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**'Justice is on our side'? *Animal's People*, generic hybridity, and eco-crime**

Anthony Carrigan

Keele University, UK

Abstract:

This essay examines how a recent fictionalisation of post-disaster life in Bhopal, Indra Sinha's novel *Animal's People* (2007), opens up perspectives on eco-crime, disaster, and systemic injustice on the level of genre. It begins by showing how the novel evokes private eye, noir, and spy genres in ways that present similarly hybrid forms of detective agency and legal subjectivity as a means of responding to the disaster's criminal dimensions. It then shows how this hybridity relates to the way Sinha plays off crime fiction's genealogical relationship with revenge tragedy both to disrupt the disaster's common real-world designation as 'tragedy' and to implicate readers in modes of active witnessing that probe legal-democratic failure. The essay concludes by discussing how these formal techniques shed light on the potential for interdisciplinary exchange between postcolonial ecocriticism and green criminology in relation to transnational crimes such as Bhopal.

Keywords:

Indra Sinha, *Animal's People*, Bhopal, crime fiction, environmental crime, disaster, tragedy, environmental justice

Bhopal isn't only about charred lungs, poisoned kidneys and deformed fetuses. It's also about corporate crime, multinational skullduggery, injustice, dirty deals, medical malpractice, corruption, callousness and contempt. (Bidwai, 2002)

Assigning criminal culpability for the massive gas leak in Union Carbide's Bhopal pesticide factory on the night of 2–3 December 1984 should be a forensic *fait accompli*. There is now a surfeit of evidence that demolishes the American company's craven attempts to blame the world's largest industrial disaster on an imagined act of sabotage and shift the responsibility for its illegal safety standards onto the plant's Indian managers. As social activists, investigative journalists, and academic researchers across multiple fields have shown, the leak was no 'accident' but a 'massacre' (Everest, 1986: 156) that continues to exact untold ecological damage, poisoning the groundwater supply, causing tens of thousands of human and animal deaths, and injuring upwards of half a million people in the decades since the explosion.<sup>1</sup> The ongoing effects of what is commonly called the 'Bhopal Gas Tragedy' have not only been visited disproportionately on the poor but have also been magnified by a byzantine suspension of justice that has allowed the various forms of 'malpractice', criminal violence, and 'contempt' described by Indian commentator Praful Bidwai in my epigraph to fester largely unpunished. This is especially evident in the outrage arising from the limited liability settlement agreed by the Indian Supreme Court in 1989, which valued the lives of the dead at around \$2000 each and failed to account either for the myriad injuries caused by ecological toxicity or for cleaning up Bhopal's poisoned environment itself. The settlement was immediately contested due in part to the Indian government's assumption of *parens patriae* representation for all explosion victims (a legal role usually limited to those defined judicially incompetent)<sup>2</sup> and the obvious conflict of interest regarding its 22% ownership of Union Carbide's Indian division. Yet despite continuous challenges from the disaster's

victims, Union Carbide and its current parent company, Dow Chemicals, persist in exploiting the gap between US legal jurisdiction over a 'foreign' case and the Indian court's incapacity to convict corporate actors who operated through a defunct subsidiary. By underwriting the globalisation of disaster with a murderous provincialisation of law (Sharma, 2009: 323), comprehensive compensation, healthcare, and environmental decontamination continue to be denied and the deadly fallout of what has also been called the worst environmental crime of all time (Walters, 2009: 324) is indefinitely extended.<sup>3</sup>

Given the interminable legal proceedings have been widely seen as a 'second' crime or disaster (Fortun, 2001: xvii–xviii), it is intriguing that local activists have not simply dismissed the law as inadequate in accounting for Bhopal but have agitated for progressive reform. For instance, the Bhopal Gas Affected Working Women's Union has campaigned for the law to be 'transfigured' in ways that admit asymmetries in terms of access (understanding that everyone is *not* equal before the law), and which address the need for 'continuing' rather than 'limited' liability in contexts of long-term environmental victimisation (Fortun, 2000: 194). Such arguments have inspired calls within academic discourse for revised global justice frameworks that protect the rights of the poor and the oppressed in cases such as Bhopal. Some of the most innovative suggestions in this respect come from criminology, a field that is oriented partly around critiquing the social construction of crime and its legal adjudication, and which involves an environmental branch known as 'green criminology'.<sup>4</sup> Commentators in this area have drawn attention to the disjointed nature of corporate crime legislation, arguing that cases like Bhopal should not be treated as criminal 'negligence' torts but as 'eco-crimes' whose disastrous rupturing of human–environmental relations warrants similar 'non-derogable (*jus cogens*)' sanctions to other large-scale atrocities such as genocide or slavery (Westra, 2008: 176).<sup>5</sup> The term 'eco-crime' seems appropriate given the transnational interdependencies between human actions and social and environmental effects at work in

Bhopal, raising the possibility of reforms that criminalise globalised environmental violence.<sup>6</sup>

Yet while there are increasing national and international laws ‘that prohibit a range of activities identified as hazardous and deleterious to global ecosystems’ (Walters, 2006: 37), to what extent are these helpful in accounting for the human as well as environmental consequences of ongoing disasters such as Bhopal? And can national or international law mediate effectively between transnational criminality and its localised effects in non-western contexts and India in particular?

These questions form the basis for my contribution to thinking through some of the global politics of corporate and environmental crime from a postcolonial and literary perspective. Focusing on a recent fictionalisation of post-disaster life in Bhopal by a British writer born in India, Indra Sinha’s Booker Prize-nominated novel *Animal’s People* (2007), I explore how the text opens up perspectives on eco-crime, disaster, and injustice on the level of genre. There have already been two enlightening analyses of Sinha’s novel by Rob Nixon and Pablo Mukherjee that locate it as an exemplary text for postcolonial ecocriticism, showing how it tests the boundaries between human and animal, rich and poor, local abuse and global accountability. Neither comments though on how the novel’s playfully postmodern flirtation with *crime fiction* refracts its social and environmental justice concerns. Recognition of this is key, I argue, for understanding how it represents the Bhopal disaster as eco-crime and imagines some of the conditions through which the progressive legal ‘transfiguration’ called for by activists and academics might occur. To demonstrate this, I begin by examining how this ‘scabrously funny’ (‘Hey, publishers’, 2007) text’s manipulation of crime fiction – and in particular private eye, noir, and spy genres – invokes hybrid forms of detective agency and legal subjectivity as a means of responding to the disaster’s criminal dimensions. I then show how this hybridity relates to the way Sinha plays off crime fiction’s genealogical relationship with revenge tragedy through a direct invocation

of Aeschylus's *Oresteia*. This works both to disrupt the disaster's common real-world designation as 'tragedy' and to implicate readers in modes of active witnessing that probe legal–democratic failure. These formal techniques are constitutive of how the novel helps conceptualise and respond to eco-crime. They also hold significant bearings, I suggest, for pursuing justice in contexts where corporate greed and postcolonial governance are virulently entwined.

### **Private eyes, public crime, and hybrid detection**

Set around two decades after the Bhopal disaster, *Animal's People* conveys the fight for justice against an unnamed 'Kampani' in the fictional mirror-city of 'Khaufpur'. The book's narrator is a nineteen-year-old slum-dweller called Animal who lost his parents 'that night' and is forced to walk on all fours due to the toxin-induced 'smelting in [his] spine' (Sinha, 2007: 15). Refusing sentimental narratives of pity, Animal offers a highly individual yet collectively responsive perspective on the disaster's effects and accompanying notions of 'rights, law, justice' which he says 'are like shadows the moon makes in the Kampani's factory, always changing shape' and 'choking us' (3; original emphasis). Animal's suspicion of legal discourses alludes to a context where one character is branded 'naive' for believing that 'justice is on our side' (34), and foregrounds how he positions himself, as Rob Nixon observes, at 'an angle to Khaufpur's environmental justice movement', reflecting 'picaresque' narrative methods for exposing the 'crimes that society's overlords commit and from which they are structurally exonerated' (2009: 452–53). However, the text's opening also institutes a tonal correspondence with a genre that emerged in the context of US 'monopoly capitalism', the private eye novel, whose hardboiled protagonists operate like Animal in a 'fallen urban world' where 'the traditional institutions and guardians of the law [...] are no longer up to the task' (Porter, 2003: 96–97).

Unless readers visit the mock-tourism website mentioned in the novel's paratextual 'Editor's Note' and designed by Sinha to advertise 'Khaufpur: City of Promise' (<http://khaufpur.com>), in which Animal's occupation is listed as 'private eye' ('Matrimonials', 2007), ascertaining crime fiction's presence and relevance requires a form of active interpretation that is characteristic of how crime narratives position 'reading as a quest for meaning, or a form of detection' (Scaggs, 2005: 74; original emphasis). One of the first clues occurs in the opening chapters, as Animal's rich idiolect – incorporating English, French, and Hindi and ranging from the lyrical to the scatological – is punctuated by typically hardboiled sentiments and style. Paralleling the private eye novel's commitment to using the 'spoken language' of 'ordinary people' (Porter, 2003: 97), Animal outlines his determination to 'talk straight' (Sinha, 2007: 10), asserting that 'I can't make fancy rissoles of each word [...] [i]f you want my story, you'll have to put up with how I tell it' (2) as he recites it into a series of tapes. This investment in everyday orality is reinforced by a number of 'toughtalking', 'streetwise' remarks, reflecting the private eye's ambivalent relationship with legal authorities and organised justice campaigns as he explains how he is a 'hard bastard' (11) who 'know[s] how to fight' (16) and loves playing 'mind games with public and police' (38). Animal also evokes the solitary detective's brand of world-weary cynicism along with noir-style moral indeterminacy as he states: 'I've a choice to make, let's say it's between heaven and hell, my problem is knowing which is which. Such is the condition of this world that if a creature finds peace, it's just a rest before greater anguish' (11). In this case, it is not simply legal and governmental corruption *within* a monopoly capitalist state that instils this attitude but their implication in the neocolonial workings of 'toxic capitalism' – a term coined by criminologists Frank Pearce and Steve Tombs (1998) to highlight how global industrial contamination has been promoted through regulatory reforms instituted by neoliberal bodies such as the IMF and World Bank.<sup>7</sup>

The fact that the Bhopal disaster's criminal aspects unfold 'the whole international setup' (Kovel, 2007: 35) in this way connects to another crime fiction genre negotiated through *Animal*: spy fiction, which is quintessentially concerned with 'covert actions' that transgress 'conventional, moral, or legal boundaries' (Seed, 2003: 115). *Animal* recounts how falling in love with a woman called Nisha led him to be introduced to her boyfriend, Zafar, who leads an activist group in Khaufpur's 'bastis' or slums (Sinha, 2007: 22). Zafar assesses *Animal*'s 'skills and talents' (23) and suggests he might be 'a good sniffer', 'report[ing] [...] if anything unusual was going on in the bastis' and especially 'what the government, municipal etc were up to, because those buggers are always up to no good' (26–27). 'Namispond! Jamispond!' ('Name's Bond, James Bond'), *Animal* replies (26), which becomes his mantra as he conducts various communal and self-motivated spying 'missions'. These revolve around the mysterious arrival of an American doctor, Elli Barber, who establishes a clinic in the bastis just days after the decades-old court case has been reinvigorated. *Animal*'s description of how Elli appears 'from nowhere' looking 'sexy' and carrying 'herself like someone who knows what she's about' (Sinha, 2007: 66–67) casts her in the noir role of 'femme fatale' and initiates the principal source of intrigue: Zafar suspects she might be working for the Kampani, and it is only after the narrative evokes a number of crime fiction's typical moments of 'peripeteia' (ironic reversal) and 'anagnorisis' ('recognition' or 'discovery') (Scaggs, 2005: 12) that identifications of her as 'femme fatale' are ironically overturned as her healthcare efforts prove genuine.

This outcome is representative of how, rather than following generic scripts, the text's fusion of private eye, noir, and spy tropes works to produce an ironic reversal of crime fiction itself. *Animal*'s self-identification with Bond, for instance, creates a humorous disjunction with a globetrotting figure whose role in 'mak[ing] the world a better place for corporate capitalism' (Metz, 2004: 65) seems as inimical to Khaufpur's ravaged environment as Bond's

hyper-sexualised fantasy of masculinity does to Animal's frustrated adolescent desires. Likewise, while Animal's 'anti-elitist' sympathies align him with the private eye's battle against corporate–governmental corruption, his paratextual refusal to be sentimentalised as 'some kind of hero' ('Unfashionable truths', 2007) and conviction that his 'mission in life is to look after number one' (Sinha, 2007: 167) set him apart from the private eye's 'stubbornly democratic' motivations (Porter, 2003: 97). This frustration of crime fiction formulae connects to how the genre represents only one element among a broader mix of 'picaresque, magic realist, social realist, gothic, zombie, and apocalyptic narrative strategies' (Nixon, 2009: 465),<sup>8</sup> with the text's formal hybridity reflecting how the disaster's toxic legacy respects no borders. In fact, crime fiction's emphasis on detection appears pointedly mismatched to a context in which the disaster's baneful consequences are not just manifestly legible, inscribed on the city's injured citizens and their scarred environment, but where, as the infamous Union Carbide advertisement in Figure 1 shows, the atrocity's well-known perpetrator had long-since anticipated being caught 'red-handed'.

Figure 1 (1962 Union Carbide advertisement; source: Edwards, 2007): This self-deifying image illustrates the neocolonial opposition of western modernity and Indian 'primitivism' that accompanied Union Carbide's participation in the 'Green Revolution' – a term denoting the mass corporatisation of postcolonial environments or what the company's website describes as the 'humane goal' of 'supplying pesticides to protect [...] agricultural production' (cited in Kovel, 2007: 31).





### Science helps build a new India

Oxen working the fields . . . the eternal river Ganges . . . jeweled elephants on parade. Today these symbols of ancient India exist side by side with a new sight—modern industry. India has developed bold new plans to build its economy and bring the promise of a bright future to its more than 400,000,000 people. ▶ But India needs the technical knowledge of the western world. For example, working with Indian engineers and technicians, Union Carbide recently made available its vast scientific resources to help build a major chemicals and plastics plant near Bombay. ▶ Throughout the free world, Union Carbide has been actively engaged in building plants for the manufacture of chemicals, plastics, carbons, gases, and metals. The people of Union Carbide welcome the opportunity to use their knowledge and skills in partnership with the citizens of so many great countries.

A HAND IN THINGS TO COME



WRITE for booklet S-3 "The Expanding Universe of Union Carbide," which tells how research in the fields of carbon, chemicals, gases, metals, plastics and nuclear energy helps bringing new wonders into your life. Union Carbide Corporation, 270 Park Avenue, New York 17, N. Y.

It is perhaps for this reason that, despite highlighting the everyday perpetuation of criminality through idiomatic terms such as ‘Kampani style lie’ (Sinha, 2007: 234), the disaster is not referred to directly as a ‘crime’ in the text. Yet crime fiction’s presence as part of the narrative’s hybrid form is more than simply ironic for two reasons. First, it helps draw attention to the disaster’s status *as* unresolved crime. This is vital given ‘the word “crime” is rarely used’ in reality ‘to describe the devastation’ (Walters 2009: 324), with Union Carbide’s

paradoxical real-world acceptance of ‘moral responsibility, but no liability’ (Fortun, 2001: 333) creating a lethal loophole that has been reinforced by government inaction. Second, rather than highlighting the futility of localised responses to a situation where the authorities ‘who determine and shape the law are [...] those whose activities ought to be criminalized’ (White, 2011: 194), *Animal*’s hybrid detective subjectivity speaks to a need for reconfigured understandings of criminality that account for how the suffering referred to throughout the narrative is constituted in Union Carbide’s own fusion of toxic capitalism and legal evasion. This is embedded in the text’s similarly hybrid negotiations of crime fiction, which anticipate a parallel transfiguration of legal–democratic procedures and subjectivities. To show how this operates, I will turn now to how the novel plays off crime fiction’s generic genealogy in confronting the disaster’s designation as ‘Gas Tragedy’ – which commentators since the mid-1980s have seen as masking its status ‘as a crime’ (Everest, 1986: 156) – drawing attention instead to the alternative legal–democratic spaces needed to redress crimes that bleed across networks of human–environmental interaction and the political contexts that shape them.

### **Tragedy, democracy, and witnessing**

JM Coetzee argues that crime fiction exacts an ‘authoritarian moral inversion’ of tragedy by converting ‘upstate hero’ into ‘criminal challenger of the law, [...] invested with the trappings of diabolical power’, and channelling ‘the intelligence of the tragedian (the oracle, the Tiresias-figure)’ into ‘the detective investigator’ (1992: 347; cf. Scaggs, 2005: 10–12). However, whereas for Coetzee the crime story incites ‘not pity and terror but exultation at the fate of the transgressor’ – producing a ‘reactionary political form’ (347) – *Animal’s People* emphasises how a prevailing sense of ‘terror’ emerges precisely from how the Kampani’s ‘fate’ has not been sealed (encoded in Khaufpur’s literal translation as ‘city of terror’). In so doing, the text reforges the linked templates of crime fiction and tragedy by portraying the

crime's effects as a 'plague' instigated by the 'diabolical power' of a venally 'hubristic' Kampani. This connects in reality to Union Carbide's tragic desire to 'play god' with a market and environment it did not understand (Lapierre and Moro, 2003: 98) – a point that is emblematised by the deus ex machina framing of Figure 1, which positively celebrates the power disparities that underwrite the global 'nature' (both in temperament and territory) of toxic capitalism's burgeoning reach. In this context, Animal's consistent refusal of 'pity' underscores the disaster's horrific dimensions by withholding the cathartic purgation – linked to amnesiac processes of forgetting – promised by tragedy's resolution.

The link between crime fiction, environmental violence, and tragedy is powerfully manifested in a climactic scene that occurs after Animal has performed his most important spying mission, monitoring Kampani lawyers who are trying to broker another undercover deal with the government (Sinha, 2007: 260). During his mission, Animal overhears Elli talking to a lawyer who is also her ex-husband, and mistakenly assumes she is in cahoots with the Kampani. This moment of anagnorisis or apparent 'discovery' provokes a fearful reaction, prompting Animal to return to the abandoned factory and scale its 'death pipe', through 'which the poisons flew to kill a city' (273–74). Feeling a sense of 'terror', he puts his ear to the pipe and hears 'voices and it's like they are screaming':

I have the power to understand these things [...] it's the dead beneath the earth, it's their bones and ashes crying out in rage against their murderers. The dead are shrieking at me that the good earth has been defiled with blood. In thick clots the blood lies, won't be washed away by rain. The blood cries out for justice. Once the earth has tasted blood it craves more, now the killers must be killed. This is the old and the real law, it's the price that must be paid for murder, the price demanded by the furious spirits beneath the earth. Give us justice, screams the blood. It promises years

of disaster, years of illness, if I do not take revenge. It warns me that ulcers will eat my flesh with white and weeping sores. Things will come to haunt me, nightmares from hell, sent by my murdered parents, hideous night demons, unnameable horrors of the night. If I do not take revenge they will come for me. Whips, like scorpion-stings, will flay my body and drive me out of human society. [...] For me there'll be no sanctuary, no relief, no end to suffering. No one will shelter me. I will end up friendless, despised by all, and then, worn away by endless pain, I'll die. (274)

This passage foregrounds Animal's animist connections with an environment whose active presence is entwined with its murdered inhabitants' demands for justice. It also contributes to the text's other vivid renditions of the disaster's traumatic effects, with Animal's unwarranted sense of responsibility representing another toxic byproduct of inadequate legal resolution. But perhaps the passage's most provocative function is in realising the narrative's intertextual relationship with crime fiction's founding historical precursor, revenge tragedy, and in particular one of the genre's most influential examples, Aeschylus's *Oresteia* (c. 458 BCE).

Animal's speech is adapted from this trilogy's second play, *The Libation Bearers*, during which the protagonist, Orestes, is urged to revenge his father's murder by a chorus who insist, like the beginning of Animal's monologue, that '[t]he dead beneath the ground / are discontent – their anger grows [...]. The nurturing earth drinks blood ...[t]hat gore, / which cries out for revenge, / will not dissolve or seep away' (2005: ll. 49–51; 84–87).<sup>9</sup> In response, Orestes relates how the oracle counselled likewise, telling him:

'If not, you'll pay the debt with your own life,  
a life of troubles'. It spoke a revelation,  
making known to men the wrath of blood guilt –

from underneath the earth, infectious plagues,  
leprous sores which gnaw the flesh, fangs chewing  
living tissue, festering white rot in the sores.

It mentioned other miseries as well –  
attacks by vengeful Furies, stemming  
from a slaughtered father's blood, dark bolts  
from gods below, aroused by murdered kinsmen  
calling for revenge, frenzied night fits.

Such terrors plague the man – he sees them all  
so clearly, eyeballs rolling in the dark.

Then he's chased in exile from the city,  
his body scourged by bronze-tipped whips.

[...]

There's no relief,  
and no one takes him in, until at last,  
universally despised, without a friend,  
he wastes in all-consuming pain and dies. (ll.332–363)

The direct appropriation of this speech in *Animal's People* creates an obvious dissonance between the aristocratic and highly localised context in which Orestes achieves tragic agency and the way this is usurped by the dispersed, multi-faceted, and neocolonial agents of Kampani and state in relation to Khaufpur's citizens. It is partly for this reason that, in the absence of a chorus willing him to follow 'the law [...] of blood' (l. 493) – or the 'old and real law' (Sinha, 2007: 274) – Animal refuses to conform with the dead's demands, deflating the scene's tragic gravity by asking: 'who the fuck do you think you are, to threaten me with

your reedy fucking complaints? If you had power you would have long ago taken your revenge, you are as powerless as us living' (275). Yet *Animal's* uncanny summoning of the *Oresteia* alludes to how aspects of Aeschylus's tragedy function as thematic counterpoints in the novel, contributing to its hybrid form. This is especially relevant to how Sinha not only adapts the trilogy's 'environmental unconscious' (Buell, 2001: 18–26), as the earth's 'infectious plagues' become a literal consequence of environmental violence, but also refashions its radical method of exposing 'tensions and ambiguities' in the legal–democratic process in responding to this (Goldhill, 2004: 16).

Despite – or, as I will suggest, because of – the vast cultural and historical differences between ancient Athens and postcolonial Bhopal, one reason why the *Oresteia* bears an imprint on *Animal's People* relates to how the trilogy concludes by restaging the charter myth on which Athenian legal–democracy was based. The final play centres on Orestes' trial by jury, with the performance providing 'an analogue to the Assembly and law-court' that simultaneously puts Athenian democracy, 'with its publicized laws, enacted by consent in public by the public', in a position of '*public* scrutiny' (Goldhill, 2004: 8; 15–16; original emphasis). This suggests a parallel with how *Animal's People* conveys its own interrogation of criminal impunity in the context of a globally fragmented or 'provincialised' justice system (Sharma, 2009: 323) that is far removed from but still indebted to Athenian legal–democratic principles through the British colonial legacy. In particular, the text echoes the *Oresteia's* dramatic technique of self-reflexive judicial interrogation by directing the private yet active mode of reading associated with crime fiction towards a resolutely *public* sphere that encompasses the global contexts in which the novel circulates and through which the disaster still resonates.

Rather than simply manipulating crime fiction as a means of 'discovering' eco-criminality's ongoing effects, *Animal's People* uses it to provide something closer to an

‘autopsy’ of the political conditions that exacerbate them. Although Khaufpur is haunted by the disaster’s ‘murdered’ victims, this sense of ‘autopsy’ corresponds more with the term’s etymological connotations (‘eye-witnessing’) and figurative application (as a form of critical scrutiny) (Knepper, 2006: 39) than with the ‘dissection’ of a ‘dead’ city. This operates specifically in relation to how Animal’s second-person address politicises the complicit association between private eye protagonists and ‘the private “I” of the solitary reader’ (Scaggs, 2005: 74). Referring to his imagined western audience throughout the narrative as ‘Eyes’, Animal converts the ‘scopic drive’ (Porter, 2003: 97) associated with detective fiction – what he initially describes as his readers’ ‘acid’ curiosity (Sinha, 2007: 7) – into a form of ‘eye-witnessing’ that undermines the voyeuristic consumption of ‘third world’ disaster associated with charity discourse (Barker, 2012: 12–13) or ‘disaster pornography’ (Hewitt, 1998: 87). His frank yet intimate style reconfigures the hardboiled novel’s use of first person narration to conscript readers into a visual economy that foregrounds the differential understandings of Khaufpur generated from Animal’s ‘crotch-high’ perspective (Sinha, 2007: 2; 35). This form of ‘looking awry’ (Zizek, 1992) corresponds with the *collective* modes of forensic and judicial witnessing required of the novel’s audience, which are essential to how the narrative counters Union Carbide and the Indian government’s agreement ‘to keep the liability question away from open examination and contestation in court’ (Jones, 1988: 123). In particular, Animal’s decision to take the foreign journalist’s advice and ‘trust’ his reader like ‘a friend’ who ‘will not judge you badly’ (13) plays off the qualitative ambivalence between judging ‘negatively’ and judging ‘poorly’. This positions his audience as moral witnesses to the ongoing crime, anticipating the kind of reconstituted global ‘polis’ or renewed legal–democratic spaces required to bring the mutually reinforcing powers of corporate–governmental collusion, toxic capitalism, and transnational criminality to account.

The proactive effect of positioning the audience in this way becomes evident from considering how this process of witnessing operates in relation to the novel's formal structure. This reflects the *Oresteia*'s restorative conclusion – in which Orestes is released from the cycle of vengeance by the jury's verdict – by flirting with but finally rejecting individualistic tragedy. Throughout the text, Animal's Bond persona positions him as ironic counterfoil to the Kampani (which has also been granted the 'license to kill' with impunity) as he attempts to poison his love-rival Zafar. After hearing what turn out to be inaccurate rumours that Zafar has died after a hunger strike, Animal assumes partial culpability and attempts suicide. However, this episode figures as the final stage in his 'transformative regeneration' (Edwards, 2007) as he is rescued by his friends and 'a great peace enters [his] heart' (Sinha 2007: 358). This conclusion provides closure to what is also a toxically transfigured Bildungsroman, as Animal resolves his initial 'choice [...] between heaven and hell' (11) by rejecting the chance to travel to America for an operation so as to remain 'the one and only Animal' (366). In so doing, it completes the novel's dominant comedic arc by celebrating Animal's and his people's self-generative 'politics of belonging' (Mukherjee, 2011: 230), and is consistent with both picaresque conventions and Indian aesthetic principles (as set down in the *Nāṭyashāstra* for instance) that see the 'tragic' rasa or mood as ultimately subordinated to the 'pleasure' associated with the governing state of 'santa rasa' (tranquility) (Choubey, 2002: 26).<sup>10</sup> At the same time, Animal refuses to release the audience of Eyes (invoked six times in the final two pages) from the need to confront how this process of communal healing is undercut by the crime's ongoing effects, reiterating the fact that, while his 'familiar life' goes on, '[t]here is still sickness all over Khaufpur' (Sinha, 2007: 364–65). The conclusion therefore remains haunted by Animal's frame-narrative claim that 'such is the condition of this world that if a creature finds peace, it's just a rest before greater anguish' (Sinha, 2007: 11), deriving further resonance from the fusion of private eye and spy fiction as



the latter's 'broadly reassuring plot' (Seed, 2003: 125) jars against the former's 'fragmented' lack of closure and the failure to purge crime's 'polluting' presence (Scaggs, 2005: 75).

This refocuses attention on the political, historical, and economic causes of legal–democratic failure, and invites some different conclusions to those drawn by Mukherjee and Nixon. Both argue that the text imagines a locally based 'ethics' of 'resistance' that defies corporate–governmental abuse (Mukherjee, 2011: 230), with Nixon also proposing that the novel extends a 'wager [...] to those in power to embrace the project of more equitable risk distribution' (Nixon, 2009: 455). Yet while *Animal's People* gives imaginative agency to the disaster's victims, it does not place the burden of response on them *alone*. Rather than extending a 'wager' to governments and corporations – whose capacity for empathetic response has proved historically limited – or providing the kind of 'anatomy of a crisis' (Shrivastava, 1992) associated with empirical dissections of the disaster's causes, the novel functions more *as* crisis for its readers in respect to the criminal perpetuation of environmental violence. My argument here is influenced by Sarah Amsler's assertion that crisis narratives do not correspond with medical definitions in portraying 'the turning point of a disease' that leads to 'recovery or death' but work politically to help '*define* complex social situations as critical moments of possibility, and to articulate the necessity of alternatives within a normative critique of existing conditions' (2010: 140–41; original emphasis). This has central relevance for how the text's representation of globalised criminality also presents a dilemma to academic readers working within fields like postcolonial ecocriticism that seek to further the 'advocacy' function – to draw on Graham Huggan and Helen Tiffin's provocatively legalistic terminology (2010: 11–16) – which novels such as *Animal's People* perform in relation to global justice debates. In concluding this essay, then, I will expand briefly on why the 'crisis' embodied by Sinha's narrative suggests a need to cross disciplinary as well as generic borders, connecting its manipulation of crime fiction to my

opening questions regarding how the relationship between disaster, legal procedure, and eco-crime has been approached in the criminological field specifically.

### **Bhopal as eco-crime?**

Given the repressive role the law has played in multiple colonial administrations and suspicions that criminology ‘inherently serves the interests of colonialism’ (Cunneen, 2011: 263), it is unsurprising that postcolonial ecocritics have yet to engage with how environmental violations are framed in criminological discourse. Nevertheless, postcolonial ecocriticism’s central investment in examining how aesthetic texts portray social and environmental justice disputes (Huggan and Tiffin, 2010: 3) suggests a point of conversation with green criminology’s mounting interest in the ‘multidirectional’ complexity between ‘universal’ rights issues and culturally localised worldviews (White, 2003: 484; 503). Indeed, the potential relevance of literary perspectives has been outlined by commentators such as Chris Cunneen, who asserts that the criminological field needs ‘decolonizing’ and might turn to postcolonial ‘art’ as a source of ‘alternative conceptions of the expression of law’ (2011: 251; 259).<sup>11</sup> Likewise, Rob White argues that despite scepticism about criminology’s capacity to help legislate for transnational environmental violations due to the anthropocentric and western bias it shares with criminal law, the fact that ‘ordinary people’ struggle against environmental victimisation on a daily basis presents an urgent moral challenge to ‘our criminological imagination’ to help ‘diagnose, deter, prevent’ and ‘criminalize’ such processes (2003: 503), and that such ‘imaginative’ revision needs obviously to engage the perspectives of ‘researchers, scholars, activists and writers from non-Western [...] countries’ (2009: 6). Given Sinha’s novel also confronts the challenge of mixing genres (creative in its case rather than critical), I want to end by highlighting two ways through which it can help critique terms like eco-crime and the legal frameworks in

which they operate, suggesting the need for further interdisciplinary collaboration along these lines.

The first relates to how the alternative forms of witnessing described above work to destabilise the text's visual economy and the logic of surveillance and detection that accompanies it. Significantly, Animal is not only dismissed by his friend and sparring partner, Farouq, as a 'crap spy' (Sinha, 2007: 110), but Elli also eventually demands that he stop judging her on appearances and 'hear my side' (318). This transition reflects how the novel's readerly 'Eyes' are likewise invited to give Animal's 'oral' tale a 'hearing', inverting state-sanctioned judicial procedures which demand that plaintiffs 'translate' their grievances into bureaucratic terms. Notably, by claiming in the 'Editor's Note' that Animal's narrative has itself been 'translated' from Hindi, Sinha draws attention to the inevitability of discursive mediation in testimonial as well as legal contexts, but offers a self-consciously 'bottom-up' corrective to dominant representational modes. This helps produce a globally oriented refraction of the public hearings staged by various activist groups in non-official spaces across India. As Vijay Nagaraj observes, these involve a "'destructuring" of criminality' according to 'what people know rather than what the State claims', restoring agency to victims who have been 'reduc[ed] [...] to witnesses' in their own case (2008: 323–24; 319). The criminological implication here is that rather than focusing on establishing preventive legislation or 'defining' eco-crime, it is necessary to work from the basis of environmental violence's *effects* on people and the ecologies that support them. Framing the Bhopal disaster specifically as eco-crime is useful only if such legislation is responsive to how affected subjects experience and represent environmental violence, acknowledging for instance how the absence of the word 'environment' (like 'crime') from Sinha's text suggests the need for more profound epistemological shifts regarding its criminological treatment than, as Mark Halsey argues, adding 'green' as a modifier to 'criminology' might allow (2004: 835). This

process also involves elevating everyday and artistic expressions over esoteric legal discourse while demanding a hybridisation of legal frameworks, in line with *Animal's People's* own thoroughly hybrid form, that wrests authority away from narrow elites and accepts alternative forms of 'legal "evidence"' (Cunneen, 2011: 259) such as those presented in the novel itself. Where Sinha's text differs from the profoundly localised methods Nagaraj describes for doing this, however, is in suggesting such devolved modes of judgement need to operate *transnationally* in relation to crimes where agency and culpability are spatially diffuse and differentially understood.

This leads to my second observation regarding the novel's implications for confronting crimes such as Bhopal. In an article on postcolonial environmental justice and governance in India, development geographers Glyn Williams and Emma Mawdsley note that the concentration of power in 'economic and social elites' has led to a contradictory situation in which, partly because of the Bhopal disaster, the Indian Constitution is 'one of the few in the world to make an explicit commitment to a healthy environment', but where 'the state [...] breaks its own environmental laws' on a daily basis (2006: 664–65). Grassroots resistance is impeded, Williams and Mawdsley argue, by the lack of 'a truly inclusive national public sphere', leading them to urge a different approach from the emphasis on 'global reform or restructuring often emphasised in [...] Western environmental justice literature' (663). In particular, they suggest that the preference for localised governance exhibited in Madhav Gadgil and Ramachandra Guha's environmental justice scholarship remains best suited to a context where 'deliberative democracy' is curtailed by uneven access to a 'fractured' public sphere (668), and state dominance militates against participation in global environmental justice initiatives (661n3). Part of the 'crisis' represented by *Animal's People* in this respect concerns the fate of environments such as Bhopal where the nature of

eco-criminality is at once manifestly transnational and imbricated in state interests, rendering small-scale governance limited in its capacity for opposition.

Although the novel also concentrates on intensely localised concerns, by situating its audience (and, by extension, itself) in the same circuits of production and consumption that render Bhopal ‘the real face of globalization’ (both in terms of toxic capitalism’s destructive effects and the vitality of social response) (Zavestoski, 2009: 384), it beckons for a similarly collaborative revision of global structures for legislating against transnational criminality. This operates against the logic of *forum non conveniens* that allowed Union Carbide to claim America unsuitable as a location for trial, highlighting instead the forms of global *commensurability* that prompted Sinha to observe in an interview that *Animal’s People* ‘could have been set anywhere where the chemical industry has destroyed people’s lives’ (cited in Nixon, 2009: 446; cf. Sinha, 2007: 296). While Williams and Mawdsley’s emphasis on context-specific concerns is vital, Sinha’s novel implies a need to relate this dialectically to the production of a global public sphere which counters the private domains of corporate–governmental collusion and the ‘undemocratic nature’ of institutions like the IMF and World Bank that underwrite toxic capitalism’s spread (White, 2003: 500).

*Animal’s People* does not, of course, provide answers to how this might operate in practice, but it does offer clues through its commitment to traversing disparate domains. For instance, its globally oriented address advocates connectivity across wide spatial and temporal contexts in ways that are self-reflexively symbolised by its intertextual fusion of ancient Athens and postcolonial Bhopal. This in turn provides an implicit critique of the historical foundations on which the *anti*-democratic judicial practices depicted in the novel are based. The need for legal transfiguration that emerges as a result presents an invitation to commentators across multiple disciplines to envisage their work on Bhopal as part of a ‘chorus’ that functions, like a global refraction of the novel’s dramatic precedent in the

*Oresteia*, to renegotiate ‘where the authoritative view lies’ and present a ‘collective voice as part of the tragic conflict’ (Goldhill, 2004: 18). This notion may seem fanciful, presenting what are arguably intractable issues regarding methodological incommensurability and relative disciplinary empowerment. Yet the implication of *not* communicating literary insights beyond humanities spheres is to arrest the potential for such transformative dialogues to develop into interdependent forms of politicised critique. In this sense, I suggest situating the hybrid generic negotiations and alternative forms of legal subjectivity evoked in *Animal’s People* as an *analogue* for the cross-disciplinary procedures that accounting for the crime of Bhopal continues to demand. Such participatory processes involve ‘recognizing that neither poetry nor law is sufficient in itself’ to ‘tell the whole story’ (Fortun, 2001: 37), and engaging in similarly flexible combinations of adaptive translation, responsive ‘hearing’, and even hybrid ‘detective work’ to those depicted throughout the novel. Transfiguring law in this sense requires similarly transfigured forms of critical advocacy that can help legitimise the testimony provided in texts like *Animal’s People*, and offer more substantive support in the fight for justice in Bhopal.

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<sup>1</sup> For more on the disaster's context and aftermath, see Everest (1986); Jones (1988); Shrivastava (1992); Fortun (2001); Lapierre and Moro (2003); and the 2009 special issue of *Global Social Policy* 9(3).

<sup>2</sup> *Parens patriae* refers to the state's capacity to adopt a parental role in legal cases where the child concerned has suffered abuse from his or her parents or guardians, or in regards to individuals who are unable to represent themselves more generally. See Fortun (2000: 191) and Nagaraj (2008: 318–19) for further discussion of its use in the Bhopal case.

<sup>3</sup> From as early as 1985, local activists were condemning 'both Carbide and the government as partners in crime' (Shrivastava, 1992: 88). See Mukherjee (2011: 221–22) for a strong account of the 'apartheid worldview' accompanying the provincialisation of law.

<sup>4</sup> This is a relatively new departure for critical criminology and is entwined with the field's increased interest in human rights issues and global governance. See e.g. South and Beirne (2006).

<sup>5</sup> Environmental crime is a contentious term, meaning different things to law-makers and environmental justice campaigners (White, 2009: 1). It encompasses a raft of transgressions from pollution to ecocide (large-scale environmental destruction) and has also been evoked to indict systemic processes of capitalist exploitation.

<sup>6</sup> Despite lacking formal legal definition, environmental violence has been evoked as a feature of neocolonial and criminal abuse in such diverse contexts as Shell Oil's operations in Nigeria, nuclear testing in the South Pacific, and Bhopal, where the term 'environmental victimisation' was coined (Williams, 1996).

<sup>7</sup> As an example, in the early 1990s one of the World Bank's chief economists was advocating 'more migrations of dirty industries to the Less Developed Countries', thereby enshrining environmental racism as fiscal strategy (Simon, 2000: 638).

<sup>8</sup> Nixon's list misses a number of other genres such as Bildungsroman, tragedy, and detective fiction that feature in the text and which ecocritics have associated with portrayals of risk-threatened environments (Heise, 2008: 139).

<sup>9</sup> Quotations from the *Oresteia* are taken from Ian Johnston's idiomatic 2005 translation, which is accessible online and whose language is reflected in Sinha's appropriation.

<sup>10</sup> This movement towards a 'state of calm contemplation', means that 'every tragedy is made comedy if man develops [...] stoic indifference towards the good and bad happenings of life' (Prasad, 1994: 22; 236) or, as Zafar tells Animal, 'in the end the only way to deal with tragedy is to laugh at it' (Sinha, 2007: 301).

<sup>11</sup> Cunneen notes that '[i]n societies that do not rely on written texts, law is often expressed through various forms of art', observing how Australian Aboriginal art has helped 'reproduc[e] knowledge about massacres' that were 'denied by the colonial state', making it 'a material dimension to the [...] oral testimony of indigenous people' (2011: 259–60).