Rehabilitation
Commissioner, Economic Rehabilitation
Directorate
Medical Units
Collector, Gas Relief
Centre for Rehabilitation Studies
Ministry of Chemicals and Petrochemicals
Gas Tragedy Victims
NGOs
Activist Groups
Bhopal People’s Health and Documentation Clinic (Sambhavana Trust)

Bhopal Gas Peedith Nirashrit Pension Bhogi
Sangarsha Morcha
Bhopal Gas Peedith Mahila Purush Sangarsha Morcha
Bhopal Gas Peedith Mahila Udhyog Sangathan
Bhopal Gas Peedith Mahila Stationary Karmachari Sangha
Bhopal Group for Information and Action
Dow/Carbide ke Khilaph Bacche
Department of Chemicals and Petrochemicals
Set up of 36 Compensation Courts set up in each of the affected wards
Research Organisations Commissioned by the Government
Bhopal Gas Disaster Research Centre (1985)
Tata Institute of Social Sciences (1985)
Industrial Toxicology Research Centre
International Medical Commission on Bhopal Compensation
MEDIA
INTERNATIONAL COMMUNITY
INDEPENDENT RESEARCH ORGANISATIONS

Figure 3: Actors Map
3. NARRATIVES OF JUSTICE AND INJUSTICE

The Bhopal Gas Tragedy continues to evoke changing socially, economically and culturally different narratives of justice and injustice. To identify the nexus between communication and perceptions of justice an actor oriented approach has been employed to examine the interests, needs, expectations and agendas of the actors involved in the tragedy.

Following Batterbury (2001) the local level field research was guided by a ‘local political ecology’ approach that focuses on local decision making processes of community group and their outcomes on the ground, and contextualizes these decisions and outcomes in wider social and political systems. The following outlines the role, purpose and agenda of various actors and their relationship with other actors (see Fig 2). It maps how their perception of justice and the outcomes of the tragedy have been influenced by their social situation and how this affects the reliability, accuracy, transparency and accountability of communication channels with other actors.

3.1 UNION CARBIDE/ DOW CHEMICALS

The Union Carbide India Ltd (UCIL) was established to harness the growing demand for fertilizers and pesticides within the growing Indian agricultural sector. In 1968 the Government of India approved plans by UCIL to build a fertilizer/pesticide formulation plant in Bhopal. Pursuant to legislative requirements the Government of India acquired a 39.1% ownership of UCIL. UCIL’s status as a subsidiary of the large scale multinational corporation, pervades the motives, agenda and communication channels employed post tragedy, to ensure that the best corporate interests are achieved.

Commercial motives prevailed over the concern of the impact of production operations on the local Bhopal population. During the planning phase of the plant, UCIL insisted that it be deliberately situated next to a residential area, despite the contravention of local planning regulations. Further, internal evidence suggests that economic losses for UCIL lead to cost cutting and the undersupply of appropriately trained staff. A study by a Mumbai research group noted that safety rules were simply rewritten in order to avoid the problem of continuing violations (Jasonoff 1988).

To insulate the rest of Union Carbide’s operations it would have been in their best corporate interests to resist investigation into the causes and consequences of Bhopal. UCC’s initial response was to claim that methyl isocyanate was ‘nothing more than a potent tear gas’. To insulate them from the threat of corporate liability, UCC maintained the monopoly on information concerning the toxicity of MIC preventing immediate and appropriate treatment of victims (Baxi 2004). This was mainly achieved under corporate legislation protecting the release of ‘trade secrets’. In reply to telegrams sent to UCC’s US headquarters, doctors in Bhopal were told that the gas was ‘harmless’. The UCC finally provided information, to the Government of India only three months after the event, however information was only superficial and even today UCC has not released information about the possible composition of the cloud (Eckerman 2005). According to Eckerman (2005, p131) it was in the corporate interests of the UCC not to recognize the long term debilitating effects of the gases, as the amount of compensation the company would ultimately be liable to pay would depend on the extent of the injuries.

As a multinational corporation, the ability to use jurisdictional boundaries to evade responsibility for the event influenced degraded the perceptions of justice in relation to compensation. A strategy of pursuing complex litigation enabled them to achieve a settlement on their own terms, to the detriment of both the Indian Government and the victims. After three years of legal proceedings whereby the GOI claimed $3.3 billion from UCC, a settlement of just $470 million was agreed. UCC also successfully negotiated broad civil and criminal immunity for UCC and UCIL, effectively severing all legal avenues for justice for the victims of Bhopal.

Corporate structuring also impeded effective communication between the parent company and its subsidiary in Bhopal. Evidence suggests that prior to the leakage UCC was aware of the threat of a runaway accident involving MIC (Jasonoff 1988). The threat was identified as a ‘major concern’ during a safety survey conducted at an identical prototype plant a few months prior to the tragedy. UCC apparently took immediate steps to eliminate the danger. However the parent company did not undertake to inform UCIL of the hazard (Bowonder et al. 1985).
The corporate veil has also provided a legal communication block in the pursuit of justice. Firstly, directly after the event UCC’s lawyers claimed that control of the Bhopal factory rested with the Indian company. In 1985 Indian counsel stated in The American Lawyer ‘it is again wrong to say that the American company is the parent company. It is not the parent company. It holds some shares, the Indian company has nothing to do with the US company’ (Zavestoski 2009). Secondly, through the UCC/Dow Merger Agreement, the newly formed Dow had the ability to deny UCC’s criminal liability in the Bhopal case. They claim that the sale of UCIL to Eveready Industries in 1994 ended its liability for the site, although its lease from the Madhya Pradesh government specified that the land must be returned in ‘usable and habitable condition’ (Amnesty International 2004).

How is their perception of justice influenced by their social context?

UCC has successfully pursued every avenue to avoid legal responsibility for the disaster. UCC attempted to ‘reinterpret’ the events at Bhopal by asserting a ‘sabotage theory’ claiming that ‘a disgruntled worker attached a water hose directly to a storage tank filled with MIC’ (Besharov & Reuter 1985). Dow continues to assert that ‘the gas leak could only have been caused by deliberate sabotage, process safety systems had been put in place that would have kept the water from entering the tank by accident’.3

According to Jasonoff (1988, p1116) ‘a great deal of information was available, at least at the higher reaches of the company, but was either not fully appreciated or not put together with other relevant information.’ Jasonoff (1988, p1119) highlights ‘As the events in Bhopal underscore, the risks of catastrophic accident are greatly magnified when the line of communication between those with access to information and those responsible for day to day operations on the shop floor becomes excessively attenuated.’

3.2 GOVERNMENT OF INDIA

The Government of India (GOI) is also central to in the cause and management of injustices associated with the tragedy. Underscoring the GOI’s behaviour were issues of regulatory failure, the pursuit of economic growth and liberalisation and bureaucratic chaos. Within the context of globalisation, the GOI was prepared to waive regulations so as to create a favourable environment to attract international investors. Union Carbide was no exception.

Whilst creating a favourable economic environment for the expansion of the chemical industry, the GOI failed to provide an appropriate environmental and industrial health safety framework to prevent the safety breaches which ultimately lead to the tragedy (Zavestoski 2009). Secondly, close economic relationships between the GOI and UCC created a corporate political alliance which distorted the ability for the government to maintain its duty of care to its citizens. Since the GOI held 23% of UCIL, additional responsibility rested with the government in its dual role as investor. Following the tragedy, the GOI enacted the Bhopal Gas Leak Disaster Act which aimed to protect victims from exploitative practices of US lawyers. However, in practice it was unconstitutional as it removed the right for citizens to represent themselves. Many of the victims saw the act as disempowering (Cassels 1993). It provided a statutory communication barrier influenced by corporate and political motives which prevented individual just outcomes for victims.

The 1985 Bhopal Gas Leak Disaster Act and the settlement outcome with UCC shaped the administrative framework for the filing, processing and categorization of claims. The compensation process was fraught with delays. Despite settlement being reached in 1989 it wasn’t until 1992 that victims received their final settlements from the GOI. The failure to achieve the original sum claimed of $3.3 billion resulted in a significant devaluation of the victims of the tragedy (Engel and Martin 2006). The final compensation settlement provided for only 3,000 fatalities, 2,000 cases of severe injury, 30,000 permanent total or partial disability cases, 20,000 for temporary total or partial disability cases and 50,000 cases for minor injuries (Eckerman 2005). However, according to official records in 1999 1,001,723 claims for injury and 22,149 claims for death were registered in Bhopal.

Medical examinations of the claimants were also conducted on an ad hoc and economically driven manner (Sangari, 2002). According to
Given the number of claimants, legal processes were generic and failed to consider the individual tragedies faced by each individual. Sangari recounts recent compensation processes stating that approximately 3,000 claimants were awarded compensation sums in one day. Less than two minutes was given to individual claimants. To receive compensation claimants were required to sign an agreement preventing them from making further claims before the judgment.

Failure to provide consistent information concerning the distribution of the full settlement amount has also influenced perceptions of justice amongst the Bhopal Tragedy community. Over 20 years after the event benefits of interest and appreciation of the dollar against the rupee meant that a sizeable sum was still being held by the Reserve Bank of India (Engel and Marin 2006). It again took the power of a Supreme Court order in mid 2004 to mandate the distribution of remaining funds to victims. As the court order failed to set a time for funds to be distributed many claimants are still awaiting payments. Further there were significant issues surrounding compensation payments for victims aged under 18. It wasn’t until 1992 that again pursuant to a Supreme Court order, minors were eligible for compensation on the basis that their family had a ration card.

How is their perception of justice influenced by their social context?

Economic and political forces have influenced the ability for victims to pursue justice from the GOI and other actors. The capacity for the GOI to provide both procedural and substantive justice was limited in scope by an inefficient administrative and legal system and the decision to subordinate the interests of its citizens through a narrow settlement with UCC. To suppress voices of frustration from people disempowered under the Bhopal Gas Leak Disaster Act, the GOI has actively attempted to suppress the activist movement under the guise of peace and good governance.

Various commentators point to the notion that underlying the settlement decision was the wider economic goal to open Indian borders to international investment. Justice to the victims was blemished by the fear that a large settlement might deter potential investors (Engel and Martin 2006).

3.3 GOVERNMENT OF MP

Whilst responsibility for Bhopal has mainly been confined to the Government of India and Union Carbide management of the injustices associated with the Tragedy also rest with the

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4. Ashok Raj, Dr P K Sharma ‘Report on the Health Status of Bhopal Gas Victims and an Assessment of the Efficacy of Medical Care and Rehabilitation for the Past 20 years’ (Report available at Sambhavana clinic).
Government of Madhya Pradesh. The causes and management of losses caused by the tragedy associated with the MP Government include their responsibility for safety checks, remediation of the site and the provision of clean drinking water.

**Firstly, the** land occupied by the UCIL plant was leased by the MP Government. In 1976 the MP government waived general zoning criteria by classifying the UCIL plant as ‘general industry’ rather than ‘hazardous’ industry. This enabled the plant to stay in its established location rather than move to Bhopal’s new hazardous industry zone. Further between 1981 and 1984 routine inspections of the plant pursuant to the Factories Act should have exposed numerous safety problems that eventually lead to the fatal leak in 1984 (Jasonnoff 1988, p1115).

**Further it** fell on the Madhya Pradesh health services to administer immediate treatment after the event. In the context of the chaos, confusion and sheer scale of the tragedy medical institutions dealt with treatment in the best way that resources would permit. However, confusion and politics amongst various institutions blocked the path towards appropriate treatment (see Eckerman 2006, p103). Despite the failure to obtain information from UCC, evidence provided by international and local doctors indicated suspicions of cyanide poisoning. In response, the superintendent of the Medical Legal Institute in Bhopal who demanded that cyanide poisoning should be verified chemically in every single case. Eckerman further highlights bureaucratic blockages and the spread of misinformation which may have saved a number of victims:

> ‘On December 13, the chief for Health Services in Madhaya Pradesh sent a circular to all doctors in Bhopal not to use NaTs for treatment if cyanide poisoning was not verified through laboratory tests. He stated that he had received this information from ICMR. But ICMR denied this, and in their own circular, there was instruction on how to administer NaTs...Three days after the press statement by the ICMR, there was another press statement from the Gandhi Medical College, which argued that there was no evidence in the medical literature about any form of chronic cyanide poisoning. On the basis of this statement, the MP Government decided not to support NaTs therapy.’

**It was** not until April that the MP Government officially sanctioned the use of NaTs. Whilst misinformation and tensions between state officials impeded appropriate treatment, Jasonoff (1988, p1116) states ‘the conflict seems to have been a result of misinformation more than active ill will’. Threatened by the international culpability associated with the lax safety and storage of cyanide, the State’s political leaders attempted to downplay their culpability.

**Drinking water and the deflection of responsibility between various government departments.**

**Politics, misinformation** and deflection of responsibility between various actors continue to impede perceptions of rehabilitation schemes, particularly dealing with newly emerging and unanticipated long term consequence of the tragedy. Provision of clean water to people living within contaminated areas is imminent to manage ongoing injustices of the tragedy. However, action has been slow and delayed by the bureaucratic chaos associated with the lack of cooperation between all levels of government.

**From 1990** numerous internal and public documents pointed to the contamination of ground water. In April 1990, the Citizen’s Environmental Laboratory, Boston tested sediment from the Solar Evaporation Ponds within the Site, soil samples from nearby ponds and community water wells. The tests revealed numerous toxic materials in both soil and water samples. The results of the test were raised at the 1990 Union Carbide Annual General Meeting. In 1999 Greenpeace International published a report comprising studies by laboratories and technical experts from the University of Exeter in the UK. The report provided evidence of massive and spreading groundwater contamination emanating from the Bhopal Plant. Twelve volatile organic compounds, most greatly exceeding WHO and EPA standard limits, were found to have seeped into local tube wells. Further tests by Greenpeace in 2001 and The People’s Science Institute, Dehra Dun found contamination in the water. Additional reports found contamination of vegetables and even breast milk. However, it took a Supreme Court Order in 2004 to mandate the provision of clean water to communities who continued to drink contaminated water.
To safeguard water supplies from further contamination, complete rehabilitation of the site is required. However, deflection of responsibility between the Government of MP and UCC continues to impede any rehabilitation of the site. Further, bureaucratic processes and reluctance to take on the responsibility also affects the delivery of interim measures to provide clean drinking sources to the local community. In 1999, the Department of Gas Relief and Rehabilitation requested Rs 8.50 crores from the Central government for drinking water supplies to communities adjacent to the Union Carbide factory. Funds eventually came from the Central Government in 1999 mandated to supply piped water to severely affected communities. No immediate action however was taken by local authorities. Responses by the local authorities have been piecemeal and inefficient only fulfilling a fraction of demand. According to one respondent from the BMC, lack of intent and political will amongst various levels of government have lead to a delay of over 6 years to provide adequate supplies of clean drinking water to residents still drinking contaminated water. Further a respondent from the Urban Administration and Development Department (UADD), in regards to government rehabilitation schemes stated:

‘Whenever the Government of India announces a scheme, they have good intentions but then what goes wrong? The working mechanism is responsible for these shortcomings. We are at fault. We are just interested in moving files and playing ping pong of work. Every person starts the work with great interest but no-one is bothered about the end result’.

At the local level, appealing to the needs and aspirations of victims to the Bhopal gas tragedy is an important political strategy amongst various local leaders. In many cases, the weakness of a political promise influences perceptions of justice within the local community. Even in the immediate aftermath of the event, politics influenced relief efforts. According to Eckerman (2006):

...before the elections took place, the local government made free ration cards available to the majority of the population. About 700,000 ration cards were issued. In January 1985, following the elections, the government halted the free distribution of rations to investigate who was entitled to get relief. It was only after large scale protests from the residents that rations were restored... Eckerman 2006
**Communication channels** between local authorities and the community are distorted by socio-economic perceptions which influence their motivations for communication. Respondents within the local community indicated that many local leaders come to the community and make promises. However, they fail to act on their promises, and are neither approachable nor effective. Faith and trust in local authorities to listen to and act on the needs of the local community seem to have been lost. From the government’s perspective, according to one respondent from the BMC, reluctance by local authorities to provide clean drinking water to contaminated areas is influenced by the fact that communities affected do not have legal status.
3.4 THE COMMUNITY (VICTIMS)

The local community interviewed were selected based on two criteria (i) gender and (ii) their length of stay to ensure that they were a victim of the gas tragedy and were from the Kabadkhana slum (See Figure 4). 14 members of the community were interviewed during the second stage of data collection. We focus on the members of the community who are from a low economic background as the ability to adapt and deal with the tragedy is different to the gas tragedy victims of a higher economic status. The narratives of the lower economic section of the community highlight the stark contrast in views from that of the national government, state government and local municipality. The narratives of the community highlight their perception of injustice and how this is exacerbated by issues of urban poverty as well as through a lack of a ‘just’ process that takes into consideration their views and provides them a platform to voice their needs. Such an approach could also enable a shift from viewing the poor gas victims of the tragedy as a ‘problem’ and to them being part of the solution.

Community perception of justice is embedded within the cycle of poverty

The ability of the community to move on is affected by their inability to break free from the poverty cycle. There are no specific government programs that focus on rehabilitation and empowering local communities. There is, therefore, a dependency on the government for compensation as they feel that this is the only way they can recover from the effects of gas disaster and then improve their immediate standard of living. Interactions with the community highlighted their struggles to break free from the poverty cycle. Out of those interviewed, the average income was Rs. 5750. All members interviewed noted that they and their families were affected and have health problems related to the tragedy. Some of them cited how their loved ones had passed away because of health problems like kidney failure. All cited ongoing health problems which ranged in type and severity from paralysis, mental illnes and stomach operations to breathing problems such as coughing, asthma, failing eyesight and eye irritations, joint pain, chronic headaches, joint problems, body pain, chest pain, numbness in limbs, black spots, upset stomach and severe nose bleeds. 90% of those interviewed stated that their ongoing health issues interfered with their ability to work. All interviewed noted that they have a gas victim card if they were present on the day of the tragedy and have access to the public health care system and free medication. If their children were born after the tragedy, people put in a claim form for Rs. 100,000 each. Rs 100,000 is insufficient now. But, even this amount has not been paid yet. As the government has held onto the money for so long, we are of the understanding that the second payment of Rs 25,000 is the interest earned by the government of the Rs 75,000 that is still to be compensated... (Interview 4)

To obtain the compensation, all interviewed highlighted that they went to the courts that were set up by the Collectorate of Gas Relief. In terms of rehabilitation efforts, none

No amount of economic compensation will be sufficient to pay out the value of human lives (Moral versus economic problem)

In terms of compensation, most obtained an initial instalment of Rs 25,000 and another lump sum payment of Rs 25,000. The first instalment of Rs 25,000 was released at the rate of Rs 200 per month from 1992 onwards until it reached an amount of Rs 12,500. A lump sum payment was then made of Rs 12,500. The second Rs 25,000 lump sum payment was made in 2005. Some interviewed received more than the total amount of Rs 50,000. This was believed to be due to the severity of the injury. One of the members of the community was noted to be the leader as she was actively involved in organising various protests and rallies. She highlighted how the compensation for the victims was grossly inadequate:

...In 1984, after the gas tragedy, people put in a claim form for Rs. 100,000. The people all lined up - they didn’t realize the ongoing health problems they would face; so they filled out a claim form for Rs. 100,000 each. Rs 100,000 is insufficient now. But, even this amount has not been paid yet. As the government has held onto the money for so long, we are of the understanding that the second payment of Rs 25,000 is the interest earned by the government of the Rs 75,000 that is still to be compensated... (Interview 4)
of those interviewed had taken part in one. If those interviewed faced any issues with compensation, they consulted the local leader, Gohar Parveen and activist organisations called the Bhopal Group for Information and Action and Gas Peethid Sangarsha Morcha. Out of those interviewed, a majority of them were dissatisfied with the compensation granted. One noted:

...We didn’t have the free health care card until 2003 and so we had to invest and spend our own money for health checkups of their families. The tragedy has also affected our ability to work... [Interview 2]

The local community highlighted the injustice they felt as the amount of compensation for those handicapped before and after the gas tragedy was the same amount. They noted:

...Compensation for people with cancer or those handicapped amounted to Rs 100 000 even before the gas tragedy. The government, after the gas tragedy, announced the same Rs 100 000 for gas victims. So there was no priority given to people affected by the tragedy... [Interview 6]

The credibility of the Government had waned in the perceptions of the community. They noted that the Government made promises but did not deliver:

...Also a year back it was written on a military hospital board that 100,000 to Bhopal gas tragedy victims but they haven’t given that either. We also feel that compensation is insufficient because everything we received has been spent on health and we feel we need more money to organise other aspects of our lives... [Interview 6]

One member of the community noted that a Rs. 5 00 000 would be adequate compensation as they had spent a lot of money for health treatment [Interview 9]. The community also feels that it is unfair that deaths were being compensated at Rs 1000 000 per person whereas those living and still suffering from the gas tragedy were given on average a Rs 50 000 compensation [Interview 2]. The community also feels that the central government is only assisting the 12,500 people who were directly affected on the night and/or who have lung and kidney diseases/ cancer [Interview 2]. The local community also highlight how the dynamics between the state government and the central government has influenced compensation. They noted:

...They have been talking for 27 years; the Madhya Pradesh government is the one that has been refusing even though the Government of India wants to give compensation. Sonia Gandhi announced Rs 1 million, Rs 500 000 and Rs 200 000 compensation amounts for various categories. However none of this has happened... [Interview 4]

There is an emotional and moral value attached to the death/disability/ongoing health problems caused by the gas tragedy. The perception of (in) justice is not necessarily driven by the concept of substantive (e.g. distributive or procedural) justice as the resources available are limited. Procedural justice could provide a way forward as it would provide an avenue for people to perceive a ‘just process’ and for the engagement of various stakeholders.

Communities are deprived of direct communication from the authorities

Due to the scale of the event, there appears to have difficulties in the government clearly communicating to the local community. One of the local community members interviewed highlighted the events during and following the tragedy:

...My eyes were burning. I couldn’t see anything and I ran towards New Market at around 1.30am to 2.00am. There were no alert systems that the gas had leaked. The municipality announced that everything was ok in the morning. So we returned at 6am. When we arrived, we were told that there was going to be another gas leak and the police informed us...There were no evacuation shelters set up by the government. So we went to stay with my family in Agra (near New Delhi) and came back after a week. The water could not be drink. NGO’s and private organisations handed them eye drops...No one from the factory apologised. The municipality came back to do a survey after a few days. Many people were not at the slum during this time as they were with family and so these people were not included in the initial survey... (Interview 15)

The community noted that they came to an understanding of the compensation available
through surveys that were undertaken. One of the members interviewed noted:

...Lots of people came to survey, then an announcement was made and she read the newspapers. Every one to two months after the event foreigners would come to do surveys. After the public announcement in the paper - this said that you have to present claim form by a certain date if you want compensation. The GOI officials sent out forms and a postman came with a receipt of some sort as to how much they would get. The newspapers then told them which day they had to present their forms. They had to a court in Shahajanabad - this court is still there... (Interview 1)

A survey was also done by the Tata Institute of Social Sciences in 1985. One of the members interviewed noted:

...They [Tata Institute of Social Sciences] gave Rs. 1500 rupees per family on the basis of this survey. The Government of India made a claim form to be submitted to the Office of the Welfare Commission Bhopal Gas Tragedy. On this basis, the government gave them compensation... [Interview 2]

Other members of the community went to camps and community centers set up by the Madhya Pradesh government following announcements. Forms were filled out, health checkups undertaken and based on this compensation was provided [Interview 3]. The local community lacked clarity in terms of compensation, the amount of compensation and classifications for compensation. One of the interviewed participants noted:

...When the MP government got money from UCC, GOI and international donations, they set up categories to distribute the money. The people who only received 25,000 were the ones that were affected on the day but were classified as ok after a few days... [Interview 6]

There is a lack of procedural justice

The community is not engaged in the processes of decision making. There is need for a systematic, collaborative process that engages all actors and that will lend credibility to these actors.

A majority of the members interviewed depended on the community leader for flow of information. Various government initiatives were known to the community through newspapers, television and word of mouth as members of various activist groups such as the Bhopal Gas Peedidh Mahila Purush Sangarsha Morcha are residents of Kabadkhana. Announcements were also carried out sometimes although it was unclear who undertook these announcements. Members of the community also go to local government and local political parties in groups to state the issues they are facing. A member of the community noted:

We talk to local political parties and hope that our voices are heard. Sometimes we go to departments like UADD and BMC if we require certificates or services... [Interview 2]

Many of the residents, however, feel that there is no one to talk to and no one to listen to their issues. A member of the community noted:

...There is nobody to talk to... [Interview 8]

... We have problems, but we feel helpless. There is no way to solve it... [Interview 12]

Members of the community felt that communication they received was selective. A member interviewed noted:

...If there are any talks of benefits, it doesn’t reach us... [Interview 1]

The community has lost faith in the government. A member of the community noted:

...The government commits but then there is no delivery. These commitments such as improving drains and roads are announced on TV and printed in the papers... [Interview 2]

The role of NGOs in helping solve the issues of the local community is debatable. Many of those interviewed stated that they could not communicate to NGOs easily. Some noted that they were even aware of the existence of NGOs which highlights the lack of information flow to many members of the community.

One member of the community highlighted the inadequacies of the current institutional set up:

...We want other outlets of addressing the needs of the people. The Department of Bhopal Gas Tragedy Relief and Rehabilitation
and other organisations don’t care. They need to take into account those that are living and still suffering from the tragedy. The Gas Peedith Mahila Purush Sangarsha Santha is good but not sufficient to meet the needs of the people... [Interview 2]

Some were also concerned with the intensity of the protests and highlighted:

...The protest movement is fine, but people don’t have time to participate. It should be in a gentle manner. Protest has a rebound effect. Ultimately it affects the lives of the general people... [Interview 11]

Members of the community highlighted the need for a new organization that could take into consideration all voices:

...There should be a new organization which interacts with all people and works for the betterment of the people. It has been 27 years - we are suffering and so are our children... [Interview 2]

The voices of the people remain unheard leading to the formation of alliances

This has led to the community finding other means to voice their opinions such as rallies and protests. Another way of the community finding a voice has also been through alliances with organisations that are sympathetic to their cause (such as NGOs and Activist organisations). People also have mixed opinions on the effectiveness of such NGOs and activist organisations and are now voicing the need for a new organisation that will take into consideration their needs and will not just be driven by their own self-interests.

There is a no direct communication to local communities from government and UCC authorities. Also there is an inability of the community to receive the communication due to the perceptions of the community towards actors (lack of faith/credibility). Communication flow is occurring mainly through NGOs and activist organisations and this is increasing the dependency of the community on such organisations.

As the local community does not feel that their voices are heard by the government, they organise themselves in groups to participate in protests and rallies to highlight their demands of justice. The protests have centred on the issue of compensation as well as the lack of basic amenities such as clean water and infrastructure. The ‘Rail Roko Abhiyan’ was undertaken by five activist organisations and gathered over 100,000 people. The approach to organising these protests is quite systematic as noted by the leader of the community:

...To organize the protests, we go to houses and have meetings. We know where the gas victims are. We also announce in the paper where the rallies are taking place and when. We call the media to let them know about the rallies and protests. For the railway protest, we also faxed the Prime Minister and President of India... [Interview 4]

Other members of the community highlighted how the leader of the community would get 150 – 200 people together to take part in the protest [Interview 3]. The local community leader noted that the purpose of the protests was to fight for the ‘rights of the people’. People were gathered from various areas including Dulichanda, Subhashnagar, Ekta Nagar, BaghRajgad Colony, Chola Mandir and Kabadkhana [Interview 4].

The local community also took part in protests to voice their need for basic amenities such as clean water. A member of the community noted the difficulties of obtaining clean water:

...There is one tube well for 500 people. Water comes only on alternate days and there are lots of fights between people for water. We want water from the Kolar dam... [Interview 1]

Almost all interviewed noted that they take part in these protests and rallies even though they have cases filed against them [Interview 10] or even though they feel that it does not achieve much in the short term [Interview 3]. A few noted lack of time as being a factor that prevented them from taking part in the protests [Interview 10]. However, those who did not

6. This translates to ‘Stop the Train Campaign’.
7. These activist organizations include the Bhopal Group for Information and Action, Bhopal Gas Peedith Nirashrit Pension Bhogi Sangarsha Morcha, Bhopal Gas Peedith Mahila Purush Sangarsha Morcha, Dow/Carbide ke Khilaf Bacche and Bhopal Gas Peedith Mahila Stationary Karmachari Sangha.
8. Kolar dam is the main source of water supply for the new parts of Bhopal whereas old Bhopal receives water from the upper lake.
attend noted that ‘at least some attention is being given to the issue’ [Interview 1]. Most families attempted to send at least one member of the household to the protest [Interview 3]. A small token amount of money is taken from each family to organise the rallies and protests; however nothing comes out of it [Interview 9]. One interviewed member went to Delhi for protests. There are mixed perceptions as to the usefulness of such protests. Some feel that it is a mean to having their voices heard and that it will lead to better compensation, improvement in the water and drainage system and will help to achieve good living conditions. A member of the community noted:

...We are positive that we will get compensation through the process [of protests]. Since 1984, we have been taking part in the protests. Sometimes foreigners distribute food, and clothes and they tell us that they are trying for compensation... [Interview 2].

Some, however, feel that the compensation system is of no use, that it involves payment to be a part of it and that they end up with police cases. A member noted:

...Protests are not effective. We have to pay for that... [Interview 13]

9. The walk from Bhopal to Delhi was undertaken in 2008. It marked two years since their last padayatra all the way on foot from Bhopal to Delhi. 50 people, including survivors of the 1984 gas tragedy, their children and people exposed to contaminated drinking water and their supporters concluded their second 800-km march over the weekend by walking from Nizamuddin Park in Bhopal to Parliament Street in Delhi.

3.5 NGOS AND ACTIVISTS MOVEMENTS

Various NGOs have emerged from the chaos and ineffectiveness associated with government service providers. A burgeoning activist movement has also developed as the support of state, political and corporate perpetrators fail to provide compensation that is sufficient, efficient and just. The various NGOs and activist organisations are outlined in Table 1 below. However, imbalances within the activist movement occur when ‘local groups attempt to build bridges they often attempt to transform themselves into what they believe international organisations wants them to be’. The pursuit of individual agendas within the activist and NGO organisations creates internal tensions which detract from a common goal, ultimately affecting the perceptions of justice amongst divisions forming within a community of dissatisfied victims.
4. THE WIDER POLITICS OF COMMUNICATION

Based on qualitative data from the research, the wider politics of communication can be analysed providing an understanding of how social forces permeate perceptions of justice.

4.1 STRUCTURAL, INSTITUTIONAL AND LEGAL FRAMEWORKS

Developing sound, accountable and efficient institutional frameworks to deal with industrial disasters such as Bhopal is essential for both procedural and substantive justice outcomes for victims. Perceptions of justice however are highly influenced when structural inefficiencies and institutional politics impact on how justice is delivered and communicated. A key example is the tensions surrounding scientific information regarding between various government and non-government scientists both initial treatment of victims and the ongoing water contamination. As noted above, the political and legal consequences of exposing the presence of toxic gases within the cloud of gas resulted in the incentive to suppress vital medical and toxicological information. Further reluctance by government agencies to take the lead in providing clean water to contaminated areas has resulted in limited progress over the 10 year period since the 2004 Supreme Court order mandating the provision of clean water.

Legal frameworks both enhance and undermine perceptions of justice. India’s democratic system has to a limited extent ensured that the judiciary acts as a ‘check and balance’ on the misaligned actions and failure to act by both the Government of India and the MP government. Supreme Court orders have rectified the inability of the GOI to provide compensation payments to victims under the age of 18, ensure that remaining settlement funds generated from interest are distributed to the victims and that clean water is provided to contaminated areas. However, despite the judiciary’s ‘just’ functions and actions they have been limited in scope and have not served to compel the government to adopt a more just approach towards delivering both substantive and procedural justice to victims. For example, petitions concerning the Government’s 1985 Act assuming rights to represent all victims of the Bhopal Gas tragedy have been submitted to the Supreme Court on the basis that the Act is unconstitutional since it takes away the fundamental right of the citizen to choose their own representatives. The Court has failed to reach a decision on this issue. Further administrative and legal processes concerning the processing of claims have been inefficient and delayed. Legal tactics surrounding complex yet insignificant legal issues, including determining the most appropriate forum for litigation have impacted the perception of justice to those victims. The settlement and associated agreement between the GOI and UCC stands as a legal communication block to pursue any final run for justice to ensure the legal and economic accountability of Dow.

4.2 POLITICAL

At a wider political and institutional level the content, means and timing of communication has served the interests of some at the expenses of many, particularly the lower income victims of the Tragedy. Politics is a source of conflict and tension which influences the perception of justice.

4.3 ECONOMIC

Cycles of poverty and how they influence the community’s perspective

Views of poverty and living standards cloud perceptions about whether outcomes are just or not. A highly contested issue within the compensation debate is the ethical and moral implications of putting an economic value on a life, and should this differ according to nationality and living standard. In arguing for the first court case in the US to be dismissed UCC stated:

‘practical impossibility for American courts and juries, imbued with US cultural values, living standards and expectations, to determine living standards for people living in the slums or ‘hutments’ surrounding the UCIL, Bhopal India, [which] by itself confirms that the Indian forum is overwhelmingly the most appropriate. Such abject poverty and the vastly different values, standards and expectations which accompany it are commonplace in India and the third world (Amnesty International 2004)

An American Newspaper followed this argument and calculated the cost of an Indian life. It was calculated on the basis that an American life was worth $500,000. Given India’s GDP was 1.7% of the US’s proportionately each victim should receive $8,500 (Lapierre and Javier Moro 2004).
Further, the economic situation of victims also influences their perception of whether justice has been served. As discussed in the narratives from the community, in many cases cycles of poverty influence perceptions of justice amongst many low income victims. In the absence of accessible and sustainable livelihood improvement schemes, the pursuit of economic compensation is tied to a means for economic upliftment.
5. THE WAY FORWARD

Improving perceptions of justice through communication is a fundamental avenue to ensuring environmental justice for the victims of the Bhopal Gas Tragedy. The route to this seemingly difficult destination largely centers on improving the accountability and transparency of rehabilitation and compensation programs. However it is also important that in all legal, social and institutional frameworks established to manage the tragedy and its consequences the social forces (varying between actors) of communication must be recognized.

Creating a human rights framework – providing justice through international law

A large amount of literature has covered the need for a sound and enforceable system of international law to ensure that companies such as Dow Chemical are no longer immune from international human rights breaches. Further, a human rights framework may also provide a mechanism to hold the Government of India accountable to the international community for human rights breaches caused as a result of the Bhopal Gas Tragedy. Enforceability of human rights may provide an impetus to strengthen the links between political accountability and communication at a national and international level.

Improving procedural justice

Although prospects for substantive justice were severed when the GOI agreed to settle with UCC for a fraction of the original sum demanded, justice could be improved if the processes for getting claims were more transparent, accurate and efficient. As moral and emotional issues are embedded in the management of the Tragedy justice is not going to be completely served. Improving the perceptions of the processes justice, where justice can be accessed may manage the losses caused to the victims of the Tragedy.

Decentralising Rehabilitation Efforts and Improving Communication

To improve communication channels between victims of the Tragedy, predominantly belonging to low income groups, and the Bhopal Municipal Corporation is integral to ensuring improving in living standards. To do so greater power, responsibilities and resources need to be given to local authorities. Yet in improving the capacity for the BMC to work with the community at all structural and institutional levels the social forces that influence communication must be recognised.

Breaking the Poverty Cycle

As community perceptions of justice are embedded within the cycle of poverty, a shift from economic compensation towards more holistic rehabilitation efforts is paramount. This includes providing avenues to improve access to employment, better housing standards, improved sanitation, education and medical services.

To ensure justice we need to change the capitalist political economy

There are significant demands from the people to set up an independent inquiry into the disaster and an independent authority to deal with ongoing rehabilitation and treatment needs. These demands stem from a community of victims who have lost faith the authorities. They find it difficult to re-establish trust in institutions and organizations that have only perpetuated injustices catalysed 27 years ago. However, given the underlying web of political and commercial linkages which tangle the Bhopal Gas Tragedy it is questioned whether the ability to set up independent authorities to deal with the disaster is possible.
6. CONCLUSION

**Complete justice** can never be achieved because it is based on individual perceptions. Towards this end, however, substantive justice, both procedural and distributive, can help manage the degree of injustice by providing those that have been sidelined and marginalised to have a voice. In a capitalist global order and a framework of economic liberalisation, where powerful multinational companies are driven by the need for profit maximisation for its shareholders, the needs of communities in countries where these subsidiary plants exist are often ignored. Within such a framework, governments are increasingly pushing boundaries in terms of their flexibility to shape regulations that will entice foreign investments. This has a strong influence on many of the decisions that are made by governments and these decisions are often unfavourable to the needs of communities.

**Against such** a background, there is an even greater need for state and local governments, as service providers to work together to ensure that the needs of communities are taken into consideration and to ensure that their voices are heard. As can be seen from our research, the tension that exists between various actors can be managed through better accountability, transparency and efficiency. These form the core of communicative practices that can ensure communication gaps and distortions are lessened. This could also provide a way forward towards communities perceiving the credibility of actors. Such a perception on behalf of the communities could enable more meaningful communicative exchanges between the local community and other actors and could act as a catalyst for positive change.
7. REFERENCES


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