

THE CURTAILMENT OF HUMAN RIGHTS IN AMITAV GHOSH'S NOVEL *THE HUNGRY TIDE*

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Abstrak

Tujuan pembahasan ini adalah untuk mengetahui sejauh mana novel ini menunjukkan pembatasan hak asasi manusia yang dilakukan pemerintah terhadap kaum minoritas di suatu daerah. Teks novel ini dianalisis dengan menggunakan *text-based* dan *context-based approach*. Penganalisaan unsur-unsur sastra pada novel ini dikaitkan dengan konsep subaltern oleh Marxist Antonio Gramsci dan Ranajit Guha dan konsep hak asasi manusia yang dikemukakan oleh Mark Goodale-Sally Engle Marry dan Kristine Bellisle-Elizabeth Sullivan. Hasil analisis menunjukkan bahwa pembatasan hak asasi manusia itu terjadi dan dilakukan dalam tiga aspek kehidupan; pendidikan, pelayanan kesehatan, dan tempat tinggal.

Kata kunci: pembatasan, hak asasi, karakter, konflik, seting

A. Introduction

Human rights are the most crucial thing for human being. Bellisle and Sullivan (2007) state that human rights have existed since man was born, but they have not always been recognized. So, the United Nation commission on human rights subsequently issued the Universal Declaration of Human Rights (UDHR). Then, it was declared on December 10, 1948 in Paris, by Eleanor Roosevelt as a president of the United Nation commission on human rights.

There are six different categories of human rights: political rights, civil rights, equality rights, economic rights, social rights, and cultural rights. All of those rights are possessed by all the human being in this worldwide. Nowak (2005) states that:

Human rights are universal because they are based on every human being's dignity, irrespective of race, color, sex, ethnic or social origin, religion, language, nationality, age, sexual orientation, disability or any other distinguishing characteristic. Since they are accepted by all

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states and peoples, they apply equally and indiscriminately to every person and are the same for everyone everywhere.

The principle of human rights is universal. Even though they live in the different countries, there is no different right that they received. However, it is not entirely applied in the real life. Some people are still getting a curtailment towards their rights. It is conducted by the government toward the refugee in three aspects of their life; to get an education, medical service, and decent domicile.

According to Rule of Law in Armed Conflicts Project (2013), refugees are defined by three basic characteristics; they are outside their country of origin or outside the country of their former habitual residence, they are unable or unwilling to avail themselves of the protection of that country owing to a well-founded fear of being persecuted, and the persecution feared is based on at least one of five grounds: race, religion, nationality, membership of a particular social group, or political opinion.

Moreover, according to United Nations High Commissioner for Refugees (1999), the United Nations High Commissioner for Refugees (UNHCR), a non political, humanitarian agency, was created by the United Nations General Assembly in December 1950 and began operations on 1 January 1951. Its mandate is to provide international protection to refugees and promote durable solutions to their problems. It does so by working with governments and subject to the approval of the governments concerned with private organizations. But, in reality the refugee's rights are still curtailed by the government in some places.

One of the examples of the curtailment of human rights happened in Myanmar (Burma) toward the Rohingya people. The Rohingya people originally come from Rakhine (Arakan), West Myanmar. According to Ahmad (2012), Rohingyas are one of the most persecuted minorities in the world. They practice Sunni Islam, because the government restricts educational opportunities for them. He also mentioned that Rohingya people are not allowed to renovate their mosques or schools without permission from the government. Then, they cannot get a benefit from the social services that provided by the state, including health services and they do not have a right to work in government offices.

The phenomenon of curtailment of human rights is not only found in reality, but also appeared in literary works. It is narrated in the novel entitled *The Hungry Tide* (2005) by Amitav Ghosh. Ghosh was born in Calcutta, India, on July 11th 1956. He is a Bengali Indian author and best known for his work in the English language. Then, he has published several books, fiction and non-fiction. He has been awarded and shortlisted for several literary prizes and awards, among which can be cited: the Arthur C. Clarke award 1997, the Crossword Book Prize 2005, and the India Plaza Golden Quill award 2008.

This novel is interesting to analyze since the character shows the curtailment of human rights through the treatment that they get as a minority group in society. It is conducted by the government toward the refugee in three aspects of life; education, medical service, and domicile. In this novel, the governments are not allowed to build a school in Morichjhapi, so that the people who live in that place never got an opportunity to study and do learning activities at school. Especially for children, their activity is only helping their parents to

work every day. This condition makes the children incapable to write and read anything. It is because they never obtained a chance to get an education, even to learn the basic things. Then, the government is not permitted to build a hospital there even though they know that medical service is one of the human needs. There is also an inhibition for the people who want to be a volunteer to give a medical service in Morichjhapi.

Furthermore, the people are exiled in one place that is far away from the hustle and downtown. They have to clean mangroves to build their homes for living. It may be dangerous for them because they should face an attack from any kinds of beast such as tigers, crocodiles, and snakes that covered the place. The condition of their place also would make the people difficult to get information and to fulfill their daily needs.

There are two studies that give contribution in analyzing this novel. The first study that gives contribution to this analysis is written by Sushil Sarkar (2012) entitled *Subaltern Perspectives in Amitav Ghosh's Novel, The Hungry Tide*. This analysis focuses on the concept of subaltern by Marxist Antonio Gramsci. He defines the term subaltern as an allusion which refers to any person or group of inferior rank and status, whether because of race, class, gender, ethnicity, caste or religion. Then, novel *The Hungry Tide* depicted the subaltern as well as the marginalized people's predicament. Refugees in India are the subaltern classes who were forced by government. Then, the most contemporary issues that emerge are existential crisis, problems of alienation, problems of restless, rootless and unsettled, and problems of marginalization. Another study that gives contribution in this analysis is done by O.P. Dwivedi (2010) entitled *The Subaltern and The Text: Reading Arundhati Roy's The God of Small Things*. The study is related to the unfair and destructive binary divisions, maltreatment of the subaltern, and caste conversions. The term subaltern in this study is applied to the woman and the untouchable.

Those two analyses have contributed to deliver the issue of the curtailment of human rights. Unlike the studies above, this analysis focuses on how far the novel reflects the curtailment of human rights through the treatment that received by characters in some aspects of their life.

The analysis of this novel is based on the concept of subaltern studies by Marxist Antoni Gramsci and Ranajit Guha, and concept of human rights by Mark Goodale and Sally Engle Merry, then Kristine Belisle and Elizabeth Sullivan. Gramsci in Sarkar (2012) states that subaltern is a broad category which attempts to emphasize individual whose voice and actions have been muted, drastically reinterpreted, lost, or consciously swept away. On the other hand, he also defines subaltern as a synonymous with women, children, colonial subjects, the poor, the illiterate, the proletariat or the religious ethnic minority. Then, Guha in Louai (2012) defines the subaltern studies as a name for the general attribute of subordination in South Asian society whether this is expressed in terms of class, caste, age, gender and office in any other way.

Moreover, human rights are equal and universal rights. It refers to the body of international law that emerged in the wake of the 1948 Universal Declaration of Human Rights. Brysk in Goodale and Merry (2007) states that human rights are a

set of universal claims to safeguard human dignity from illegitimate coercion, typically enacted by stated agents. Meanwhile, Bellisle and Sullivan (2007) define the human rights as the rights that all people have simply because they are human beings. Each of these rights is inalienable, indivisible, interdependent, and it cannot be denied or taken away from any individual.

The analysis of this novel is supported by text-based and context-based interpretation. Guerin (2005) explains that text-based interpretation focuses merely on literary works itself, and everything outside the text is ignored. Then, he also states that context-based interpretation is conducted to see reflection of the author's life or the character's life which is existed in the work.

In analyzing this novel, fictional devices such as characters, plot (conflict), and setting are crucial to be examined. Kirszner and Mandell (2000) explain that character as a fictional representation of a person. It is usually a psychologically realistic depiction. Then, characterization is the way writers develop characters and reveal those characters' traits to readers.

The second device that is going to be used in this analysis is plot. It is focused on conflict. Kirszner and Mandell (2000) stated that conflict is a clash between the protagonist, a story's principal character, and an antagonist, something or someone presented in opposition to the protagonist.

Another important device that will be used in this analysis is setting. Setting, however, is more than just the approximate time and place in which the work is set; setting also encompasses a wide variety of physical and cultural elements. Further, Roberts (1999) stated that setting is a work's natural, manufactured, political, cultural, and temporal environment, including everything that characters know and own.

B. Discussion

The curtailment of human rights is revealed from Amitav Ghosh's novel *The Hungry Tide* (2005). The refugees who come to India expect to get a better life, but in that place they have to fight to keep survive. They are treated differently by the government. Some of their rights are curtailed. The curtailment of human rights is conducted toward the refugees in three aspects of their life; education, medical service, and domicile.

1. Education

Education is not only the prominent aspects in this life, but it also as a determining factor to improve the quality of life. Everyone needs to get an education, because without education people will become an illiterate and have a limited knowledge. By getting a proper education, it will help the people to become critical thinkers. On the contrary, it is not given to the refugees who are living in Morichjhapi. The government curtailed their right to get an education. This situation is shown through quotation below.

Moyna was both ambitious and bright, Nilima said. Through her own efforts, with no encouragement from her family, she had managed to give herself an education. There was no school in her village, so she had walked everyday to another village kilometers away. She had done

well in her final exams and had wanted to go on the college, in Canning or some other nearby town. (Page 129)

The motivation for getting an education make some people who are mindful about the importance of education should arrange everything by themselves. In this context, Moyna is one of the characters who have a conscious that she should get an education. Even though, there is no support from the family, she keeps trying to obtain an education. The words, *there was no school in her village, so she had walked everyday to another village kilometers away* show that government do not give facilitate to the people in that place. It also makes the condition to get education more complicate. They have to go to one place that far away for getting an education. Absolutely, it is not conducive for the people, especially the children. Then, by curtailing to build the school, it shows the government does not give a right to the people to develop their potency and getting knowledge to improve themselves and quality of their life.

The only thing that can be a motivator to the people for getting education is a desire to have a better life. Then, it should begin from themselves. This awareness makes the protagonist push herself to obtain education. She should fight and attempt to fulfill her eagerness to get education, as illustrated in this quotation below.

‘Just think of the life she’s led,’ said Kanai. ‘She’s struggled to educate herself, against heavy odds. Now she’s well on her way to becoming a nurse. She knows what she wants—for herself and her family—and nothing is going to keep her from pursuing it. She’s ambitious, she’s tough, and she’s going to go a long way.’ (Page 196)

The quotation above describes one of the refugees realized that education is important for her and know that she has a right to get it. She also understands that education will give a good impact not only for her, but also for her family. In other words, she can improve her quality of life. She also knows that by getting a proper education, it will give her a good knowledge. The words, *she’s struggled to educate herself* indicate that she has a strong desire. She should attempt doing anything by herself, because there is no facilitate such a school and teacher that will teach her. Everything is done by self-taught. Then, the phrase, *against heavy odds* shows in that place the refugees’ right is curtailed by government. If they want to get their right completely, they have to do it, furtively. It means that they against the government’s regulation which is curtailed their right to get an education. Then, they are not only getting an adversity from the government, but also there is no endorsement from the family to support them for getting an education. The difficulty of the refugee’s life is because of their position as a subaltern in India. They are being oppressed and discriminated by the government.

2. Medical Service

Medical service is one of the primary necessities for every people. Ideally, every region is required to have a medical facility for those people who live in that place. The medical facility should have a good service, affordable cost and the most important thing is near from the domicile. It is because every person has a right to get a good medical service. However, in Morichjhapi, their right to obtain

the medical service is curtailed by the government as illustrated by the following quotation.

Nilima was none too pleased by Kusum's visit. That evening, she said to me, 'Do you know that Kusum came to see me today? She was trying to get me involved with that business in Morichjhapi. They want the Trust to help them set up some medical facilities there. 'So what did you say? 'I told them there's nothing we could do,' Nilima said in her flattest, most unyielding voice. 'Why can't you help them?' I protested. 'They're human beings; they need medical attention as much as people do anywhere else.' 'Nirmal, it's impossible, she said. 'Those people are squatters; that land doesn't belong to them; it's government property. How can they just seize it? if they're allowed to remain, people will think every island in the tide country can be seized. What will become of the forest, the environment?' (Page 213)

It indicates that there is nothing to do for helping the people in Morichjhapi. The words, *I told them there's nothing we could do*, confirm that they cannot provide the medical facility, even just to become a volunteer to help the people. The conflict that appears emphasizes that the government has a major role in curtail the medical service in that place. The words, *they're human beings; they need medical attention as much as people do anywhere else*, state that their existence as a minority group makes the government treat them differently. They are considered not having the same right with the majority group, so that their right to get a medical service is curtailed by the government. Then, the words, *they want the Trust to help them set up some medical facilities there*, point that the people need to have a medical facility in their domicile. It also affirms that there is no medical facility such a hospital or clinic which can give a medical service for them all this time. The Trust itself is a hospital that located in Lusibari. The setting here is a different treatment that should be accepted by the people in Morichjhapi. An availability of medical facility is curtailed in that place, meanwhile in other places; there is no curtailment about it. Furthermore, the government's regulation to curtail the medical service in Morichjhapi would make the people live in a difficulty. They will be hard to overcome their health problems.

From the quotation above, it also emphasizes that the difficulty for getting medical service makes them as a minority group have to arrange by themselves. The character of Kusum as a representative of minority group shows that she realizes that she also has the same right with the majority group. So, she attempts to go to another place to get a help for getting a medical service.

As a primary necessity, everyone needs to get a proper medical service. Nevertheless, in Morichjhapi, the government treats the people differently. They do not give a chance to get a medical service as illustrated in the following quotation.

Tell me, Kusum. What brings you here?' It was then that Kusum revealed that she was living in Morichjhapi; she had come to Lusibari in the hope persuading Nilima to send medical help for the settlers. Nilima was immediately

on her guard. She told her that she would have liked to help, but it was impossible. The government had made it known that it would stop at nothing to evict the settlers: anyone suspected of helping them was sure to get into trouble. Nilima had the hospital and the Women's union to think of: she could not afford to alienate the government. (Page 122)

The quotation above describes the people in Morichjhapi are curtailed to get some medical services. The words, *she told her that she would have liked to help, but it was impossible*, assert the people who are experts in medical want to help them to overcome their problems. But, the governments make the condition to help the people in Morichjhapi becomes impossible. Further, it also denotes there is no one can provide medical services to help the people in that place. The government has made a policy and will give sanctions for those people who against that. Then, the words, *tell me Kusum. What brings you here?*, affirm that the people have to exert by themselves to fight for getting a medical service in their place. It is happened because of the government intentionally curtail the provision of medical facility and service there. As a minority group, the people in Morichjhapi should live their life under the pressure from the majority group, as a dominant in one place. Then, the word *hope*, also indicates the people in Morichjhapi really need the medical services for their life.

3. Domicile

Decent domicile means a safe domicile, and make the people easy to interact each other and to fulfill their daily needs. However, the refugees who come to India are exiled in one place that far away from society as illustrated in the following quotation.

In the years after partition the authorities had removed the refugees to a place called Dandakaranya, deep in the forests of Madhya Pradesh, hundreds of kilometers from Bengal. They called it "resettlement", said Nilima, but people say it was more like a concentration camp, or a prison. The refugees were surrounded by security forces and forbidden to leave. Those who tried to get away were hunted down. The soil was rocky and the environment was nothing like they had ever known. They could not speak the languages of that area and the local people treated them as intruders, attacking them with bows, arrows and other weapons. For many years they put up with these conditions. (Page 118)

The quotation above clearly shows the place which is giving for the refugees is not feasible. The setting is treatment that should be received by the refugees who are living in that place. A place in the deep forests and far from downtown would make them hard to live their life. The sentence *they called it resettlement, said Nilima, but people say it was more like a concentration camp, or a prison* illustrate there is a limitation for their freedom. They do not have a right and freedom to choose an activity to fill their time in that place. This condition also indicates that everything has a rule in that place and it is regulated by the government. Then, the words *the refugees were surrounded by security forces and*

forbidden to leave emphasize the place are full of the government's rules. The rule is making by the government to curtail the refugee's right and it is only applicable in that place where the refugees live. It also shows that the refugees do not have a chance to get a job in other field, because they are not allowed to leave that place. It is conducted by the government as an elite class which dominates in that place. As a result, the right of the refugees as a minority group is being curtailed because of that domination.

Every people needs to get a decent domicile. Even, as a minority group in one place, the people also have a right to get it. Bellisle and Sullivan mentioned having healthy and clean environments is necessary to fulfill people's rights to life, health, water, culture, development, information and participation. Otherwise, the government gives the refugees a place that unworthy to live, as illustrated in the following quotation.

In this place where there had been no inhabitants before there were now thousands, almost overnight. Within a matter of weeks they had cleared the mangroves, built badhs and put up huts. It happened so quickly that in the beginning no one even knew who these people were. But in time it came to be learnt that they were refugees, originally from Bangladesh. Some had come to India after partition, while others had trickled over later. In Bangladesh they had been among the poorest of rural people, oppressed and exploited both by Muslim communalists and by Hindus of the upper castes. (Page 118)

The refugees who come to India expect to get a better life, but they must fight to keep survive in India. The sentence, *in Bangladesh they had been among the poorest of rural people, oppressed and exploited both by Muslim communalists and by Hindus of the upper castes*, explain about the existence of the refugees as a minority group is not only in India, but also in their native land. By getting oppression and exploitation, it shows that some of their rights have been curtailed by the majority. Further, the people have to start their life from the beginning. The words *they had cleared the mangroves* show the place that provided by the government is unworthy for living. Then, they have to manage that place to get a decent domicile not only for themselves, but also for their family. The words also illustrate how unseemly that place. They also should face the dangers that can threaten their life. They should face an attack from any kinds of beast which is covered that place. The condition of the domicile also would make the people hard to gain the information. Then, it would influence their social interactions with the people who are living in downtown.

C. Conclusion

Novel *The Hungry Tide* (2005) written by Amitav Ghosh reflects the curtailment of human rights. The curtailment of human rights is done through the education, medical service, and domicile. It is conducted by the government toward the refugee. They give a different treatment to the refugees. All of these treatments are conducted to the protagonist as representation of the minority group.

There are three elements that contribute in revealing the curtailment of human rights in the novel. Character plays a significant role to show the curtailment itself. Further, plot (conflict) has a role to reveal the curtailment itself and it is conducted by the government as a majority toward the refugees as a minority in a society. Then, the setting contributes mostly to expose curtailment to get education, medical service, and decent domicile. They are explored in forms of situation, condition, motivation to show how the curtailment of human rights is conducted.

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