# Life Blood of Social Activism

Neha Buch

The past few years have seen an increase in the number of people around the world willing to step out of their homes in support of causes impacting the larger society. One such movement in India was the Anna Hazare led Jan Lokpal bill movement. The movement created a huge amount of discussion and debate across sectors, especially when it came to the multitudes who made their way out of their homes physically to the Ram Lila grounds or the street corners and sometimes virtually through facebook in support of the movement. Many questioned the intent of the crowds. Were they dedicated volunteers or simply a bunch of people taking part in a jamboree to feel good about themselves and have fun? Were they there to truly stand up and work for a cause or was it the chance to be caught by the media, make contacts, be seen in what seemed to be a big movement and get admiring pats on the back for having been part of a 'noble' cause and therefore a step up in the social ladder? Did the latter set of reasons make them any less of a volunteer considering the action of engagement was the same?

Who is a volunteer? How is volunteering seen and perceived in India? How has volunteering evolved over the years? Who actually goes and volunteers and why? Is it really valuable and useful? These are just some of the questions that Femida Handy, Meenaz Kassam, Jillian Ingold, and B. Ranade, try and answer. They use a combination of empirical surveys, case studies and statistics and theories drawn from other studies in India as well as around the world in an effort to map and better understand the changing face of volunteering in India.
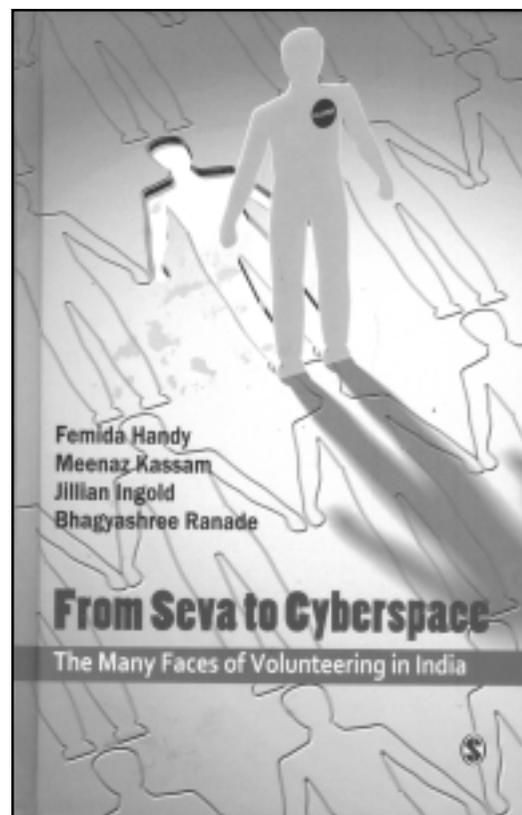
Shabana Azmi says in the foreword, 'Volunteers are the lifeblood of social activism and care in India, without whom our efforts would be fruitless.' In a country where the gaps between Shining India and Bharat coexist the non-profit movements and organizations have a significant role to play. There is plenty to be done to create a society where the gap between the two extremes can be bridged and the non-profit sector has always relied on the support of volunteers.

The book traces the history of volunteering back to the Rig Veda, and the concept of charity that appears in different forms in different religious philosophies. The Christian missionaries are one of the earliest examples of organized volunteering as we perhaps understand it today combining conversion faith propagation with a range of social development initiatives. The sector has undergone many changes from the pre-Independence reformist groups to NGOs as we know them today, influenced not just by the changing world scenario but also the changing nature of the Indian State and politics. Tandon and Srivastava ('Invisible yet Widespread—The Non-profit Sector in India', 2003), say that outside of the agricultural sector, 1 out of every 8 people in the workforce is engaged in non-profit work at some level although only 1.8 percent has full-time paid employment with the non-profit sector. In spite of this there are not too many comprehensive research studies on volunteering in India and the authors have definitely undertaken a mammoth task.

Even the simple question of who is a volunteer does not have a clear answer just because of the breadth of activities and context that the word encompasses. The authors conclude on the basis of an empirical survey across eight countries and 5000 people that according to public perception a volunteer incurring a higher net cost, i.e., a volunteer incurring higher costs while volunteering as compared to the benefits (personal or social) that s/he gains, will be seen as more of a volunteer. The greater the perception of an altruistic motive, the higher the perception of a volunteer. However, as the authors themselves point out in reality, for any person to continue to engage the benefits must be greater than the costs, and across the world it is commonly understood that a volunteer gains much through the experience. This could be in the form of appreciation, a higher sense of self worth, recognition, hard and soft skills and a chance to build a network among others.

Youth, mature adults, corporate employees and those driven by a higher religious or spiritual belief are the main groups that the book focuses on. It tries to understand the motivation that drives these segments to volunteer, and also what facilitates as well as hinders their participation as volunteers. It further explores how the coming of the internet has encouraged volunteering across national and regional boundaries leading to the development of voluntourism. Technology has also encouraged cyber activism, or movements and campaigns run through the net from multiple points across time and space.

A major challenge for the development sector is to be able to showcase the value of volunteers. Wage replacement and Expanded Value Added statement are two tools recommended and explained by the book to do this in financial terms. Though both have certain challenges and shortcomings the authors argue that they would help make visible some of the otherwise ignored value brought in by volunteers and allow the policy makers to see a clearer return on investment in non-profits.

Though an interesting read, especially because of its emphasis on qualitative examples through the case studies along with quantitative comparative analysis, the book does have some limitations. Firstly the focus is primarily urban and the case studies are largely centered in and near Pune and Mumbai. It does not take into account the grassroot movements, groups and traditional forms of volunteering prevalent in communities, rural areas and by different strata. The sample size and nature of the study is therefore limited, something that the authors themselves state.

There are some questions which come up while reading the book, which it does not really address. For instance how the clash between the social perception of a volunteer needing to have high altruistic intent and the inherent human nature of seeing how the process benefits the individual, impact volunteering trends and pose challenges. For instance young people may desire to volunteer, but may not get the relevant support from family and friends due to the social perception or an employee in a corporate body wishing to volunteer may not get adequate support from

the employer for the same reason. However, if they were to be able to see the value in the process in terms of the possible benefits both to the community as well as the individual, this support may be available more readily.  The perception is held not just by family, friends and employers but also the NGOs where volunteers go. This can cause clashes in expectations and ultimately in the quality of the experiences for both parties.

There are costs incurred by the groups and organizations, and as the authors point out many organizations struggle to make the funders as well as the larger society understand the amount of investment that goes into bringing in volunteers, orienting, mentoring, managing and retaining volunteers.  There are many challenges and sometimes the biggest beneficiaries are the volunteers themselves. The value or worth of volunteering, therefore, needs to be understood and measured beyond just financial and GDP terms though they too are important. The long-term impact in terms of a citizenry which is socially conscious and aware and is taking action to bridge the various inequalities is just as important. For many organizations and movements this has become a strong reason to invite volunteers beyond just the helping hands that they provide.

Though limited in its scope, overall, the book is possibly one of a kind effort. The short history, focussing on diverse groups and comparative analysis with some of the other global trends using small empirical surveys and a lot of secondary research and case studies throws up some interesting food for thought.  It is however a starting point rather than a conclusive study on the many faces of volunteering in India.

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# Right to 'Attribution' and 'Integrity'

## Shefali Sewak

In the year 1996, Jatin Das, the much-celebrated painter, sculptor, muralist and poet, created the Flight of Steel. Commissioned by the Bhilai Steel Plant, the Flight of Steel was one of the largest sculptures ever made by the artist. Forged out of steel with the help of engineers and welders from the Steel Plant, it stood on a roundabout in Bhilai City, in what was then Madhya Pradesh. In March 2012, on a visit back to Bhilai City, the sculptor was in for a nasty shock: the sculpture had vanished from the roundabout, and was rumoured to have been moved piecemeal to a zoo. On reaching the zoo, the sculptor was dismayed to find that his work had been broken into various pieces and haphazardly relocated, some of them painted over, others lying in rubble.

Fortunately, Das has a cause of action against the destruction of his sculpture. In 2005, the High Court of Delhi, in a similar case involving the destruction of a mural created by the renowned artist Amar Nath Sehgal brought down the mallet resoundingly in favour of the special relationship between an author and his work. The court held, 'In the material world, laws are geared to protect the right to equitable remuneration. But life is beyond the material. It is temporal as well. Many of us believe in the soul. Moral Rights of the author are the soul of his works. The author has a right to preserve, protect and nurture his creations through his moral rights.'

Mira T. Sundara Rajan, a law professor and authority in Copyright laws, has been writing about the doctrine of Moral Rights for quite a few years, and it is gratifying to have an entire book by her on the subject. Her extensive jurisdictional familiarity with, and exhaustive study of the philosophy, development and application of Moral Rights are amply reflected in the expertise she brings to the book, *Moral Rights: Principles, Practice and New Technology*.

Early in the book, Rajan covers the nuts and bolts, and sets out the idea behind moral rights as a form of protection for an author's non-commercial, personal and cultural rights. She explains the two basic moral rights: the first, an author's right of 'attribution', i.e., the right to have his own work attributed to him by name; the second, the right of 'integrity', i.e., the right to protect the work from harm. She proceeds to explain that while an author may part with his economic rights in a work by selling it, he cannot alienate his moral rights, whether by transfer, sale or assignment because moral rights originate with the author's personality; although, he may decide to contractually waive his moral rights in a work.

The author then examines the origins of moral rights in France, and their progression on a global scale. She studies the effect that the cultural context in civil law countries, common law countries, developing countries and post-socialist countries has had on the growth of their respective moral right laws. This is significant in view of the fact that moral rights were first recognized by judges and therefore their development was informed by the peculiar cultural context prevalent in each jurisdiction; the concept of literary property, or copyright, on the other hand, was largely a creature of statute, and therefore less influenced by such informal factors.

The book proceeds to delve into the international copyright regime as established under the *Berne Convention for the Protection of Literary and Artistic Works*, which provided for the protection of moral rights as far back as 1928. It further takes a look at the effect of the creation of the World Trade Organisation and the adoption of the *Agreement on Trade-Related Aspects of Intellectual Property Rights* on the practical enforcement of copyright laws at the national level.

Rajan deals with moral rights in the digital age, specifically, in the context of information technology, digital issues in music, authorship of a film, and visual art and their digital images. She examines the position of moral rights in works of information technology that are now the subject matter of copyright protection, such as computer software, and how different jurisdictions treat the subject. While arguing against the exclusion of moral rights in a technological environment, she advocates three considerations: the promotion of technological development, the protection of the relationship between a human author and his work, and the recognition of the human rights of programmers and artists working with technology.

Rajan then takes a look at the creation of music through technology and the consequent challenges posed to the concepts on which moral rights are based. These include fundamental questions, such as who the author is, and what constitutes the integrity of the work. She further examines the difficulties that technologies such as file-sharing and mobile ringtones present to the music industry, and the