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Discovering Thoughts, Inventing Future

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Private Military and Security Companies in the United States - Evolution, Legal Regulation and Perspectives

By Cauia Alexandr & Zacon Corina

The Free International University of Moldova

Summery- The United States is currently the most important subject of international law regulating and using the services of private military and security companies nationwide. This type of companies, as well as mercenary as a negative phenomenon specific to armed conflicts, did not appear on the USA territory, still, in the second half of the 20th century, they had here the most dizzying development in the world. The United States regulates very closely the activity of military and private security companies and uses the specific and complex services provided by them to increase the military and operational capabilities of its own forces. These companies participate directly or indirectly in most military operations, both official and those that the government does not assume.

This article analyzes the evolution and essence of the normative acts system that regulates the legal status of companies and their employees in the USA, in the light of specific examples and judicial practice.

Keywords: private military and security companies, national regulation, armed conflict, international humanitarian law.

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Private Military and Security Companies in the United States - Evolution, Legal Regulation and Perspectives

Cauia Alexandr [α] & Zacon Corina [σ]

Summary- The United States is currently the most important subject of international law regulating and using the services of private military and security companies nationwide. This type of companies, as well as mercenary as a negative phenomenon specific to armed conflicts, did not appear on the USA territory, still, in the second half of the 20th century, they had here the most dizzying development in the world. The United States regulates very closely the activity of military and private security companies and uses the specific and complex services provided by them to increase the military and operational capabilities of its own forces. These companies participate directly or indirectly in most military operations, both official and those that the government does not assume.

This article analyzes the evolution and essence of the normative acts system that regulates the legal status of companies and their employees in the USA, in the light of specific examples and judicial practice. The aim of the research is to highlight the shortcomings and to point out the deficiencies and challenges posed by this process for the system of international humanitarian law generally and the legal regulation of these new subjects of contemporary armed conflict particularly.

Keywords: private military and security companies, national regulation, armed conflict, international humanitarian law.

Introduction

Although the Private Military and Security Companies (hereinafter-PMSC) bear a striking resemblance to mercenaries, the modern private military companies have developed over the years a rather sophisticated business and operations model, depending on the specific needs of the post- Cold War period. We consider that this complex nature of the activities carried out in favor of states and international organizations is in fact the reason why it has allowed them to obtain both implicit and explicit legitimacy.

However, the existence of private military and security companies is not disputed, even though the use of these private actors compromises the security of states and the confidence of citizens in democratic practices and institutions. This is due to the fact that these companies operate without any effective approval, supervision or public accountability, but only in the financial interest. While entrepreneurs are interested in the economic growth generated by private military and security companies, amazingly, the economic support of armed conflicts is not accepted by the international community, just because an armed conflict for a strictly economic reason would be seen as repulsive socially and politically for the majority of society.

Each government operates within a separate national legal framework, which defines the limits of the legal power activity, as well as the decision-making process at the state level. The cooperation between complex and unique decision-making elements is shaped by the rules of law and judicial practice. In democratic states, the rules of law governing the activity of state power, including the use of violence, will result from the will of the citizens who are represented by the government. This is due to the fact that the modern state is built on the principles of the rule of law in which accountability and monopoly on violence are entrusted to the state. The rule of law is most often used as a synonym for law and order and establishes that all power within a government must be exercised in accordance with legal provisions.[1]

Thus, if the government of a state chooses to use private military and security companies in its operations, then, theoretically, it is at the discretion of the citizens of that state to change the law in such a way as to limit or prohibit the state from recruiting private military and security actors, if citizens are dissatisfied with such decisions.

In 1850, the American detective A. Pinkerton founded a private detective agency, whose services were used by the US Department of Justice to detect and capture criminals who disrespected the federal laws. The agency was engaged in investigating crimes, gathering evidence, conducting interrogations and assisting in the arrest of criminals. However, in 1893, the Anti-Pinkerton Act was adopted, which prohibited the government from hiring Pinkerton and other similar private companies to execute government functions.

The 34th President of the United States, Dwight Eisenhower, mentioned that: "we must avoid the acquisition of unjustified influence by the military-

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[1] Jennings W.I., The Law and the Constitution, University of London Press, 1959, 5th ed. 354 p.

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industrial complex. The potential for disastrous growth in their power exists and will persist".[2] Only few years later, the private military and security companies initiated a new market and transformed this concept into a world-class industry. As Jennings K.M. stated: "The war has always been a matter of profit and plunder. What is changing is how those profits are distributed".[3]

The private international military and security companies, such as Blackwater Consulting USA, Executive Outcomes, DynCorp, Military Professional Incorporates, Titan and California Analysis Center Incorporated, are just a few entities that provide competitive services for private warfare and the development of armed conflict.

The international community has frequently referred to these actors and defined them as: mercenaries, security consultants, civilian contractors, private military companies, private security companies, private military security companies and private military companies, combatants, but so far neither people who form these entities nor the companies, do not have a well-established national or international legal status.

The involvement of the private sector in carrying out government tasks in the United States is not new: during the First World War, the ratio between private employees and the US military was 1:24, during the Second World War 1:7, during the conflict in Vietnam - 1:5, and in Iraq - 1:13.

The US Department of Defense became more interested in the services of private companies during the ruling of President B. Clinton, when the auction took place and some radio bands and space communication channels, previously reserved by the military, were sold to private individuals.

One of the reasons for returning to the services of private companies, scientists say, is the preconception of American politicians regarding the reduction of costs for PMSC services compared to the cost of maintaining the army.[4]

The US Congressional Budget Office provided in August 2008 information on the number of PMSC employees working in Iraq under federal contracts, which numbered about 190,000 people in more than 100 companies.[5] From 2003 to 2007, the US government allocated $ 85 billion to contracts with private companies to provide military and security services in Iraq. It should be noted that the number of US PMSC employees predominated significantly over the rest of the Iraqi coalition forces, among them: about 20% were third-country nationals, including locals.[6]

The legal regulation of PMSC activities is the most developed in the United States compared to other countries. US Office of Management and Budget has developed in Circular no. A-76 guidelines according to which only certain government functions can be delegated to private companies for execution.

The circular aims at implementing the provisions enshrined in Regulation no. 700-137, respectively the Program for increasing the involvement of civilians in logistics insurance.[7] The circular defines an exclusively governmental function, which is so closely linked to the public interest that it requires only government officials to perform it. The criteria that would make it possible to define a function as exclusively public or state one are not provided in the Circular.

The 1998 federal law "on the reform of the functions accomplished by federal authorities" required all federal agencies to conduct an audit and identify activities that could be classified as state-owned or

[2] Dwight D. Eisenhower, Farewell Address IV, Jan. 17, 1961. [on-line]. [accessed 05.11.2021]. Available on Internet: <URL: https://www.ourdocuments.gov/doc.php?flash=false&doc=90&page=transcript>

[3] Jennings, K.M. Armed Services: Regulating the Private Military Industry, Fafo report nr.: 532, Oslo: Fafo, 2006, p.7 [on-line]. [accessed 05.11.2021]. Available on Internet: <URL: https://www.fafo.no/media/com_netsukii/532.pdf>

[4] Волеводз А.Г. О международных инициативах в сфере правового регулирования деятельности частных военных и охранных компаний. В: Международное уголовное право и международная юстиция, 2009, №1, с. 12-17.

[5] US Congressional Budget Office Report, Contractor`s Support of U.S. Operations in Iraq, August 2008. [on-line]. [accessed 05.11.2021]. Available on Internet: <URL: https://www.cbo.gov/sites/default/files/110th-congress-2007-2008/reports/08-12-iraqcontr actors.pdf>

[6] Singer P. Corporate Warriors: The Rise of the Privatized Military Industry. Cornell University Press, 1st edition, 2008, 360 p.

[7] Office of Management and Budget Circular, Performance of Commercial Activities № A-76 (Revised 1999). [on-line]. [accessed 10.10.2021]. Available on Internet: <URL: https://www.whitehouse. gov/sites/whitehouse.gov/files/omb/circulars/A76/a76_incl_tech_correction.pdf>; Logistic Civil Augmantation Program (LOGAP), Army Regulation (AR) 700-137) on-line]. [accessed 10.10.2021]. Available on Internet: <URL: https://armypubs.army.mil/epubsDR_pubs/DR_a/pdf/web/ARN2768_AR700-137_Web_FINAL.pdf>

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commercial.[8] The Annex to the Circular provides examples of commercial activities that can be outsourced to private contractors: food preparation, health services, communication services, training, security, equipment transport.

In the United States, there are two acts, the Alien Tort Claims Act ("ATCA")[9] and the MEJA,[10] which provide some regulation and control over private military and security companies. However, both acts are severely limited in scope.

Some mark that ATCA provides an adequate and viable basis for prosecuting private military companies under international law.[11] However, as the Supreme Court's judgment on ATCA describes, only foreign nationals can initiate an action under the ATCA, they must do so in the United States and can do so only for acts that disrespect a treaty signed by the United States or "the customs and traditions of civilized nations".[12] Therefore, the scope and legal power of the ATCA are limited and many categories of crimes are not subject to its jurisdiction.

Instead, MEJA is beginning to provide some security when it comes to prosecuting employees of private military companies for committed crimes. However, MEJA has serious shortcomings, as it only applies to service providers who have contracted directly with the Department of Defense. After the events in Abu Ghraib Prison highlighted the fact that some employees of private military and security companies, who are not employed by the Department of Defense, do not fall within the remit of MEJA, a member of Congress fought fiercely to correct this error, proposing the MEJA Clarification Act[13] and the Contract Accountability Act.

Both acts seek to expand to include the staff of private military and security companies, removing the limitation that they must be employed by the Department of Defense. Under the proposed acts, any private military staff employed by any agency would fall within the regulatory area of the MEJA as long as their recruitment was in support of a mission of the Department of Defense.

However, none of the draft laws has yet been adopted. In addition, an amendment to Ronald W. Reagan's National Defense Authorization Act for fiscal year 2005[14] expands jurisdiction over the private military and security companies' staff, regardless of the agency that hired them, still it states again that they must not be hired in supporting a mission of the Department of Defense abroad.

All of this is widely discussed, but none of the proposed draft law address situations where the Department of Defense is not involved. There are hundreds of military projects in which the Department of Defense is not involved, but in which the United States should extend its jurisdiction and oversight over private military and security companies operating in those conflict zones.

On December 5th, 2007, a memorandum of understanding was signed between the US Department of Defense and the State Department. Under the Memorandum, the State Department and the Pentagon coordinate PMSC operations, establish grounds for

[8] Public Law 105-270 Federal Activities Inventory Reform Act, 19.10.1998. [on-line]. [accessed 08.09.2021]. Available on Internet: <URL: https://www.congress.gov/105/plaws/publ270/PLAW-105pub l270.pdf>

[9] Garmon T., Comment. Domesticating International Corporate Responsibility: Holding Private Military Firms Accountable Under the Alien Tort Claims Act, 2003, p, 339-343

[10] Military Extraterritorial Jurisdiction Act PUBLIC LAW 106–523—NOV. 22, 2000. [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://www.govinfo.gov/content/pkg/PLAW-106publ523/pdf/PLAW-106publ523.pdf>

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[12] US Supreme Court, Sosa v. Alvarez-Machian, 542 U.S. 692 (2004) [on-line]. [accessed 10.09.2021]. Available on Internet: URL: https://supreme.justia.com/cases/federal/us/542/692/>

[13] MEJA Clarification Act, H.R. 4390, 108th Congress (2003). [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://www.congress.gov/108/bills/hr4390/BILLS-108hr4390ih.pdf>

[14] Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, Oct. 28, 2004 [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://www.congress.gov/108/plaws/publ375/PLAW-108publ375.pdf>
Elsea J. K., Congressional Research Service, U.S. Treatment of Prisoners in Iraq: Selected Legal Issues, May 19, 2005). Library of Congress. Congressional Research Service. [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://digital. library.unt.edu/ark:/67531/metacrs6483/m1/1/high_res_d/RL32395_2005May19.pdf>

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bringing PMSC employees to justice under US law, and coordinate investigations against employees of these companies who are suspected of serious violations of international humanitarian law.

An officer is delegated to investigate this category of cases. In the Memorandum, the signatory parties refer to private companies and/or their staff that provide physical protection services to persons, territories, buildings, infrastructure or transport services. According to the Memorandum, the US Secretary of Defense and Chief of Defense Command are responsible for the safety of Pentagon staff and their contractors.[15]

According to the Manual of the Defense Department no. 3-100.21, PMSC employees are not combatants, they are civilians, as they follow the US Army.[16] The instruction no. 3020.41 of the US Department of Defense has established a mechanism for interaction with them.[17] PMSC employees are not part of the military leadership, but they subordinate to their employers. The instruction provides guidance for planning, managing and using PMSC in military operations. According to clause 1-39, private service providers may be hired to support the US military, including abroad. The list of services and terms of service are stipulated in the contract.[18] Former US Secretary of Defense, Gates R., in the Memorandum on Combating International Terrorism in connection with the increase in the number of civilian contractors working for the Department of Defense, mentioned that these people should be under the control of the military commander.[19]

Despite the bans, PMSC staff defended the military installations in the War Zone. In its reports, the US Congress indicated that since 2005, "Xe company" (Blackwater) employees have been involved in 200 escalation incidents involving the use of firearms. Under the contract, PMSC employees are not allowed to use firearms for the purpose of the attack; meanwhile, in 80% of cases, they were used in such circumstances.

PMSC employees are given permission to carry weapons in accordance with Part 5 of the Memorandum, after confirming their ability to use them.[20] The right to bear and use weapons is enshrined in a federal contract between the government and the PMSC and in a contract between the employee and the company. In this case, special permit to transport and use weapons issues to the employee.[21]

For the past two decades, the United States has issued export licenses to US private military and security companies, in accordance with the United States Arms Export Control Act and international arms transfer regulations.[22] The system has been described as uneven, as the contributions of the Departments of State and Defense vary from one contract to another.

In addition, once a company has received its license, there are no other control or reporting requirements. In fact, the proposed Green Paper in the United Kingdom takes into account the American type of regulatory system, although it has pros and cons. The

[15] US Department of Defense Field Guidelines on Contractor Activities in the War Zone, adopted on January 03, 2003, No. 3-100.21

[16] US Department of Defense Instruction concerning PMSC personnel involved in emergency operations, adopted on July 22, 2009, No. 3020.50.

[17] US Department of Defense Instruction on Contractors Following the US Armed Forces adopted on 03.10.2005, No. 3020.41

[18] US Secretary of Defense Memorandum on Extending the Unified Code of Military Justice jurisdiction to contractors hired by the US Department of Defense, adopted 03/10/2008. [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: http://fas.org/sgp/othergov/dod/gates-ucmj.pdf>

[19] US Department of Defense Instruction concerning PMSC personnel involved in emergency operations, adopted on July 22, 2009, No. 3020.50.

[20] Memorandum of the Congress of the United States Additional information about Blackwater USA, dated 1 October. 2007 [on-line]. [accessed 10.09.2021]. Available on Internet: URL: http://graphics8.nytimes.com/packages/pdf/national/20071001121609.pdf>

[21] Army Regulation AR 715-9 Operational Contract Support Planning and Management, para. 3-3 (d). [on-line]. [accessed 10.09.2021]. Available on Internet: URL: https://armypubs.army.mil/epubs/dr_pubs/dr_a/pdf/web/arn2772_ar715-9_web_final.pdf>

[22] Arms Export Control Act, 22 U.S.C. 2751-99 (2000) [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://uscode.house.gov/view.xhtml?path=/prelim@title22/chapter39&edition=prelim>; Traffic in Arms Regulations, 22 C.F.R. 120-30 (2005). [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://www.stonybrook.edu/commcms/export-controls/Export-Control-Regulations/Federal-Regulations/ITAR.php>

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main factor in the implementation of the regulatory system is the financial support and the degree of expenses for it to work.[23]

Another disadvantage of the licensing system is that some may interpret the issuance of the license as evidence of a state sanction for a particular activity of the private military company. Many authors refer to a national regulatory algorithm that involves licensing as providing a "safe harbor" for private military and security companies, insofar as licenses obtained by companies through these algorithms can be presented as proof of approval by the state.

In accordance with the United Code of Military Justice (UCMJ),[24] Regulation no. 5525.11 of the U. S. Department of Defense, the U.S. courts jurisdiction to prosecute extends to U.S. Department of Defense contractors and contractors of other federal agencies involved in U.S. Department of Defense missions.[25]

UCMJ's jurisdiction has been extended to civilians hired by the US Department of Defense to work abroad. This means that if a PMSC employee commits a crime, the US Department of Defense must notify the Department of Justice and provide all the information necessary to conduct a thorough investigation.

The legal relationship of US government agencies with private military and security companies is formalized by a federal contract, which is essentially an agreement between the state and "private capital, which aims at meeting the military and civilian needs of the US government".[26] Parties to a federal contract do not have the right to modify or revoke contracts in the same manner as parties to commercial transactions.

The latest armed conflict in Equatorial Guinea illustrates how the United States uses the licensing system of private military companies to influence the activities of private military and security companies operating in the United States. The United States has refused to issue a license to MPRI to operate in Equatorial Guinea because of its poor human rights record.

The US refusal to issue a license continued until the nature of the commitment included human rights training. After spending a considerable amount of money and time to obtain a license from the United States government, MPRI could now claim, with some justification, that the United States supported their intervention.

By hosting private military companies within its borders, the United States has successfully influenced the activities of private military companies with reduced expenses for taxpayers. The disadvantage of this contract is that the process leaves the mark of state approval on the activity of private military and security companies.

In accordance with the Arms Export Control Act[27] and the International Arms Trafficking Regulations,[28] the US State Department grants PMSC licenses that operate under a contract with foreign states. US PMSCs often register their business in another country, avoiding the high costs of the licensing procedure.

The US Congress has repeatedly noted that federal laws require the executive branch to report to Congress only on contracts totaling more than $ 50 million,[29] which means that information about most contracts remains closed.

According to the latest estimates, 75% of the market for private military companies is in the United States and the United Kingdom. The annual growth of this segment of the world market is about 7.4%. According to various estimates, the turnover of this

[23] Green Paper, Private Military Companies: Options for Regulation, 12th February 2002 [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://www.globalsecurity.org/ military/library/report/ 2002/mercenaries.pdf >

[24] United Code of Military Justice, [on-line]. [accessed 10.09.2021]. Available on Internet: <URL: https://www.loc.gov/rr/frd/Military_Law/ pdf/morgan.pdf>

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industry varied in 2016 between 220 and 250 billion dollars".[30]

In this regard, the United States should require private military and security companies in its territory to be accredited or licensed independently. A likely source of this independent accreditation would be one of the many associations of existing private military and security companies. In fact, some of the associations have already launched limited regulatory and accreditation mechanisms. So far, however, the United States has not required any of its private military contractors in Iraq to receive such accreditations.

Licensing or accreditation would help ensure the transparency of the company's activities and the contract. While the US has tried to license US-based companies, they have failed to adequately monitor these companies once the license is issued. Only an international accreditation system is able to ensure quality private military and security companies, trained to carry out security missions. Thus, the US should make a concerted effort to encourage the use of these independent international systems and use them as part of their contracts.

Even if the industry may not have been mature enough at the beginning of the Iraqi invasion to provide such a system of verification of private military companies, this can no longer be an excuse. In addition, while the costs of checking and monitoring Iraqi military and private security companies can be costly, poor monitoring and surveillance leads to corruption and wastage that is in itself quite costly. This is the right time for the industry to develop a program to accredit private military and security companies and to provide at least minimum guarantees that they meet basic standards. As the largest user of these forces, the United States should initiate the process, requesting an independent international accreditation of the private military and security companies' contracts.

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Foucault's Concept of History and New Historicism: Points of Convergence

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Abstract- This paper attempts to explore the impact of Michael Foucault's theoretical understanding of history on New Historicism, a literary school that developed in North America in the later part of the twentieth century. While Foucault is known throughout academia for his extraordinarily wide range of interests, this paper aims only to focus on his radical perspective on history and to show how that perspective is linked in vital way to the development of new historicist strategies, highly innovative in themselves, that seriously challenge, if not redefine, the traditional humanist interpretation of literature. Attempt therefore has been made in this paper to examine how Foucault's 'epistemic break' and 'archeological' model of history as a 'discontinuity' remain as important points of reference for the new historicist interpretation of textuality, authorship, theatre and culture at large. While discussing new historicism, this paper largely draws upon the opinions of Greenblatt and Montrose, two pioneering theorists of this school.

Keywords: foucault, episteme, archeology, Greenblatt, Montrose, new historicism, historical discontinuity, discourse, pluralism.

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FOUCAULTSCONCEPTOFHISTORYANDNEWHISTORICISMPOINTSOFCONVERGENCE

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Foucault's Concept of History and New Historicism: Points of Convergence

Yasif Ahmad Faysal [α] & Md. Mijanur Rahman [σ]

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I. Introduction

Foucault's theoretical impact on new historicism as a key cultural movement of the twentieth century is undeniable. His understanding of history as asymmetric and discontinuous relationship between different stages of civilization with no unifying human consciousness anchoring the so-called 'progress' of this history has been a source of tremendous interest for thinkers with predisposition to seek radically alternative interpretations of the past. While Foucault's anti-humanist position vis-a-vis history works to deplete the role of subjectivity in history, that position also removes any prospect of considering history as a grand narrative. The significance of this position lies in disengaging history from the monolithicity of any particular interpretation and opening it up to the plurality of interpretation. Inspired by Foucault's view of history as a non-linear epistemic or discursive formation, New Historicism seeks to locate the significance of any event of the past within the historic moment of its formation with focus on the wide and disparate cultural elements that bear on the formation of the said historic moment. The radicalness of this particular approach also extends to considering the spatio-temporal position of the interpreter as integrally bound with the task of interpretation of history, leaving no scope for doubting the fact that the objectivity of historical interpretation is a myth (Richter 1205). This paper attempts to examine Foucault's critical concepts such as discursive formation and episteme, and explore how far these concepts work substantively as theoretical underpinning for the protocols of the literary and cultural school like New Historicism.

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II. Foucault's Concept of History

Any discussion on how Foucault envisioned history is contingent upon critical perspectives entailed by his reliance on terms such as 'episteme' and 'epistemic break'. His unique of way of studying history, a counterintuitive approach in appraising the sequence and events of the past has been of tremendous influence on the nature of critical thinking across various disciplines of knowledge. While the tradition of intellectual practices espouses a continuity in the transmission of knowledge from period to another, Foucault critically arrives at conclusion to the contrary. The strength of his claim is based on positioning history in relation to episteme- a concept that, for Foucault, denotes "the sum total of the discursive structures which come about as a result of the interaction of the range of discourses circulating and authorized at that particular time"(Mills 57). For Foucault, discourse exists, at the fundamental level, as an unit for structuring thoughts; and when discourses of a particular period are grouped together, there emerges a particular way of thinking about a subject and a tendency " to map out certain procedures and supports for thinking"(57). "Every period", as Didier Eribon, describes, "is characterised by an underground configuration that delineates its culture, a grid of knowledge making possible every scientific discourse, every production of statements..." (Eribon 1991: 158).

Foucault holds that the passage of history is not charted in smoothness but in a motion that is uneven and uncertain.

History is a "series of lurches" and it is characterised by disjunction and discontinuity known as 'epistemic break'. The radical nature of Foucault's thinking is best understood by the fact that he is not after any Weltanshauung behind his theory; instead he is a trail-blazer when it comes to investigating conflicts and tension that undergird the seemingly tranquil surfaces of social construction:

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> I have defined the play of rules, of transformations, of thresholds, of remanences. I have collated different discourses and described their clusters and relations (Foucault 1991a: 55).

Like Thomus Khun's Copernican Revolution, elements of chances, accidents and relativity bulk large in Foucault's concept of a radical break, a hiatus that separates one episteme from other. From the conceptual point of view, Foucault's 'epistemic break' can be seen as in itself as having a radical break from those structures of critical thoughts that hold on to knowledge as a process of a linear historical accumulation. For Foucault, there is consequently a sense of wonder of how elements in different epochs, that cannot be simply explained away, work to bring about completely a qualitative change at the paradigmatic level:

> how can it be that there are at certain moments and in certain orders of knowledge these sudden take-offs, these hastenings of evolution, these transformations which do not correspond to the calm and continuist image that is ordinarily accepted. (Foucault 1979: 31).

Foucault, at the fundamental level of his thinking, was at odds with those thinkers who do not factor in the elements of strangeness between different periods in the generalized view of history.

According to Foucault history, progress and subjectivity are matters of metaphysics and thus have no relevance whatsoever with the material understanding of history. Those who believe in the continuity of history categorically assume in the human subjectivity as a unifying agency imposing value and interpretation from a certain perspective on the interpretation of history (Hamilton 127). Key to his concept of history is the idea of conflict and resistance as defining the formation of a discourse. Since discursive grouping within episteme are characterized by discontinuities and similarities, there is a tendency to look at human subjectivity and historical objects for that matter from the point of views of both unification and dispersal (Hamilton 128).

Contradictory positions are therefore crucial to Foucauldian history. Completely opposed to the myths of truth of history as some object historian reaches back in past to discover, Foucault balances history "in relations of power, not relations of meaning" (qtd Hamilton 131). Foucault's fundamental assumption that knowledge and power work in nexus (Abera), historian's attempt to gloss over an event of the past is itself an expression of power; However it is also important to note that historian's interpretative task of the past can be understood in the broader context of the power relations within which he/she inhabits. The hermeneutical project of the historian therefore attains a new dimension; attempts to reach to past, the conviction to demystify it, to connect to details, great and small, of a period that Foucault terms as 'archive' are prompted by questions of power or what Foucault terms as struggle:

> "History has no meaning though this is not to say that it is absurd or incoherent. On the contrary, it is intelligible and should be susceptible of analysis down to the smallest detail – but this is in accordance with the intelligibility of struggles, of strategies and tactics" (Foucault 1980: 115)

Foucault's passionate concern with details, his investigation into the discursive rules within a given episteme that generate identities and create conditions in which subjectivity acquires an state of self-consciousness led him to approach history from archaeological and perspectives (Rabinow 17). The term 'Archeology' for Foucault has a very special meaning. It designates "internal rules, structures, interrelationships, continuities, discontinuities, rules of transmission, the condition of their emergence, development and decline" (Hawthorn 18). When one views together the four works that constitute Foucault's archaeological period, namely, *The History of Madness*, *The Birth of the Clinic*, *The Order of Things*, and *The Archaeology of Knowledge,* it becomes quite obvious that Foucault is more concerned with the 'how' factor in history than the 'why', thus taking a decided position against phenomenology and Marxism who are too subjective and reductionist respectively. Foucault considered Archaeology an essential

> "because it supported a historiography that did not rest on the primacy of the consciousness of individual subjects; it allowed the historian of thought to operate at an unconscious level that displaced the primacy of the subject found in both phenomenology and in traditional historiography." (Stanford Encyclopedia of Philosohy).

The move from phenomenology to archaeology is move towards decentering human subjectivity towards underlying rules that works within discursive formations of epistemes to produce the subjectivity in question. In the four books mentioned, Foucault conducted thoroughgoing search of diverse elements of a bounded space of a particular period. "Suspicious of claims to universal truths"(Rabinow 4), Foucault launched himself to discover the practices of Western culture to the point that "these practices became coherent reflective techniques with definite goals....(4). These definite goals, as he explored in the archaeological phase of his works, is to operate on a knowledge-power continum that sets in place scientific and sociological propositions to interpret details through "divisive practices" and "scientific classification"(Rabinow 8). Unlike "long duree" (Rabinow 17) historian who works with a long-range events and distinct political events, Foucault concerned himself with men.

> "in their relations, their links, their imbrication with those things which are wealth, resources, means of subsistence, the territory with its specific qualities, climate, irrigation, fertility, etc.(Rabinow 16).

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In *Discipline and Punish* (1979a) and the three volumes of *History of Sexuality*, especially volume one, Foucault engaged even more rigorously with the specifities of history, predominantly human body, and launched investigation into how human body in the post-Renaissance society came under increasing surveillance and and went through stages of normalization and spatial distribution (Rabinow 1984 20). Cateogorically Foucault was pursuing at this point a more focused understanding of history, a kind that used 'disciplinary technology' to turn population into 'bio-power'. Known as Genealogy, this approach is 'micro-physical' and subtly nuanced on human body and minute local details.

> . . . a genealogy should be seen as a kind of attempt to emancipate historical knowledges from that subjection, to render them, that is, capable of opposition and of struggles against the coercion of a theoretical, unitary, formal and scientific discourse. It is based on reactivation of local knowledges - of minor knowledges, as Deleuze might call them - in opposition to the scientific hierarchisation of knowledges and the effect intrinsic to their power: this, then, is the project of these disordered and fragmentary genealogies. (1980a, 85)

Dissociation of historical knowledge from linear and hierarchical narratives and realigning it to the local, peripheral, contingent is a genealogical approach. Although, the word genealogy deals in a sense with the idea of origin, Foucault sticks to the Nietzschean sense of it, as he considered history as an untrammelled sramlessness with no originary or fixed center. While archaeological notion helped Foucault to excavate the underlying grid of discursive practices that produced certain kind of interpretation in a particular episteme, genealogy explains for Foucault that history evolved along with the evolution of the society itself along the capitalist principles of the domestication and containment of human body. That is why, centralization of the human body is crucial to the genealogical appraoch; but in doing so, this approach also inteventories a rich and diverse assortment of signs, symbols, rituals and practices that are intimately associated with the concept of human. Rather than histories of mentalities or ideas, genealogies are "histories of the body". They examine the historical practices through which the body becomes an object of techniques and deployments of power.

By historicizing the body, Foucault explains that the rationality of the modern penal institutions is markedly different than those that are aimed solely at retribution through pain. He effectively reveals the double role of the present system: it aims at both punishing and correcting, and therefore it mixes juridical and scientific practices. Foucault suggests that this shift resulted in the emergence of new, insidious forms of domination and violence. The critical impact of *Discipline and Punish* and in the *History of Sexuality* thus lies in its ability to reveal the processes of subject formation that operate in modern penal institutions.

However, the true significance of Foucault's archaeological and genealogical approach to history consists in the fact that Foucault, in trying to understand the process of 'Subjection' of human body, delved deeper into practices, displines and genres of an episteme and discovered that nothing in the culture (taken in broader sense) exists without interest. The interests lie exactly in the manipulation of the human body; and disciplinary knowledge, in their multiple forms, empowered that process of manipulation. According to Foucault, power, therefore, is non-hierarchical. Boundaries of disciplines break into one another and the implication is that any piece of knowledge of any discursive field or discipline, by complex grids and networks, is connected with another piece of another field.

Power is not only polyvalent (Hancock), it is also ubiquitous; and the very fact of it's ubiquity is instantiated by the deployment of power and the simultaneous resistance to it:

> Power comes from below: that is there is no binary and all-encompassing. opposition between rulers and ruled at the root of power relations,.. (Foucault, 1978: 94)

The dissolution of the binaries and the acknowledgement of the fact that any given site in the power spectrum is fraught with the plurality of contest illuminate on the nature of a Foucauldian historian. He not only interprets the past with full knowledge that anything he studies is enmeshed in a dense web of power and political rationality (Rabinow 18), but he also that his instigation to the task of interpretation is motivated by certain interests specific to his time, that he also belongs, like the subject he studies, to the 'spatialization of reason'(*Cambridge Companion* 44). Since this kind of history runs counter "to totalize or synthesize in the Sartrean and Hegelian senses", this counter-history, so to speak, frees a historian to move away from time to space, from phenomenological consciousness to webs of influences, revealing in the process that historian and historical object are both trapped in a loop of relativity (*Cambridge Companion* 42). Foucault's archeology and genealogy are "both counter-history and social critique. It is counter-history because it assumes a contrapuntal relationship to traditional history, whose conclusions it more rearranges than denies..." (*Cambridge Companion* 43). It is summed up in the following comment:

> 'a system of ordered procedures for the production, regulation, distribution, circulation, and operation of e´nonce´s', whilst genealogy sees truth as 'linked in a circular relation with systems of power which produce and sustain it, and to effects of power which it induces and which extends it' (Eribon III, 160).

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Steering consciously away from phenomenology and structuralism and then from reductionist ideas of Marxism, Foucault set in motion a counter-history that not only avoided giving primacy to the ideas of 'the individual' and of 'subjectivity', but also allowed the contingency of time, power and disciplines to bear on any interpretation of any event at any given point of history (*Foucault Primer*).

III. The Relevance of Michael Foucault for New Historicism

Foucault's archival interest in history, especially in the way truth and power compliment one another at the formative level of knowledge allowed him to read into any text of history affiliations of that text with governing principles and structures that lead to the formation of that text in question. It is this interest that makes Foucault an important reference point in elucidation of key tenets of new historicism. A particular text, for Foucault, is deeply embedded within countless other texts, all bound up in a network of inter-disciplinary exchanges. It is because of this reason what is important is not what any text, in particular, says, rather the imprints or effects of power that the text bears. The enunciative form of that power relations within a text is known as discourse that designate ways of constituting knowledge, together with the social practices, forms of subjectivity and power relations which inhere in such knowledges and relations between them (Weedon, 1987, p. 108). The relation of knowledge with social practices is similar to the relation of texts with contexts. For Foucault and for the new historicism, this relation is predicted on the important idea that 'truth' of any discipline, or any text for that matter, is not specific to that discipline or text alone. The geneology of that 'truth' has to be traced to the power that it serves and is strengthened in return. Foucault is quite unambiguous about this point:

> The important thing here, I believe, is that truth isn't outside power, or lacking in power: contrary to a myth whose history and functions would repay further study, truth isn't the reward of free spirits, the child of protracted solitude, nor the privilege of those who have succeeded in liberating themselves. Truth is only by virtue of multiple forms of constraint. And it induces regular effects of power, Each society has its regime of truth, its "general politics" of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saving what counts as true. (*Reader* 72-73).

The points made by Foucault is emphatic enough for the new historicists to construe that the significance of a particular text resides in a broader sense in the diffuseness of culture. As observed by Edward Said (1978), Foucault held that a text inhabits a regime of power; and that the manipulative function of the discourse of a text, along with the non-availablity of any single author controlling that discourse, opens up ways in which

> . . . textuality is to present the text stripped of its esoteric or hermetic elements and to do this by making the text assume its affiliation with institutions, offices, agencies, classes, academies, corporations, groups, guilds, ideologically defined parties and professions. Foucault's descriptions of a text, or discourse, attempt by the detail and subtlety of the description to resemanticize, and forcibly to redefine and reidentify, the particular interests that all texts serve"(*Critical Inquiry* 701).

The revisionist spirit of new historicism hinges on the incorporation of the spatio-temporal factors of the historian into the interpretation of any event of the past. This is where again, Foucault's understanding of historical narratives as discourses become highly useful, since discourse represents "a form of power that circulates in the social field and can attach to strategies of domination as well as those of resistance..if relations of power are dispersed and fragmented throughout the social field, so must resistance to power be" (Diamond and Quinby, 1988, p. 185). Interpretation is a task that should, therefore, proceed along an ever changing line of tactics and strategies. The new historicist emphasis on the transcending of disciplinary barriers when it comes to the interpretation of the past invokes Foucault's model of history as war. Dissatisfied with semiotic deflation of history as mere play of contrast and with the dialectic logic that presupposes a mechanical continuity of history, Foucault provides a new historicist interpreter an extraordinary freedom to fix frames of reference to conduct historical research:

> Here I believe one's point of reference should not be to the great model of language (langue) and signs, but to that of war and battle. The history which bears and determines us has the form of a war rather than that of a language: relations of power, not relations of meaning. History has no "meaning," though this is not to say that it is absurd or incoherent. On the contrary, it is intelligible and should be susceptible to analysis down to the. smallest detail-but this in accordance with the intelligibility-of struggles, of strategies and tactics (*Reader* 56).

The preoccupation of the new historicists with the details of culture is well-established. As it is amply demonstrated in the works of the likes of Greenblatt, the simplest of events of Renaissance dramatic theatre might have resonance with elements of culture that has seemingly nothing to do with literature in particular and art in general. The fact that the dialogue of a particular Shakespearean character can be interpreted, against critical grain, in the light of strange happenings in the colony or that a whole scene in a play can be omitted to ingratiate with a powerful fold of the royal society define the limits of a critical perspectives that not only take a

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integrative view of culture but also hold open-ended views about textuality and authorship. The relevance of Foucault here for the new historicists can not be ignored:

> A text is an object-event that copies itself, fragments itself, repeats itself, simu- lates itself, doubles itself and finally disappears without its author ever being able to claim that he is its master. ... I would like for a book not to give itself the sort of status that would make of it a text which pedagogues and critics would then be able to reduce; rather I would want a text to have the casual bearing, as it were, in order to present itself only as discourse; that it be at the same time battle and arms, strategy and shock, struggle and trophy (or wound), conjuncture and vestiges, irregular encounter and repeatable performance." (Foucault, Histoire de lafolie, p. 8).

In the following, the points of convergence between Foucauldian history and new historicism with leading figures of this critical school will be explored.

New historicists are skeptical of the possibility of reserving veneration for the authorship of literary texts, since, unlike traditional literary critics, they challenge the idea that any particular author can be singularly instrumental to the composition of literary texts. They place the traditional understanding of history in a critical perspective, because our veneration of the great authors is bound up with their ancientness. Like Michael Foucault, new historicists are stimulated to hold the idea that a genius working in a mysteriously inspired manner to beget literary texts is a myth, a case of misconception of texts come into being. According to Stephen Greenblatt, there is no 'total artist' not 'totalizing society' - two 'monolithic' entities that are traditionally believed to be in antagonism with one another (…*Negotiations* 2). He understands that an author or writer works through a gradual and incremental process leading to codification of signs:

> There may be a moment in which a solitary individual puts words on a page, but it is by no means clear that this moment is the heart of the mystery and that everything else is to be stripped away and discarded. Moreover, the moment of inscription, on closer analysis, is itself a social moment. This is particularly clear with Shakespeare, who does not conceal his indebtedness to literary sources, but it is also true for less obviously collaborative authors, all of whom depend upon collective genres, narrative patterns, and linguistic conventions (….*Negotiations* 5).

There is no pure creation nor there is an artist who simply relies on himself out the compass of culture, because when one investigates the process "one begins to glimpse something that seems at first far less spectacular: a subtle, elusive set of exchanges, a network of trades and trade-offs, a jostling of competing representations, a negotiation between joint-stock companies. Gradually, these complex, ceaseless borrowings and lendings have come to seem to me more important, more poignant even.." (…*Negotiations* 7). In *Renaissance Self-Fashioning* , Greenblatt identifies the trends among literary historians to consider history in unmediated linearity, as the anthropological components of culture and the formative role social codes and customs in the moment of the inscription of literary text are not factored in their criticism (…*Self-Fasioning* P3-4). This opinion of Greenblatt is clearly in line with Foucault who argued that there is nothing called 'author' but 'author-function'. This function sets out a discursive space and the concomitant constraints that filter the process of literary codification. The author's name in reality only serves to anchor a certain discourse under which texts written by "so-and-so" are assembled (*Reader* 107). Discursive understanding runs counter to the historical understanding of literary texts. while the latter attribute originary points to those texts, the former crystalizes how coherence among Shakespearean texts for example is artificial (Mills 74). New historicist Louis A Montrose invokes Althussarian brand of Marxism to declare that the "freely self~ creating and world-creating Individual of so~called bourgeois humanism is-at least, in theory-now defunct" (*New Historicism* 21), emphasizing that subjectivity in literature is a double-edged word referring to a process of contestation by which agency is asserted as well as subdued. The point made by him is expressively cogent and clear:

> . . . subjectivity is socially constituted and constrained; the processes by which ideologies are produced and sustained, and by which they may be conte-sted; the patterns of consonance and connadiction among the values and interests of a given individual, as these are acrualized in the shihing conjunctures of various subject positions--as, for example, intellectual worker, academic professional, and gendered domestic, social, political and economic agent. (19)

New historicists acknowledge the fact that historical interpretation of any event of the past is a problematic task. While traditional historians go by a generalized, hierarchical, and piecemeal therefore, process of reckoning with the salient features of the past events, new historicists (even though, they are mainly concerned with the historicity of literary texts) are committed to situate an event at the intriguing nodal points of dynamic exchanges within a culture. Referring to the Renaissance theatre and the plays of Shakespeare, Greenblatt observes that "Despite the wooden walls and the official regulations, the boundaries between the theater and the world were not fixed, nor did they constitute a logically coherent set; rather they were a sustained collective improvisation" (…*Negotiations* 14). The 'transgression of boundaries' that Greenblatt talks about is indicative of the fact that there is no single route to the interpretation of a play (16). While disciplinary walls are removed, historical events, even if it is a Shakespearean play, are seen altogether in a new light, in a complex network of criss-crossing power relations. The grid of power relations establishes numerous historical versions of an event, as

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it is acknowledged that reciprocal exchanges within different discourses and disciplines cancel out any possibility of valorisation of any particular version of history. Identifying this exchanges within a culture as 'mobility', Greenblatt remarks that ideological institutions like church, family, school all simultaneously participate in exercising power in a manner that makes a singular interpretation of any historical event impossible (…*Self-Fasioning* 2). While his observations are in relation to the Renaissance plays of Shakespeare, they are not far from Foucault's archaeological and genealogical view of history, of how the ubiquity of power gains access to human bodies through the construction of disciplines and their relevant discourses (*Reader* 66). Traditional history is not concerned with the 'micro-physics' of power nor with goings-on and trade-offs in "the fine meshes of the web of power"(58), relying therefore on the fictional continuity of the narrative. Sensing that a monological interpretation of literary history is quite antiquated in present day, he lays his opinion of what needs to be done in *Towards a Poetics of Culture*:

> We need to develop terms to describe the ways in which material-here official documents, private papers, newspaper clip-pings, and so forth-is transferred from one discursive sphere to another and becomes aesthetic property. h would, I think, be a mistake to regard this process as uni-directional-from social discourse to aesthetic discoune-not only becaUH: the aesthetic discourse in rhis case is so entirdy bound up with capitalist venrure but becausr the social discourse is already charged with aesthetic energies(11).

Diversity of historical interpretation and the acknowledgement of the embeddedness of any event of past in multiple contexts define the arduous limits of new historicism. The very first line with which Greenblatt opens up the first chapter of his famous book *Shakespearean Negotiations* (1988) says it all. "I began with the desire to speak with the dead" (1). He concludes the chapter with the following realization:

> . . . I had dreamed of speaking with the dead, and even now I do not abandon this dream. But the mistake was to imagine that I would hear a single voice, the voice of the other. If I wanted to hear one, I had to hear the many voices of the dead. And if I wanted to hear the voice of the other, I had to hear my own voice. The speech of the dead, like my own speech, is not private property.

The realization that there is no access to any single authentic voice of the past pluralize the task of historical interpretation. This applies not only to literary text but to any event of the past. Since textuality is the challenge that a historian must confront in order to approach the task of interpretation, there is no bypassing the fact that the signifying practices of language is multi-directional. A historian can never fully circumvent the slippery domain of language to arrogate to himself the totality of historical interpretation. The best he can do is to place an event in the multiplicity of other events and observe the interlinking. Only then he can approximate the meaning in its plurality. Explaining how a literary text is embedded within multiple signifying practices which he terms as 'cultural poetics' Greenblatt says-

> Social actions are themselves always embedded in systems of public signification, always grasped, even by their makers, in acts of interpretation, while the words that constitute the works of literature that we discuss here are by their very nature the manifest assurance of a similar embeddedness. Language, like other sign systems, is a collective construction; our interpretive task must be to grasp more sensitively the consequences of this fact by investigating both the social presence to the world of the literary text and the social presence of the world in the literary text. The literary text remains the central object of my attention. I should add that if cultural poetics is conscious of its status as interpretation, this consciousness must extend to an acceptance of the impossibility of fully reconstructing and reentering the culture of the sixteenth century, of leaving behind one's own situation..(…*Self Fashioning* 5).

However, a more direct interpretation of Foucauldian and new historicist version of history as archaeological, heterogeneous and processual comes from Montrose. If there is one thing certain about history is its uncertainty.

> . . . the histories we reconstruct are the tcxrual constructs of critics who arc, ourselves, historical subjects. If scholarship actively con-structs and delimirs its object of study, and if the scholar is historically positioned vis-3-vis that object, it follows that the quest of an older historical criticism to recover meanings that are in any final or absolute sense authentic, correct, and complete is illusory. Thus, the practice of a new historical criticism invites rhetorical strategies by which to foreground the constitutive acts of textuality that traditional modes of literary history efface or misrecog-nize. It also necessitates effons to historicize the present as well as the past, and to historicize the dialectic between them-those reciprocal historical pressures by which the past has shaped the present and the present reshapes the past. In brief, to speak today of an historical criticism must be to recognize that not only the poet but also the critic exists in history; that the texts of each are inscriptions of history; and that our comprehension, representation, interpretation of the texts of the past always proceeds by a mixture of estrangement and appropriation, as a reciprocal conditioning of the Renais-sance text and our text of Renaissance (*New Historicism* 24).

Montrose reminds us of Foucault's view of history as war, strategies and shifting positions. As it is true for Foucault, new historicists challenge the aporias and limits of formal history and transform them into an space emancipated from restrictions and taboos.

In a broader sense, the convergence of ideas of Foucault and the new historicists, especially Greenblatt and Montrose can be explored in the concept of episteme as defined by Foucault. The dynamic exchange between diverse elements of a culture (New historicists call it 'cultural poetics'), negotiations between

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different discourses and disciplines that discard the metaphysical notion of authorship and genius behind so-called creativity and originality in history depend for their theoretical validity on episteme. In the Preface to *The Order of Things*, Foucault considers episteme as "the mute ground" (xviii), or the "configuration" that "defines systems of simultaneity as well as series of mutations necessary and sufficient to circumscribe the threshold of a new positivity" (xxv). Beneath a typical Foucauldian language dense with poetic and philosophical registers, what he is hinting at is a kind of domain that he characterises as "graduated, or discontinuous and piecemeal, linked to space or constituted anew by the driving force of time" (xxii). Since this domain is discontinuous and is specific to an epoch or period of time, it is hard to see it operating in the naked eye. Yet this domain or 'order' as Foucault calls it, informs disciplines of culture and science in their mutual exclusiveness and explains any phenomena in those disciplines that are mistaken for 'stroke of genius'. While episteme supplies secret linkage between different disciplines, however apparently different they are, he understands very well that episteme itself changes resulting altogether in qualitative changes. Since each epoch has its own episteme, we have recourse only to histories in place of one polished version of official history. The following quotation sums it up all:

> . . . it is rather an inquiry whose aim is to rediscover on what basis knowledge and theory became possible; within what space of order knowledge was constituted; on the basis of what historical a priori, and in the element of what positivity, ideas could appear, sciences be established, experience be reflected in philosophies, rationalities be formed, only, perhaps, to dissolve and vanish soon afterwards. I am not concerned, therefore, to describe the progress of knowledge towards an objectivity in which today's science can finally be recognized; what I am attempting to bring to light is the epistemological field, the episteme in which knowledge, envisaged apart from all criteria having reference to its rational value or to its objective forms, grounds its positivity and thereby manifests a history which is not that of its growing perfection, but rather that of its conditions of possibility; (*The Order of Things*)

However care must be taken here for not reading into 'episteme' a parallel for an immutable structure; rather, it can be explained as something close to the unconscious 'constructionosm' of a particular epoch, always susceptible to change and reconstruction (The Atlas Society's 1999 online "CyberSeminar" entitled "The Continental Origins of Postmodernism"). The radical break between epistemes inhibits our customary notions of 'progress' and 'genius' and, compel our attention to the grids connecting discrete and heterogeneous elements within culture and science in order to explain formations in diverse disciplines. This view of Foucault is found to have significant impact on the new historicists and their attitude to literature and art in general:

> That is, art does not simply exist in all cultures; it is made up along with other products, practices, discourses of a given culture. (In practice, "made up" means inherited, transmitted, altered, modified, reproduced far more than it invented: as a rule, there is very little pure invention in Now the demarcation is rarely, if ever, absolute or complete nor can we account for it by a single theoretical formulation. we can think up various metaphors to describe the process. (…*Negotiations* 14).

In 1969, Michael Foucault held a chair in College de France, that he referred to as ' the history of systems of thought' (*Wiki*). This was truly in keeping with his passion. He lifelong invested his intellectual energy in observing and investigating how systems of thoughts of different periods of time worked to produce knowledges that are immensely diverse in origin. He had enormous scholarly interests in many areas of knowledge, but it is true that he wrote very little on literature in particular. That is why, the interventions made by the new historicists in the study of literature are found useful; they have adopted Foucault's critical lens on history as discontinuity and adapted them in understanding literature on a non-homogenous, non-hierarchical scale. With the adaption of Foucault's critical thoughts to literature, new historicists opened up possibilities in which literature could be conceived and re-conceived in line with the radical socio-political trends of the later part of the twentieth century. As the authorial function of a literary text was seen less as creator than as a facilitator of that text, as the interpretation of a literary text was seen to depend less on aesthetic space than on the components that made up a culture, there was a fundamental understanding among the new historicists, their many disagreement on many issues notwithstanding, that variants of temporality, geography and the conflict of interests explain why interpretation of literature *is* always-already pluralistic (my italic). Clearly, Foucault stands as an inspirational figure for literature to transition from humanistic school to the wider horizon of new historicism.

IV. Limitations of the Study and Possibility

We attempted, in this study, to explore the extent of impact of Foucault's ideas of history on the leading figures of new historicist school. What motivated us in attempting the task is the fact that Foucault and new historicists like Stephen Greenblatt and Louis Montrose dominate the syllabus of cultural studies of English departments of our country. Our perception of the close interactive relationship between Foucault and new historicists at the theoretical level is the starting point of this study. However, it is admittedly true that because of resource-constraints and other limitations,

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we could not extend the application of Foucault's ideas to other members, apart from Greenblatt and Montrose, of the new historicist school, although we are aware that many members within this school have had issues with the label 'new historicism itself'. Another area of the limitations of this study is that it does not have anything to say about cultural materialism, another cultural movement flourishing on the other side of the Atlantic. It is our firm belief that the trend to read Foucault's ideas in the wider cultural context will pave the way to explore literary and cultural movements developing in different continents of the world. History, origin and continuity are issues that have proved relevant to all cultures since time immemorial. Foucault's ideas, therefore, will be relevant among people all over the world in the days to come.

V. Conclusion

The theoretical convergence between Foucault's concept of history and new historicism is undeniable. Foucault rejects the extraordinary reliance of traditional history on anthropomorphism and the predictable linearity of the narratives of the past. Since these narratives are composed out of selective episodes, Foucault's critical interest lies precisely in those details of the past that are not usually represented in official and institutionally sponsored narratives. Approaching history, instead, from archaeological and later, from genealogical points of views, Foucault observes that technologies and systems of power are at work in all disciplines of society especially where production of knowledge is concerned, and that distinction between discourses of knowledge is practically spurious since knowledge in a given epoch (Foucault calls it episteme) is trans-disciplinary, interrelated, intertwined. Raymond Williams (1973) wrote that "we cannot separate literature and art from other kinds of social practice, in such a way as to make them subject to quite special and distinct laws" (*…Marxist Cultural Theory*). Although Williams is not strictly a new historicist in the way Greenblatt and Montrose are, his words sheds light on some important assumptions shared both by Foucault and new historicists. Congruent with Foucault's idea of 'new history', new historicism represents a critical outlook that favours a 'turn to history' and places literature in history (Veeser). While such outlook doesn't place any premium on the idea of originality and authorship in literature, they investigate all the possible sites of power-relations and struggles that have the potential to generate highly nuanced texts as that of Shakespeare, for example. What new historicists refers to as 'cultural poetics' is a kind of all embracing inclusiveness of disciplines where discourses of state, church, family, school, theatre and polity all merge into and shape one another. Unsurprisingly therefore, cultural poetics as a conceptual model has a resounding resemblance with Foucault's episteme. And as Foucault defines history as a series of epistemic lurches, new historicists locates a paradigmatic shift in literature from medieval period to that of Renaissance and show how identity, self-fashioning and material appropriation gradually became staple themes in literary representation (Greenblatt). It is quite evident that points of convergence between Foucault's idea of history and new historicism are quite substantial and these points have proved more useful to diverse trends of critical thinking that it is superficially understood. As one critic says-

> Foucault's legacy to new historicism is to have imbued new historicist critics with a fascination for the structures and technologies of power relationships at every level of human society, from the feats and methods of colonisation to the roles and functions of entertainment rituals. Foucault has been a major influence on critics like Greenblatt, Montrose and Gallagher, both in terms of his initial support for their work and as a lasting influence on their methods and theoretical assumptions. This legacy has produced some excellent and fruitful analyses of the social and cultural fabric of Western society. (Brannigan 1998 52)

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The Story of Jammu and Kashmir and Interpretation of *Article 370* of the Constitution of India

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Abstract- The paper examines and analyses the history of Jammu and Kashmir (after this J&K) and the *Article 370* of the Constitution of India in light of recent changes brought about in *Article 370* by the Government of India. The paper discusses the story of present J&K, which began in 1846 with the signing of the '*Treaty of Amritsar'* between the British Government and Maharajah Gulab Singh. The paper reflects upon the effect of Treaty and despotic rule of Dogra rulers in J&K. The paper also elaborates the political situation of J&K in the 1930s and briefly discusses the role of Sheikh Abdullah in the conception of the idea of '*Naya Kashmir*' (1944) and '*Quit Kashmir*' movement (1946). Next, the paper focuses on the Independence of Pakistan and India (August 1947). By this time almost all major Princely States except Hyderabad, J&K, Junagarh and Khanate of Kalat acceded either to Pakistan or India. Subsequently, the paper deals with the invasion of J&K by the Pashtun Tribes, which occasioned the accession of J&K to India (October 1947).

Keywords: jammu and kashmir, instrument of accession, sheikh abdullah, article 370, presidential order, presidential declaration.

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The Story of Jammu and Kashmir and Interpretation of *Article 370* of the Constitution of India

Abhinav Gupta

Purpose of the Study: The present paper covers the detailed story of Jammu and Kashmir (after this J&K), and examines and analyses the *Article 370* of the Constitution of India in light of the changes brought about in *Article 370* by the Government of India through the Presidential Order of the '*Constitution (Application to J&K) Order, 2019*' (after this '*2019 Order*') under Article 370(1)(d) on 5th August 2019 and the '*Presidential Declaration under Article 370(3) of the Constitution*' which replaced the original *Article 370* with a new text on 6th August 2019.

Methodology: Analytical and Descriptive methodology is adopted in the present paper. The present paper is primarily based on primary sources like UN Resolutions, Government issued documents, Treaties, Agreement, etc. and secondary data, which is majorly gathered through journals, magazines, newspapers, websites, and other related reliable sources.

Principal Findings: Article 370 of the Constitution of India provides for the constitutional relationship between India and Jammu and Kashmir, which has been modified by the '*Presidential Declaration under Article 370(3) of the Constitution*'. The declaration technically repeals the Constitution of Jammu and Kashmir and deprives the permanent resident of J&K of their special status. The State of J&K has been stripped of its statehood and divided into UT of J&K and UT of Ladakh. Now, the whole of the Constitution of India applies to the UT of J&K without any exception.

Application: The present paper has significant application in the field of History, Political Science and Constitutional Law. As for finding a solution to the problem in Jammu and Kashmir, it is prudent to understand the historical evolution of the problem itself. It is also pertinent that in order to solve this problem, the provisions of the Constitution of India shall be interpreted not only in letter but also in its true spirit of participative democracy.

Novelty: The present paper deals in great detail the evolution of the dispute relating to J&K between India and Pakistan. The paper also covers the vital role played by Sheikh Abdullah, Moh. Ali Jinnah and Pandit Nehru in J&K. The paper cover historical as well as political circumstance, which resulted in the peculiar situation in J&K as it exists today. Finally, the paper concludes with the interpretation of Article 370 of the Constitution of India and the way ahead for the UT of J&K.

Limitation: The present paper limits itself to study various Treaties, Agreement, Acts, Resolution and events, which had a direct or indirect impact on the problem in J&K only.

Abstract- The paper examines and analyses the history of Jammu and Kashmir (after this J&K) and the *Article 370* of the Constitution of India in light of recent changes brought about in *Article 370* by the Government of India. The paper discusses the story of present J&K, which began in 1846 with the signing of the '*Treaty of Amritsar*' between the British Government and Maharajah Gulab Singh. The paper reflects upon the effect of Treaty and despotic rule of Dogra rulers in J&K. The paper also elaborates the political situation of J&K in the 1930s and briefly discusses the role of Sheikh Abdullah in the conception of the idea of '*Naya Kashmir*' (1944) and '*Quit Kashmir*' movement (1946). Next, the paper focuses on the Independence of Pakistan and India (August 1947). By this time almost all major Princely States except Hyderabad, J&K, Junagarh and Khanate of Kalat acceded either to Pakistan or India. Subsequently, the paper deals with the invasion of J&K by the Pashtun Tribes, which occasioned the accession of J&K to India (October 1947). After that, the paper examines the response of India to such attack and the decision to take the Kashmir issue to the United Nations (January 1948). The UN intervention resulted in the '*Karachi Agreement*' (July 1949), which established '*Cease-Fire Line*'. The paper also scrutinises the role of Sheikh Abdullah in internal as well as external unification of J&K with India. The paper further deliberates upon the role of Sheikh Abdullah in the drafting of Article 370 (1949) and '*Delhi Agreement*' (1952). The paper critically analyses the unceremonious sacking of the Prime Minister of J&K in August 1953, although the charges against Sheikh Abdullah in Kashmir Conspiracy Case were suddenly dropped in 1964. Bakshi Ghulam Mohammad replaced the Sheikh as PM of J&K, who was a mere puppet in the hands of Central Government. The Bakshi facilitated the erosion of autonomy of J&K in favour of Central Government, starting with the ratification of Instrument of Accession by the Constituent Assembly of the State of J&K. (Drabu, 2015) The President of India issued an Order under *Article 370(1)(d)* in the form of the '*Constitution (Application to J&K) Order, 1954*' (after this '*1954 Order*'), which superseded '*1950 Order*'. The paper deliberates upon the '*1954 Order*' in great detail and its implications for people of J&K, State of J&K and India. The paper then reflects the enactment and enforcement of the '*Constitution of State of J&K*' and the State Assembly election in 1957. After Sheikh was released in 1964, the PM Nehru requested him to act as a bridge between India and Pakistan to find a long-lasting solution to J&K. However, these efforts

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did not yield any fruits; instead, it resulted in 2 Wars between the two countries, i.e. in 1965 and 1971. The political isolation of Sheikh ended with the '*Kashmir Accord*' in 1974, (Yousuf and Ahmed, 2018) by which Sheikh gave up the demand of plebiscite and was allowed to be elected and continued as Chief Minister of J&K, till he died in 1982. The period from 1982 to the late 1990s saw a progressive increase of insurgency in J&K, which was contained to a great extent after 2001. (Ayoob, 2019) Finally, the paper concludes with the critical evaluation of the recent Presidential Order of the '*Constitution (Application to J&K) Order, 2019*' (after this '*2019 Order*') under Article 370(1)(d) on 5th August 2019 and the '*Presidential Declaration under Article 370(3) of the Constitution*' which replaced the original Article 370 with a new text on 6th August 2019.

Keywords: jammu and kashmir, instrument of accession, sheikh abdullah, article 370, presidential order, presidential declaration.

I. Beginning of the Story

The story of present J&K begins on 16th March 1846, when the '*Treaty of Amritsar*', which is also called as '*Sale Deed of Kashmir*', was signed between the British Government and the Maharaja Gulab Singh of Jammu, by which the State of J&K was transferred to Maharaja Gulab Singh for a consideration of about 7.5 million rupees. (Jha, 2019) The British acknowledged the loyalty, closeness and help of Maharaja Gulab Singh to the East India Company during Anglo-Sikh War. As a result, Maharaja Gulab Singh could strike a very economical deal, which included an area of approximately 84,471 sq. Miles and a population of about 2.5 million. A British Army Officer Robert Thorp has exposed the inhuman nature of the Treaty in the following words: (Thorp, 1870)

> *"Towards the people of cashmere, we have committed a wanton outrage, a gross injustice, and an act of tyrannical oppression, which violates every humane and honourable sentiment, which is opposed to the whole spirit of modern civilization and is in direct opposition to every tenant of the religion we profess."*

With the '*Treaty of Amritsar*', began a shrewd, corrupt and ruthless reign of Dogra Rulers in J&K, where despotic Hindu Kings ruled over a Muslim majority population. The '*Treaty of Amritsar*' contained 10 Article and was silent on how the internal administration of the State shall be carried out, as a result, it provided unrestricted rights to the Dogra rulers to administer the hapless population of J&K, who had no say in '*Treaty of Amritsar*'. The '*Treaty of Amritsar*' overlooked even elementary rights of the people of J&K. As a result, the entire State was pushed into a chaotic economic condition, which was aggravated by religious intolerance, persecution, exploitation, repression, discrimination and levy of exorbitant taxes, to recover the expenditure resulting out of the '*Treaty of Amritsar*'. The situation of people in Kashmir has been depicted by Muhammad Iqbal below: (Iqbal, 1932)

"O breeze if thy happen to go Geneva way,
Carry a word to the nation of the world,
Their fields, their crops, their streams,
Even the peasants in the vale,
They sold, they sold all alas,
How cheap was the sale."

Article 9 of the Treaty ensured protection to the State from any external aggression by the British Government. Such protection guaranteed by the British Government ensured the Maharaja Gulab Singh to have full internal autonomy and authority. Besides above, British Troops backed the Maharaja to suppress any resistance by the natives of J&K brutally. The feudal policies of Maharaja pushed the masses towards poverty and misery, causing the emigration of over 4,000 artisans from Kashmir to Lahore. Even the British advised Maharaja to be more considerate to his population; Otherwise, it may cause the total collapse of his administration. The misrule by Maharaja caused discontent against the Dogra rulers and led to the general impoverishment of the population.

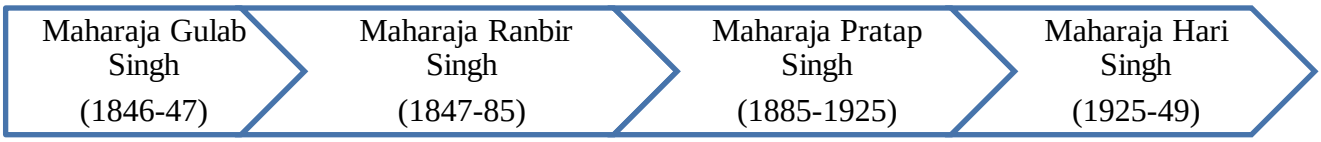


Figure 1: The Dogra Rulers in succession

II. The Rise of Sheikh Abdullah

The tyrannical rule of Dogra Rulers continued unabated till the middle of the 1920s when began the first wave of political awareness among the Kashmiri Muslims, which was an outcome of a ban on All-Muslim Organisations, burgeoning labour crisis and widespread exploitative practices by the Monarch. In October 1924, a group of Kashmiri Muslims presented a memorandum to the Lord Reading to protest against the repressive rule of Maharaja. Almost at the same time, the first generation of graduates from abroad returned to J&K after having studied the idea of democracy, nationalism and liberty. These graduates wrote extensively against the discriminatory rule of the Maharaja and formed an informal group in the form of '*Fateh Kadal Reading Room Party*'. One of the most prominent graduates, who returned to J&K after having completed M.Sc. in

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Chemistry from Aligarh Muslim University in 1930 was Sheikh Abdullah, who intended to take up further studies in the United Kingdom. Thus, applied for a scholarship to the State Government of J&K but was denied the scholarship. He took up a simple job of a School-Teacher but played a vital role of mobilising public opinion against the Maharaja's oppressive and discriminatory rule. (Bhattacharjea, 2008)

In 1932, Sheikh Abdullah laid the foundation stone of '*Muslim Conference*', which was later rechristened as '*All India J&K National Conference*' in 1939. The Sheikh Abdullah's leadership transformed the political movement against the Dogra Rule in J&K. Sheikh Abdullah was known for his political wisdom, which is evident from the programmes and campaigns of his Party to mobilise masses. The best-known example of his political prudence is '*Naya Kashmir Manifesto*', which was adopted by the '*National Conference*' in August 1945. This manifesto was based on social, economic and political equality for all including women. The manifesto advocated the way to achieve social, economic and political equality is by putting an end to feudal order in J&K. In the centenary year of the '*Treaty of Amritsar*', Sheikh Abdullah launched the '*Quit Kashmir*' movement against the Maharaja on 12th May 1946 and demanded the annulment of unlawful and inhumane '*Sale Deed of J&K*'. The '*Quit Kashmir*' movement was inspired by the '*Quit India*' movement (1942) by Indian Nationalist against the British Rule in India. The '*Quit Kashmir*' movement was condemned by the Mohammed Ali Jinnah and Muslim League, on the other hand, Jawahar Lal Nehru not only supported this movement but also reached Kashmir on 16th May 1946 without a permit to show solidarity with the movement and also fight the case against Sheikh Abdullah but Nehru was forced to return without meeting Sheikh. Sheikh along with his 3 Party men was tried at Badami Bagh cantonment on the charges of sedition and treason and was sentenced for nine years and was confined to jail till 30th September 1947, when he was prematurely released. (Nayar, 2019)

III. Independence and Partition

After World War-II and change in the Government of Great Britain, it was announced on 20th February 1947 that India should be granted independence, not later than August 1948. Upon the failure of the '*Cabinet Mission*' (1946), Lord Mountbatten proposed the '*3rd June Plan*' of Partitioning India into India and Pakistan, which was ultimately accepted by both Indian National Congress and Muslim League. To decide the status of Princely States, the Indian National Congress advocated the adoption of the method of Plebiscite, which was also used to determine the territories of Pakistan but the Muslim League was adamant that the decision of the Ruler of the Princely State shall be final. Because of consensus over the Mountbatten Plan, the British Parliament passed the '*Indian Independence Act*', which shall create 2 Dominions on 15th August 1947 by Section 1 (*The new Dominions*) of the Act. The most controversial provision of the Act was Section 7 (*Consequence of the setting up of the new Dominions*), which announced the lapse of suzerainty of British Empire over the Indian Princely States and also lapsed of all treaties and agreement signed between British Empire or any person having authority on the date of passing Act, which was 18th July 1947. It effectively resulted in the independence of almost 565 Princely States on 18th July 1947. The '*Indian Independence Act, 1947*', did not provide any directions or suggestions to these Princely States. Thus, Lord Mountbatten tried to supplement the Act by addressing these Princely States on 25th July 1947, where he advised the Princes to accede to either of the 2 Dominions, i.e. India or Pakistan, keeping in mind the geographical continuity of their State to the Dominion and giving up only such powers which they had surrendered to British Empire like, Defence, Communication and External Affairs with no financial implication. By 14th August 1947, most of the Princely States had acceded to either of the Dominion except for Hyderabad, J&K, Junagarh and Khanate of Kalat. On 12th August 1947, the ruler of J&K, Maharaja Hari Singh proposed a '*Standstill Agreement*' with both the Dominions, while he made the final decision regarding the future of his State. While Pakistan accepted the '*Standstill Agreement*' on 15th August 1947, India requested the Maharaja to send a representative for discussion. Parallelly, Pakistan became independent on 14th August 1947 with Mohammad Ali Jinnah as its Governor-General and India became independent on 15th August 1947 with Lord Mountbatten as Governor-General, Pandit Jawahar Lal Nehru as Prime Minister and Sardar Vallabh Bhai Patel as the Home Minister of India.

IV. Consolidation of India

The herculean task of consolidating India was taken up by the Home Minister Sardar Vallabh Bhai Patel, who was ably assisted by Mr V. P. Menon. Most of the Princely States which were geographically connected with India had acceded to India by 15th August 1947, with notable exceptions like Junagarh, J&K and Hyderabad. (Menon, 2014)

Junagarh on 15th September 1947, acceded to Pakistan when Nawab of Junagarh Muhammad Mahabat Khanji III signed *Instrument of Accession* in favour of Pakistan against the advice of Lord Mountbatten. Upon such news, the people of Junagarh revolted against the Nawab, and he was forced to flee to Pakistan along with his family and left the administration of the State in the hands of Diwan Shah Nawaz Bhutto.

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Sardar Patel refused to accept the accession and offered to Pakistan to reverse the accession and hold a plebiscite in the State as Junagarh was a Hindu majority state ruled by a Muslim monarch. Besides, the State had no land border with Pakistan, and the only way to connect it with Pakistan was through the Arabian Sea. Because lack of cooperation and delay from Pakistan and reports of widespread looting, murders and rapes in the State, India was forced to assume State administration upon request from the Diwan of the State in November 1947. A plebiscite was conducted on 20th February 1948, in which 99.95% population of the State voted in favour of India. (*Pradhanmantri Series, 2013*)

Initially, the State of Hyderabad had requested to the British Government to exist as an independent Constitutional Monarch under the British Commonwealth of Nation, but the Governor-General of India Lord Mountbatten rejected it. The State of Hyderabad which was situated right in the middle of India having no sea link or land border with Pakistan proposed a *Standstill Agreement* with India for one year on 29th November 1947. As the *Standstill Agreement* was nearing its end, Hyderabad was pushed to take a call on its accession to India. However, the Nizam intended to exist as an independent state, so the political organisation *Majlis-e-Ittehad-ul-Muslimeen* (MIM) recruited Razakars, who started targeting those sections of the society which favoured accession to India. Observing the situation in Hyderabad, India advised the Nizam to check communal violence in the state. On 21st August 1948, the Nizam of Hyderabad approached UN Security Council (after this UNSC) under Article 35(3) of the *UN Charter*, claiming such a situation had arisen which may affect international peace and security. When Nizam did not control the persecution of innocent minorities in Hyderabad, India was left with no choice but to execute '*Operation Polo*' on 13th September 1948. The Hyderabad army surrendered on 18th September 1948, and the Nizam acceded to India. By a conservative estimate, it is assumed that these Razakars killed at least 20,000-40,000 people (*Sunder Lal Committee* (1949)). On 22nd September 1948, the Nizam of Hyderabad also withdrew his complaint from the UNSC. (*Thomson, 2013*)

The State of J&K was the only State which was bordering both India and Pakistan. Maharaja Hari Singh ruled J&K, and like Hyderabad, J&K also intended to exist independently, as Switzerland of West, because Pakistan was an Islamic Nation and he knew that existence of a Hindu ruler in a Muslim Nation should be difficult. India was a tough choice due to existence of Democracy in India, as he may not have similar authority in India. Maharaja having royal connect with Lord Mountbatten had discussed this scheme with him as a friend in July 1947. However, Lord Mountbatten advised Maharaja that the independent existence of J&K sandwiched between 2 opposing nations will be a difficult proposition. Thus, Maharaja had bought some time for himself by signing the *Standstill Agreement* with Pakistan and proposed the same to India. Nevertheless, Pakistan had some other plans, as it started breaching the *Standstill Agreement* by steadily and increasingly strangulating the essential supplies like food, petrol and salt to J&K. In September 1947, Maharaja had twice offered to accede to India on the condition that India respected the reservation of Maharaja against Sheikh Abdullah, but Pandit Nehru refused the accession both the time. Pandit Nehru insisted that Sheikh Abdullah shall not only be released but also head the popular government in J&K. The pressure from Pandit Nehru forced Maharaja to release Sheikh Abdullah and his party men on 30th September 1947. While observing the unfolding of events and the mood of Maharaja, Pakistan decided to take an alternative route, where the Governor-General of Pakistan ordered Akbar Khan to train Pashtun Tribal Muslims to enter and conquer whole of J&K forcefully. These Pashtun Tribal Muslims, who were trained, along with Pakistani Army officials in civil dress, armed with modern weaponry and supported by Pakistan State for supplies (including petrol and food) motored into J&K on 21st October 1947. (Akbar Khan, 1992) These 10,000+ strong-armed men, who invaded J&K with the motive of over-throwing Maharaja, called themselves '*Azad Kashmir Army*'. Once they entered J&K, there was no potency in Maharaja Army to defend the State against the 10,000+ strong-armed forces marching towards Srinagar. When the Muslim soldiers in the Maharaja's Army joined the invaders in Uri on 23rd October 1947, then it the Maharaja had just three options. First, to try to fight back the invaders with under-equipped and low on morale Army, which will end in defeat. Second, to watch these armed personnel to take-over the State of J&K. The third and final option was to request India for help, which Maharaja did but Lord Mountbatten being the Governor-General of India was adamant that India cannot help or protect J&K till the State accedes to India, as it may cause a full-fledged war which shall be detrimental for a new-born nation like India. Thus, on the eve of 26th October 1947, when Srinagar was staring at massacre the next day. Maharaja voluntarily signed the *Instrument of Accession* on 26th October 1947, which was unconditionally accepted late in the night of 26th October 1947 by Lord Mountbatten. (*Nayak, 2019*)

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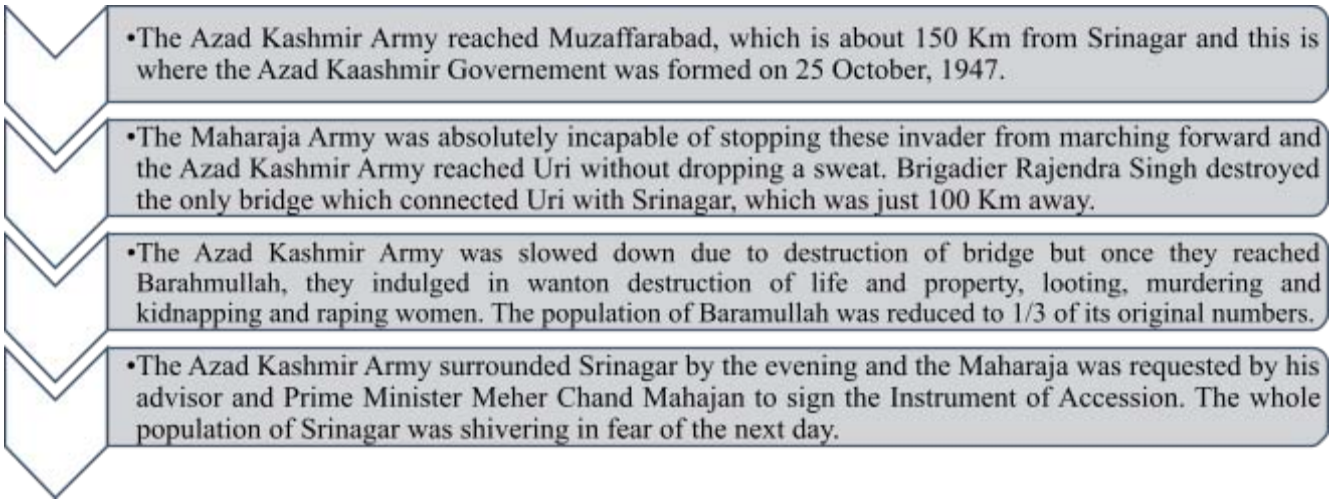


Figure 2: The flow of events day by day leading to the signing of Instrument of Accession by Maharaja

V. Kashmir Issue

Once Lord Mountbatten accepted the Instrument of Accession, the Indian Army flew early in the morning to Srinagar to fight the invaders. (Schofield, 2002) Sheikh Abdullah, along with his party-men not only welcomed the Indian Army at the Srinagar Airport but also helped them. Thus, the first Indo-Pak war began on 27th October 1947 and extended up to 31st December 1948. Upon the accession of J&K to India by Maharaja, the Governor-General of Pakistan Jinnah ordered his General to attack J&K. However, the General refused because same British General Auckinlake headed both the Armies of India and Pakistan and he had been informed about the accession of J&K to India. (*Pradhanmantri Series, 2013*)

Mohammad Ali Jinnah did not accept this accession as he claimed that the accession was forced upon J&K by India. Thus, Jinnah invited Lord Mountbatten and Pandit Nehru to Lahore to discuss and settle the matter amicably. However, Sardar Patel was resolute that if Jinnah wants to talk, he shall come to India. On 1st November 1947, Lord Mountbatten went to Lahore, where Jinnah refused to accept the accession of J&K to India and claimed that J&K was a Muslim majority State and quoted the example of Junagarh and condemned the use of power by India in J&K. Replying to Jinnah, Lord Mountbatten clarified that no force was used by India in J&K to secure the accession instead the Maharaja and the people of J&K requested India to accept the accession of J&K to India in the wake of the extraordinary situation created because of invasion and use of brute force by the Pashtun tribe from Pakistan. Besides this, Lord Mountbatten advised Jinnah to withdraw forces from J&K and play a constructive part in conducting a plebiscite in peaceful conditions. (Akbar, 2017)

At the same time in Kashmir, the Maharaja announce on 30th October 1947, Sheikh Abdullah shall head the emergency administration, till the war with invaders is continuing. On 22nd December 1947, India warned Pakistan to block any help provided to invaders in J&K. Otherwise, it shall be forced to take pre-emptive steps. On 1st January 1948, India submitted a Complaint to UN Security Council, which placed the J&K issue before the UN with an intention that UN shall acknowledge the invasion of Pakistan on J&K, to force Pakistani forces to vacate J&K and to find a final and lasting solution to the question of accession of J&K to India. At the UNSC, USA & UK took a stance unfavourable to India; this saddened Pandit Nehru. Thus, India sent a delegate to the UNSC, headed by Gopalaswami Ayyangar in February 1948. On 5th February 1948, Sheikh Abdullah addressed the UNSC and firmly supported the Government of India's stance as stated in the Complaint filed against Pakistan on 1st January 1948. He went beyond that and explained the circumstances of accession and the request from Maharaja and people of J&K to accept the accession. Not only this, but he also explained that there was no need on the part of Prime Minister Nehru to assure the people of J&K that upon normalisation of the situation, a plebiscite shall be conducted to determine the will of people of J&K, which PM Nehru did when he visited Srinagar upon the request of Sheikh Abdullah on 13th November 1947. (Noorani, 1999) After Sheikh Abdullah's address in UNSC, the signing of *Instrument of Accession* by Maharaja was never questioned by the UN.

VI. Constitutional Relation of J&K with India

On 5th March 1948, Sheikh Abdullah was appointed 2nd Prime Minister of J&K after the accession of J&K to India, and he succeeded Mehr Chand Mahajan. On 15th and 16th May 1949, Sheikh Abdullah concluded '*Delhi Understanding*', after meeting Pandit

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Nehru and Sardar Patel to carve out the relationship of J&K with India, where it was agreed that Constituent Assembly of J&K should draft a Constitution for the State of J&K and J&K shall accede to India subjects like Defence, Communication and External Affairs and any other matter as the Constituent Assembly of J&K decides. (Verghese, 2007) After '*Delhi Understanding*', four representatives from J&K joined as members Constituent Assembly of India for drafting of Constitution of India on 16th June 1949. (Noorani, 2000) Maharaja Hari Singh was abruptly forced to abdicate the throne in favour of his son Yuvraj Karan Singh on 20th June 1949. (Guha, 2007) In Constituent Assembly of India when Sheikh Abdullah consulted Dr B. R. Ambedkar for the drafting of a provision suitable to J&K, he refused to draft it and said, "*Mr Abdullah, you want India should defend Kashmir, India should develop Kashmir and Kashmiris should have equal rights as citizens of India, but you do not want India and any citizen of India to have any rights in Kashmir. I am the Law Minister of India. I cannot betray the interest of my country.*" Then such task of drafting provision in the Constitution of India suitable to J&K was assigned to Gopalaswami Ayyangar, who was also a member of the Drafting Committee. On 17th October 1949, Gopalaswami Ayyangar proposed Article 306-A w.r.t. Special status of J&K before Constituent Assembly, while presenting this Article and explaining the reason for it, he argued that- "*In the case of other Indian States, the Instrument of Accession will be a thing of the past in the new Constitution; the States have been integrated with the Federal Republic in such a manner that they do not have to accede or execute a document of accession for becoming units of the Republic and, in the case of practically all States other than J&K, their constitutions have also have been embodied in the Constitution for the whole of India. It would not be so in the case of Kashmir as the State is not yet ripe for this kind of integration due to the special conditions prevailing in Kashmir.*" Adding to this, he further elaborated that- "*In the first place there has been a war going on within the limits of J&K State - part of the State is still in the hands of the enemies, and in the second place, the Government of India, have committed themselves to the people of Kashmir in certain respects. They have committed themselves to the position that an opportunity will be given to the people of the State to decide for themselves the nature of their Constitution.*" (Nayyar, 2014) From the above reading of explanation given by Gopalaswami Ayyangar to Constituent Assembly, it could be easily inferred that the Article was temporary.

On 25th November 1949, the regent of J&K Yuvraj Karan Singh proclaimed application of Indian Constitution to J&K. On 26th November 1949, the Constituent Assembly passed the Constitution of India containing the temporary and transient provision w.r.t. J&K under Article 370 (Part-XXI). On 26th January 1950, the Constitution of India came into force. On 31st October 1951, the democratically elected Constituent Assembly of J&K met for the first time and enacted the Constitution of J&K on 17th November 1956, which came into force on 26th January 1957.

The Constitutional arrangement between India and J&K was finalised between the Government of India and J&K by the '*Delhi Agreement*' on 24th July 1952, which approved by the Parliament of India on 7th August 1952 and by the Constituent Assembly of J&K on 21st August 1952. The political parties in J&K like Praja Parishad, Bharatiya Jan Sangh and Hindu Mahasabha launched a movement against '*Delhi Agreement*', and they wanted a total merger of J&K like any other Princely State. (Soz, 2018) They protested by raising catchy slogans like '*Ek Desh mein Do Vidhan, Do Pradhan, Do Nishan…nahi chalenge, nahi chalenge*' (*Two Constitutions, two heads of State, two flags…these in one State we shall not allow, not allow*). (Guha, 2007) The evolution of Constitutional relation between India and J&K is briefed in *Figure 3*. (Kapur, 2019)

These agitations against '*Delhi Agreement*', planted seeds of apprehension about India after Pandit Nehru in the mind of Sheikh Abdullah. It is believed that this led to a change of stance by Sheikh Abdullah and his meeting with Mr Adlai Stevenson, the US Presidential candidate and Chinese Prime Minister Zhou Enlai was considered being an effort to negotiate independence for J&K or a shift towards Pakistan. Sheikh's speeches in April and July 1953, reflected such emotions by him. (Nayyar, 2014) This culminated in the sacking of Sheikh Abdullah Government on 8th August 1953, on the ground of loss of support from his Cabinet, even without allowing him to prove his majority on the floor of the house. On 9th August 1953, Sheikh Abdullah was arrested on the charges of '*inciting communal disharmony; fostering hostile feelings towards India and treasonable correspondence with foreign powers*', more commonly known as '*Kashmir Conspiracy Case*'. (Aslam, 2018) Sheikh Abdullah was confined to a farmhouse in Kodaikanal for more than a decade, till 8th April 1964, when the State Government suddenly dropped all charges against him. (Noorani, 2008)

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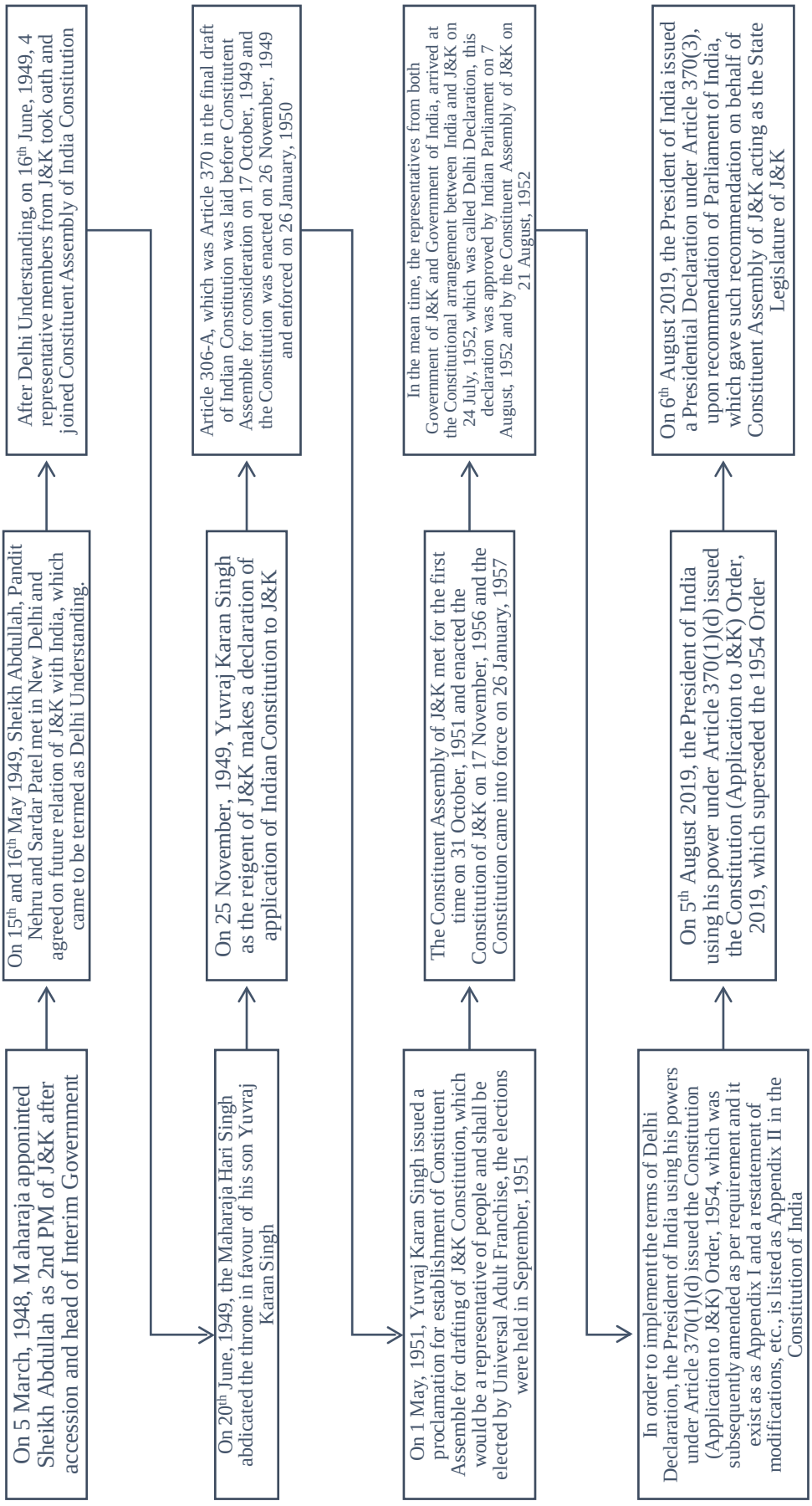


Figure 3: Evolution of Constitutional Relations between India and J&K

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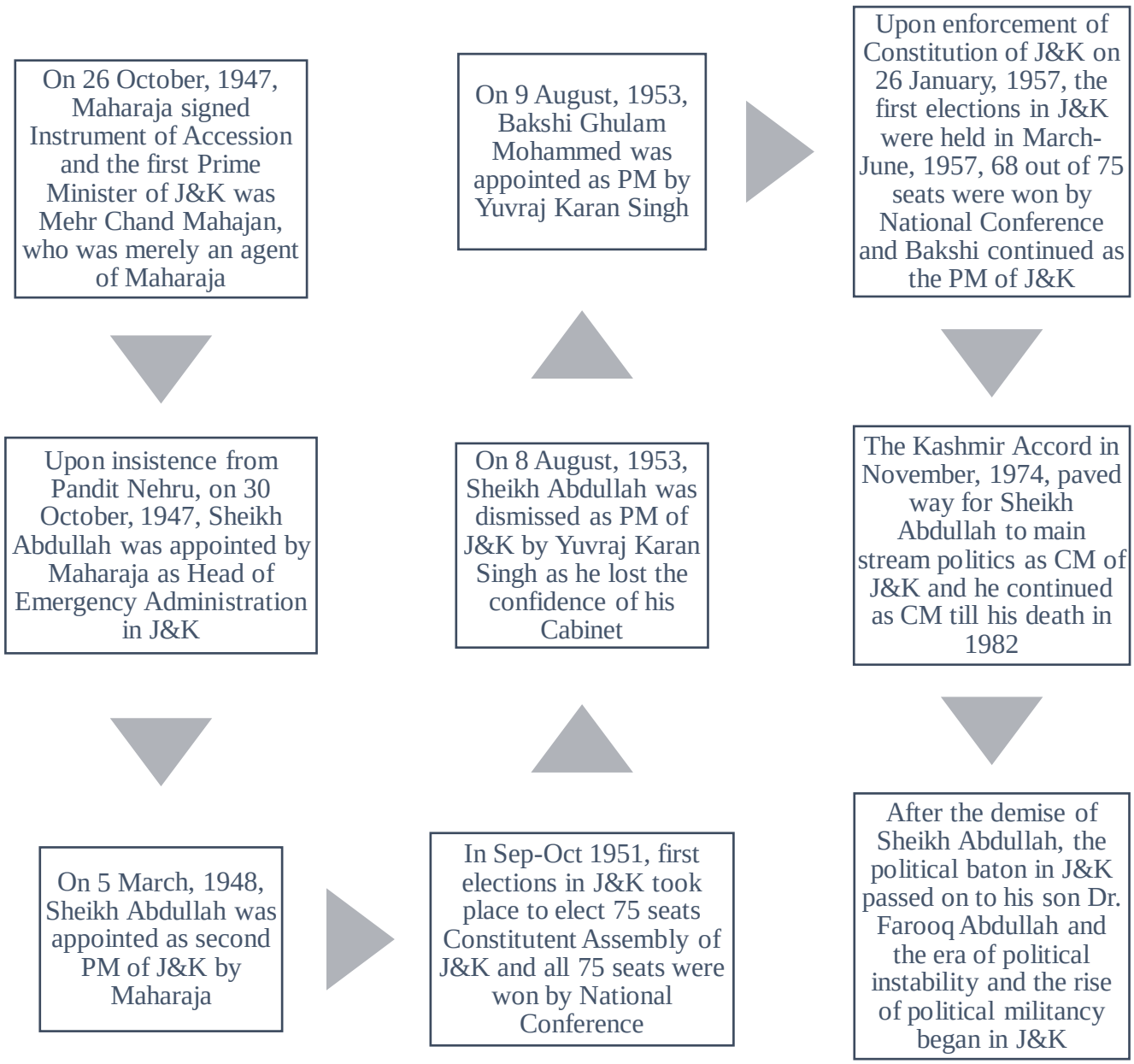


Figure 4: Political Situation in J&K since accession to India in 1947

After Sheikh Abdullah was removed as Prime Minister of J&K, Bakshi Ghulam Mohammad, who acted as an agent of Central Government replaced him. On 15th February 1954, the Constituent Assembly of J&K ratified the accession of J&K to India. On 14th May 1954, the President of India passed the '*1954 Order*', exercising his powers under Article 370(1)(d), which majorly was based on the principles laid down in the '*Delhi Agreement*'. The '*1954 Order*' also included the controversial Article 35-A, which provided for special privileges to the permanent resident of J&K. (Rajagopal, 2017) After enforcement of the Constitution of J&K on 26th January 1957, the first elections for the Legislative Assembly for the State of J&K took place in March-June 1957. After the successful conclusion of the elections in J&K, the Home Minister of India Govind Ballabh Pant, upon his visit to J&K exclaimed that- "*The State of J&K is now fully a part of India. This leaves no possibility of a plebiscite in J&K.*" (Singh, 2018) The political situation in J&K has been briefly elaborated in *Figure 4*. (Ahmad, 2000)

VII. UN Intervention in J&K

India's filed a complaint to UNSC against the tribal invasion in J&K, who were trained, helped and supported from the Pakistani soil on 1st January 1948, under *Article 35* of *Chapter-VI* of *UN Charter*. UNSC made many efforts to stabilise the situation in J&K and

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bring to peace the disputing parties. UNSC also affirmed that the final resolution of the matter of J&K should be based upon the will of the people of J&K. By *UNSC Resolution 39*, a *UN Commission for India and Pakistan* (UNCIP) was established, which mediated between India and Pakistan to find a mutually acceptable and long-lasting solution. The *UNSC Resolution 47* is considered to be one of the most important declarations by UNSC, and it laid down principles on which restoration of peace and order shall be secured in J&K and also the precondition which is required to be fulfilled by both countries for final determination of status of J&K by conduction plebiscite in J&K under the auspices of UN Representative, i.e. Plebiscite Administrator. This *Resolution 47* was supplemented by the Resolution passed by UNCIP on 13th August 1948, which had three parts. The *Part-I* dealt with the *Cease-Fire Order*, which required both the parties to immediately order their forces to cease fire and to avoid any statement or actions that may aggravate the situation. In the *Part-II* (*Truce Agreement*), for the first time, the UN acknowledged the presence of Pakistani troops in J&K, which was a material change from the previous situation. *Section-A* of *Part-II* required Pakistan to withdraw all tribal men and other Pakistani Nationals from J&K. Upon accomplishment of this, under *Section-B* of *Part-II*, the UNCIP shall inform Government of India about such withdraw and then India shall also call back additional troops from J&K and maintain a minimum number of armed personnel as required to preserve law and order in J&K. The *Part-III* (*Plebiscite*) of Resolution, declared that upon achievement of above explained two parts, the future status of J&K should be determined by the will of people of J&K through a plebiscite.

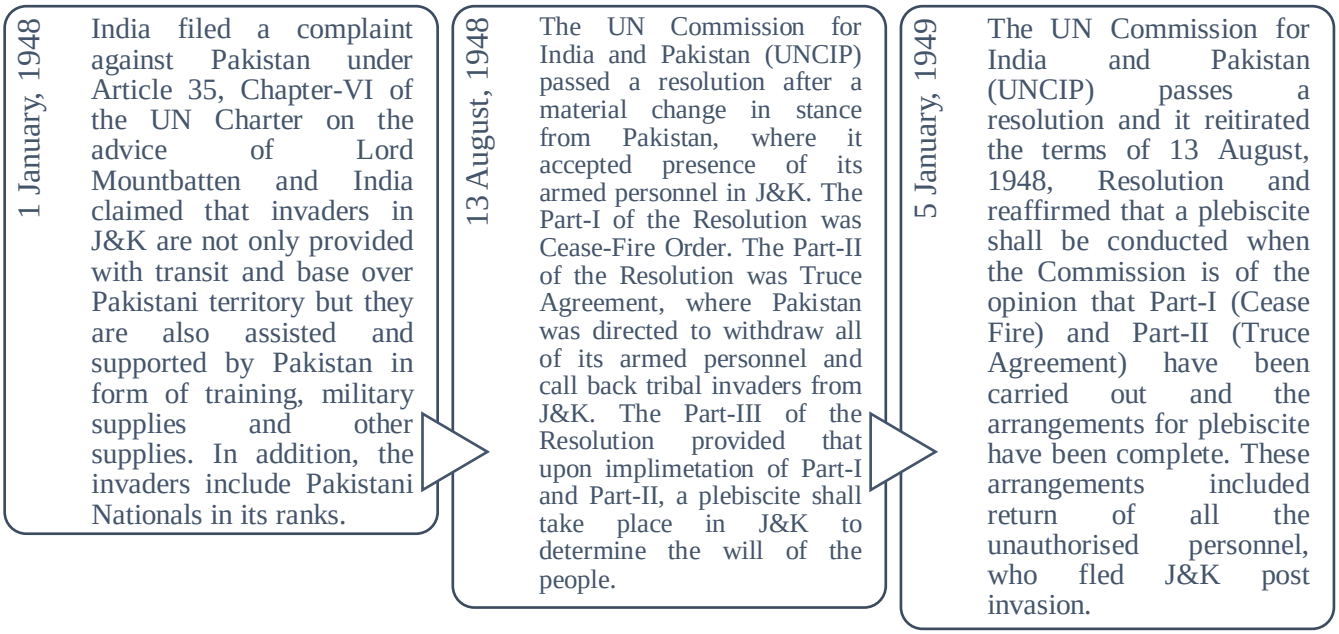


Figure 5: India's Complaint to UNSC and UNCIP Resolutions

The Government of India and Pakistan accepted the *Part-I* of 13th August 1948, Resolution and declared a cease-fire to take effect from 1st January 1949. The UNCIP passed another Resolution on 5th January 1949, which reiterated the Resolution passed on 13th August and affirmed that the question of accession of J&K should be determined through a democratic method of free and impartial plebiscite, which shall be held upon fulfilment of *Part-I* & *II* of the 13th August Resolution. The 5th January Resolution also laid down the guidelines and principles on which the plebiscite shall take place in J&K under the watch of Plebiscite Administrator. On 27th July 1949, the '*Karachi Agreement*' was signed between India and Pakistan that finalised and established '*Cease-Fire Line*' in J&K upon satisfaction of *Part-I* of the 13th August 1948, UNCIP Resolution, which was later converted into '*Line of Control*' in 1972 by '*Shimla Agreement*'. (Mustafa, 2019) However, as Pakistan never fulfilled the *Part-II* (*Truce Agreement*) of the 13th August 1948, UNCIP Resolution because the disputing parties could not agree on a '*demilitarisation plan*' as was required under '*UNSC Resolution 80*'. Thus, *Part-III* of the 13th August 1948, UNCIP Resolution which related to Plebiscite in J&K could never take place under the supervision of Plebiscite Administrator. Now, conducting Plebiscite is almost become impractical because of change in demography on the part J&K administered by Pakistan, which was one of the requirements in UNCIP Resolution on 5th January 1949. This change in demography remained unaffected in the parts administered by India due to special Constitutional protections provided to

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permanent residents of J&K under *Article 35-A* introduced by the '*1954 Order*', which was recently repealed by the '*2019 Order*'. Hence, demand by Pakistan on international fora, again and again, to conduct a plebiscite in J&K is with no cause and could be considered to be taking advantage of their own mistake. A brief timeline of UNSC resolutions passed in the India-Pakistan Question w.r.t. to the complaint of India, the dispute relating to the accession of J&K to India and final solution to the dispute is reflected in *Figure 6*.

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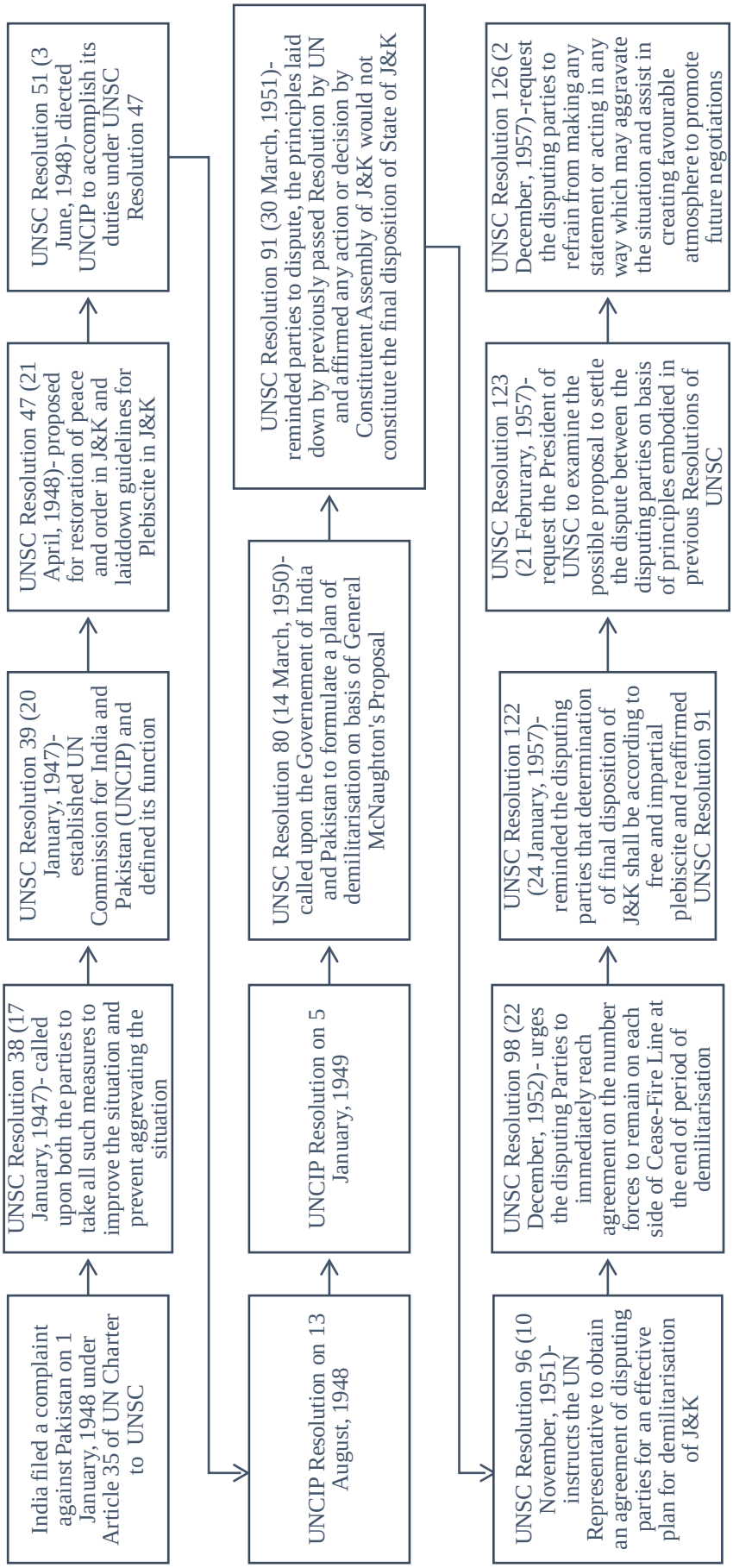


Figure 6: India's Complaint to UNSC and UNSC Resolutions

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VIII. Background of *Article 370*

As discussed above, while addressing the Constituent Assembly about *Article 370* of the Constitution of India, Gopalaswami Ayyangar explained the extraordinary situations which exit in J&K and required special provision for J&K. (Thapliyal, 2019) In addition to that, internationalisation of J&K was another factor which weighed in dealing J&K differently from other Princely States. Adding to it, the repetitive promises made for the plebiscite in J&K had complicated the whole situation. On 27th October 1947, Lord Mountbatten wrote a personal letter to Maharaja Hari Singh, where he expressed that his Government wished to settle the question of accession of J&K to India by a reference to the people of J&K upon restoration of Law and Order and to expel invaders from the soil of J&K. (Chandhoke, 2014)

Similarly, on 2nd November 1947, Pandit Nehru in his All India Radio address to the nation explained the reasons for accepting the accession of J&K to India and also declaring that the people of J&K shall determine the fate of J&K. (Roy, 2010) Pandit Nehru reiterated this promise of conducting a plebiscite in J&K in Srinagar on 13th November 1947, when he visited J&K upon an invitation from Sheikh Abdullah. (Soz, 2018) Pandit Nehru while reassuring the people of J&K that future of J&K shall be determined by the people of J&K and India shall accept the outcome of plebiscite even if it was against India. Such a promise by Pandit Nehru is the reflection of the confidence that he had in J&K w.r.t. accession to India, as he knew that Jammu and Ladakh region which was Hindu and Buddhist majority region would vote in favour of India and the Muslim majority region, i.e. Kashmir shall vote in favour of India due to unimpeachable influence that Sheikh Abdullah has in Kashmir and Sheikh's inclination towards India. Thus, Pandit Nehru restated the promise of plebiscite in J&K on All India Radio on 23rd December 1949. (Nayyar, 2014) In addition to above, several UNSC Resolutions including *UNSC Resolution 47*, *UNCIP Resolution on 13th August 1948 and 5th January 1949*, insisted on the final determination of the status of J&K shall take place through the democratic method of free and impartial plebiscite.

The issue of accession of J&K to India, geographical position of J&K sandwiched between India and Pakistan, administrative problems in J&K, the internationalisation of J&K at UNSC, statements by various personalities and continuance of War between India and Pakistan till 31st December 1948, forced Constituent Assembly to consider Special position for J&K in the Constitution of India, which was approved by Constituent Assembly unanimously. However at the same time, it was also ensured that *Article 370* was temporary and transient provision by putting it under *Part-XXI* of the Constitution of India, i.e. '*Temporary, Transient and Special*' Provisions (the term '*Special*' was introduced in 1962 by 13th Constituent Amendment Act, 1962). Moreover, the short title of *Article 370* also reads as '*Temporary provisions with respect to the State of J&K*'. Furthermore, the provision *Article 370* was drafted in such a fashion, so that, the President of India along with Government of J&K was empowered to determine the Constitutional relation between India and J&K, and no intervention or approval of Legislature was required. As a result, *Article 370* was aimed to be transitory provision until the situation in J&K did not normalise, and J&K could not be treated like any other State in India. A concise interpretation of *Article 370* is indicated in *Figure 7*. Thus, the intention of the Constituent Assembly w.r.t *Article 370* was to provide for a make-shift arrangement for J&K in Constitution of India. (*Koul, 2015*)

After '*Delhi Understanding*' in May 1949, it was agreed between the leaders of India and J&K that a separate Constituent Assembly for J&K should be established for the drafting of the Constitution of J&K for the dual purpose of the abolition of monarchy in J&K and also to represent the will of the people of J&K. Based on '*Delhi Understanding*' the *General Council of National Conference* passed a resolution on 27th October 1950 for the establishment of the Constituent Assembly of J&K and the Yuvraj Karan Singh proclaimed that end on 1st May 1951 for election of Constituent Assembly of J&K based on Universal Adult Suffrage. The elections for the Constituent Assembly of J&K was held in September-October 1951, and the first session of Constituent Assembly of J&K was held on 31st October 1951, and the Constitution of J&K was enacted on 17th November 1956. Thus, unlike any other Princely State, J&K was allowed a separate Constitution for itself due to the peculiar position as existed in the State. However, the UNSC by its *Resolution 91* clarified that any action that may be taken by the Constituent Assembly of J&K to determine the future and affiliation of the whole of J&K would not be considered as the final disposition of matter of J&K according to the principles of UNSC Resolutions.

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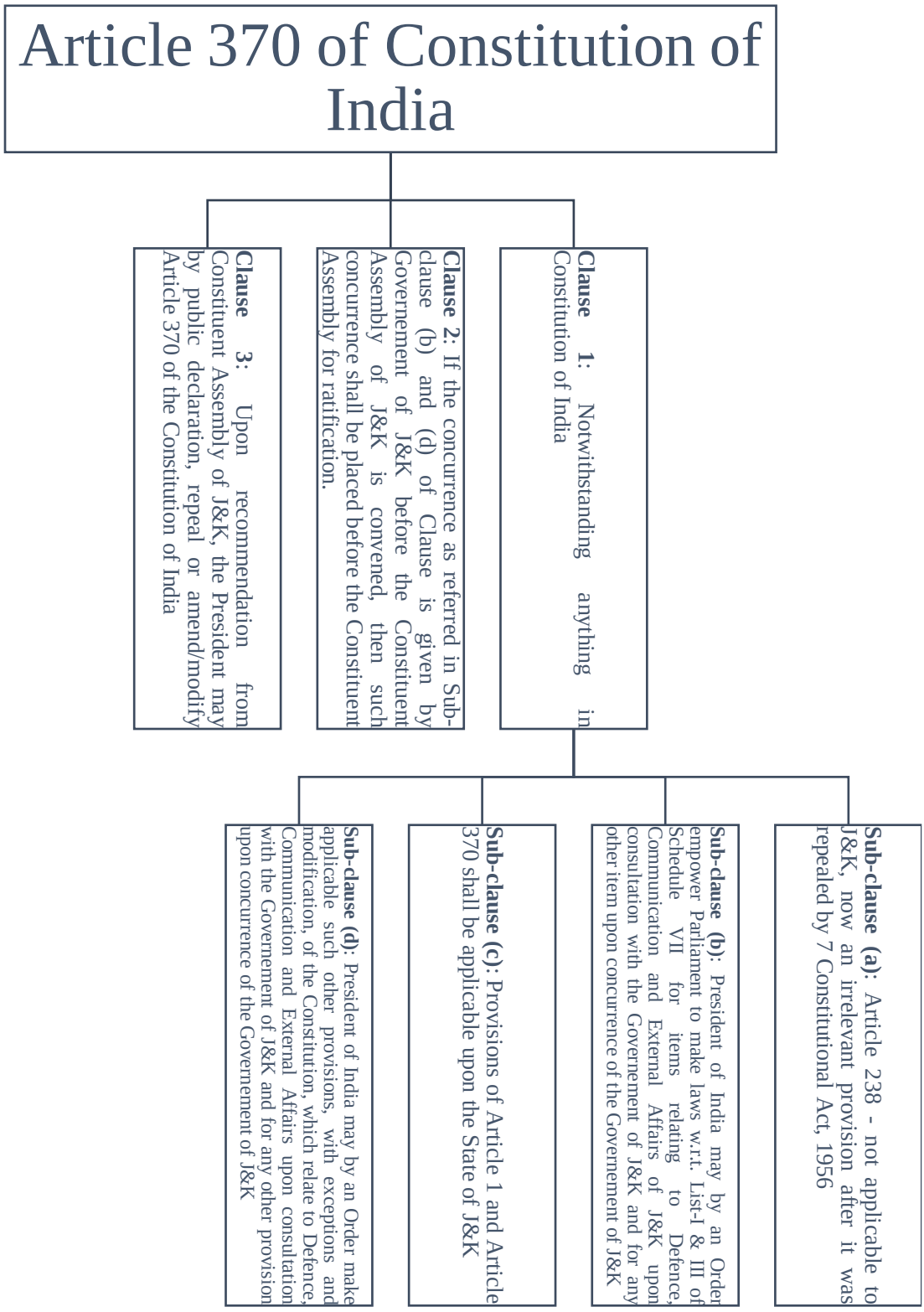


Figure 7: Diagrammatic interpretation of Article 370 of the Constitution of India

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Although Sheikh Abdullah was removed from the helm of affairs in J&K in August 1953, the Government of India honoured the '*Delhi Agreement*' and the UNCIP Resolution of 5th January 1949. Thus, issued the '*1954 Order*', by which the controversial *Article 35-A* was inserted to maintain the demography of J&K as it existed in October 1947 and to facilitate effective plebiscite in J&K under the supervision of UN. *Article 35-A* provided for certain special privileges for permanent residents of J&K, and in fact, only these permanent residents could vote in elections held for State Legislative Assembly of J&K. This *Article 35-A* has been repealed by the '*2019 Order*'.

IX. Recent Changes to *Article 370*

The '*2019 Order*' which was issued by the President of India on 5th August 2019 and the *Presidential Declaration under Article 370(3) of the Constitution, 2019* which was issued on 6th August 2019 has completely changed the Constitutional relationship between India and J&K and now J&K is at par with any other territory of India with no exception. Constitutional experts have a diverging opinion on the recent change to *Article 370*, many claimed that the changes made are not only unconstitutional but is equivalent to fraud on the Constitution of India. In contrast, many others claimed it to be not only constitutionally valid but also in the best interest of India and J&K. Thus, it is imperative to understand how the whole constitutional process unfolded to understand the constitutional validity of the technical repeal of *Article 370* and the Constitution of J&K.

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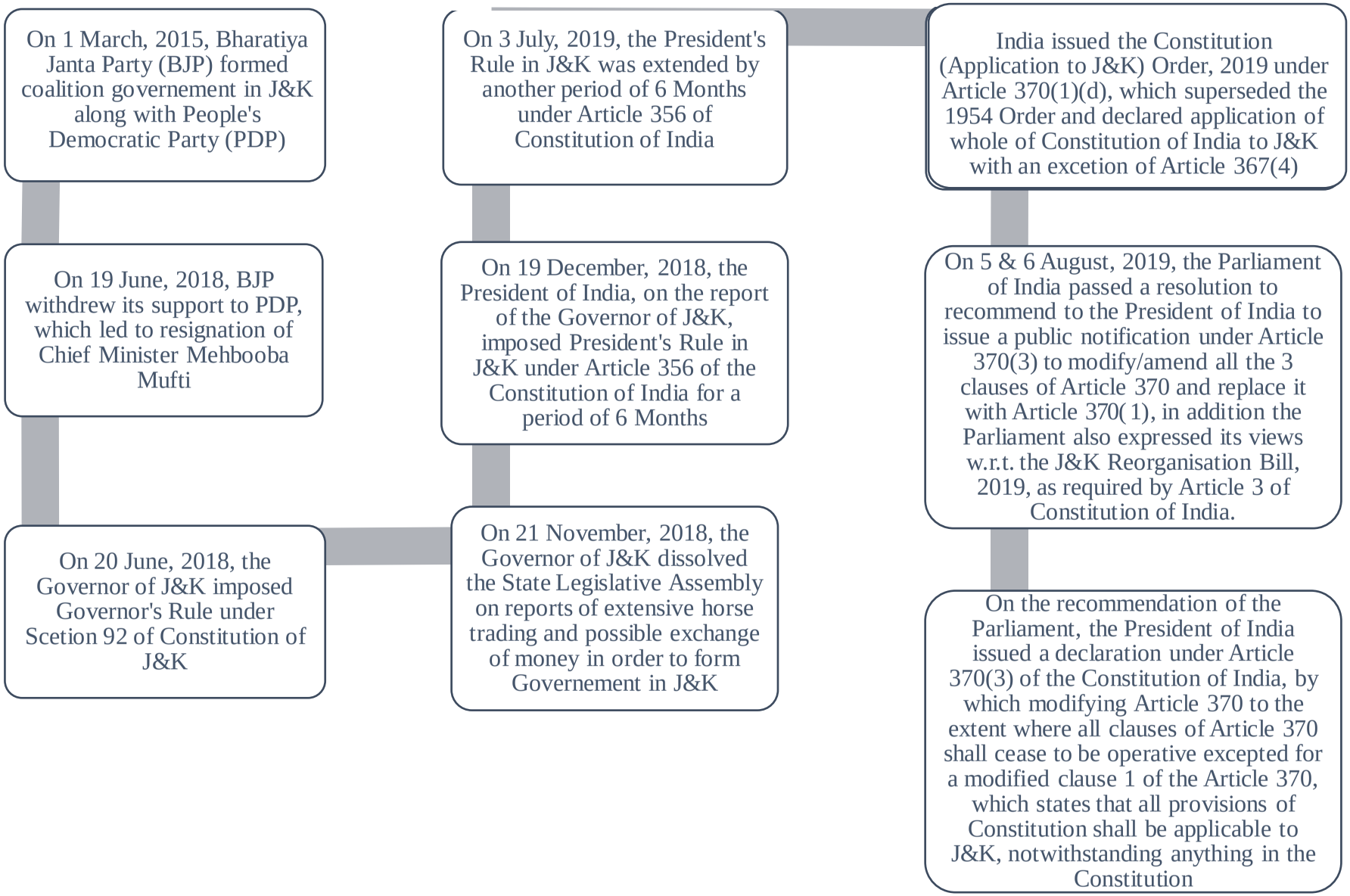


Figure 8: Events in J&K since March 2015 (Sharma, 2018)

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On 5th August 2019, the President of India issued the '*2019 Order*' under *Article 370(1)(d)* of the Indian Constitution, which required him either consultation or concurrence with the Government of J&K if any provision of Constitution of India other than *Article 1* or *Article 370* is to be made applicable to J&K. Now, according to *Article 367(4)(b)* under the '*1954 Order*', the Government of J&K shall be construed as the Governor of J&K acting on the advice of his Council of Ministers. Interestingly, on 5th August 2019, as the President's Rule is continuing in the State of J&K since 19th December 2018, the President has assumed to himself all functions of the Government of State of J&K and all powers vested and exercisable by the Governor of J&K under *Article 356(1)(a)* of Indian Constitution. Thus, the President could issue the '*2019 Order*' by either consulting or concurring himself as he is not only performing the function of Council of Ministers but also exercising the powers of the Governor of the State of J&K under *Article 356(1)(a)* of Constitution of India read with *Article 367(4)(b)* of the '*1954 Order*'. By the '*2019 Order*', the whole of Constitution of India became applicable to J&K with an exception in the form of the new *Article 367(4)*, which is nothing but an interpretative clause. The most striking point of '*2019 Order*' was *Article 367(4)(d)*, which read the term '*Constituent Assembly of J&K*' as provided under *Article 370(3)* as the '*Legislative Assembly of the State of J&K*', which is constitutionally valid as, like Indian Parliament, the Legislature of the State of J&K exercises Constituent powers under *Section 147* of the Constitution of J&K, which provides for the power and procedure for amendment of the Constitution of J&K.

On 6th August 2019, the President issued a Declaration under *Article 370(3)* of the Constitution of India to amend/modify the *Article 370*, which required a recommendation from the Constituent Assembly of J&K, which is now to be read as Legislature of the State of J&K courtesy *Article 367(4)(d)* of the '*2019 Order*'. Now as the President's Rule is applicable in the State of J&K, therefore, the power of the Legislature of the State of J&K shall be exercisable by the Parliament under *Article 356(1)(b)* of the Indian Constitution. This, in turn, means that the Parliament is empowered to perform the function of the Constituent Assembly of J&K under *Article 367(4)(d)* of the '*2019 Order*' read with *Article 356(1)(b)* of Constitution of India. Hence, a Resolution for the recommendation of modification of *Article 370* was passed by the Parliament on 5th and 6th August 2019 and immediately upon that such recommendation which was deemed to be a recommendation from the Constituent Assembly of J&K, the President issued the public notification declaring the modification of *Article 370* and technically annulling *Article 35-A* and the whole of Constitution of J&K. The resolution passed by the Parliament on behalf of the Legislature of the State of J&K, which in turn was on behalf of the Constituent Assembly of the State shall be constitutionally valid because of *Article 357(2)* which provides that Legislative powers exercised by the Parliament due to President's Rule in a State would not cease to operate after the revocation of President's Rule but continue to be in force unless repealed, amended or altered by the competent Legislature.

Hence, as it stands today, the '*2019 Order*' has superseded the '*1954 Order*', and the whole of Constitution of India applies to the State of J&K with no exceptions or modifications. Besides, *Article 370* has been modified to remove all three clauses and replace it with just one clause which reinforces the '*2019 Order*' and lays the foundation stone for complete Constitutional integration of J&K into India.

X. Conclusion

The recent changes to *Article 370* of Constitution of India came to be a surprise for many Constitutional Observers, where they exclaimed that if modifying *Article 370* was so easy, why did we wait so long to made these necessary change and other observers of the issue of J&K in India claimed that since the Constituent Assembly was relieved of their duties way back in 1957, therefore, the temporary provision of J&K had become permanent. The unceremonious repeal of the '*1954 Order*' and effective annulling of Constitution of J&K was a fraud on the Constitution of India and breach of *Basic Structure* of Indian Constitution as Federalism is part of the *Basic Structure*. Although Federalism is part of the *Basic Structure,* the Supreme Court in *State of West Bengal vs Union of India-1963, SC* has held that Indian Constitution is not truly federal because the States are not coordinate with the Union like USA and are not Sovereign. Thus, in the national interest, the federal feature of the Constitution of India may be compromised for a greater good.

Along with the Resolution for recommendation to the President for modification of *Article 370*, the Parliament also passed the *J&K Reorganisation Act, 2019*. As discussed above, the States in India are not sovereign like the United States. However, in India, the Parliament is empowered to make law under *Article 3* of the Constitution to diminish a State into a Union Territory. Thus, the *J&K Reorganisation Act, 2019*, divided the State of J&K into 2 Union Territories (after this UT), in the form of UT of J&K with Legislature at par with UT of Puducherry and UT of Ladakh at par with UT of Chandigarh. (Mohanty, 2019) Both of the UT is to come into existence on 31st October 2019, to mark the birth anniversary of Sardar Patel. Both the UT of J&K and Ladakh shall include the territories held and administered by Pakistan and China, respectively. The Election Commission of India has indicated that the earliest elections for 107 seat Legislature in J&K shall

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take place in summer of 2021 after the delimitation exercise is completed in J&K. (Tripathi, 2019)

The argument given by the Home Minister of India on the floor of Lok Sabha is that over 70 years of *Article 370* brought nothing to State except militancy, leave alone prosperity. Thus, repeal of *Article 370* shall bring a new dawn for the people of J&K, and it shall bring about development and more employment opportunities in the State. In short-run, repeal of *Article 370* requires some caution and imposition of restriction in J&K due to fears of violent protests abated by our neighbour, but in the long run, it shall result into an actual integration of J&K into India and bring prosperity and development for people of J&K.

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Security of Citizens of Bangladesh through Digitalization: A Review

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Abstract- The security of the citizens of Bangladesh through digitalisation is an important issue in the current context. In this case, digitization facilities especially e-policing will also play a role in online based i.e. cyber criminal identification. Citizens get digital benefits related to the safety of citizens regarding online GDs, lost passports, certificates, bank check-books, night guard emergency flights or domestic help. Since apocalyptic initiatives involve issues such as national databases such as case docket management, crime statistics, crime intelligence, geo-policing and motor vehicle clearing certificates and GIS mobile crime mapping, it contributes significantly to crime reduction in any country, including Bangladesh.

Keywords: *security, citizens, digitalization, bangladesh.*

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Security of Citizens of Bangladesh through Digitalization: A Review

Md. Abdullah- Al- Faruk

Abstract- **The security of the citizens of Bangladesh through digitalisation is an important issue in the current context. In this case, digitization facilities especially e-policing will also play a role in online based i.e. cyber criminal identification. Citizens get digital benefits related to the safety of citizens regarding online GDs, lost passports, certificates, bank check-books, night guard emergency flights or domestic help. Since apocalyptic initiatives involve issues such as national databases such as case docket management, crime statistics, crime intelligence, geo-policing and motor vehicle clearing certificates and GIS mobile crime mapping, it contributes significantly to crime reduction in any country, including Bangladesh.**

Keywords: security, citizens, digitalization, bangladesh.

I. Introduction

Digitization is an integral part of the Government of Bangladesh's Vision 2021 — which promises a prosperous and just middle-income Bangladesh on the golden jubilee of independence (50 years). The digital information technology-centric world is moving fast. Inevitably, Bangladesh is moving forward at this pace - an eternal realization that is being felt by all concerned with field-level administration and benefiting ordinary citizens. Digital system services are reaching the doorsteps of the common man. Now, most executives no longer have to physically wait for office executives to be allowed to communicate with documents bound by red tape. With the help of the information portal as well as the e-information service, scanned copies of all files are stored in the online account of the executive office of the office. Even in the day-to-day busy schedule, the person sitting in the car or anywhere else can learn about the government program, make decisions, express opinions or give instructions to the concerned officials. Officers may constantly notice how many files are not processed in a timely manner. The security forces have played a great role in ensuring the security of Bangladesh's digital systems. The digital process is being used instead of the manual process to stop the harassment of the common man. Digital methods are now being used in Bangladesh to receive digital FIRs, GDs and various complaints. Currently, law enforcement agencies are using Internet-based services to protect citizens. In this way, ordinary people are easily getting digital services to ensure their security. Achieving sustainable socio-economic development is never possible by lagging behind in world development technology. Experience in ensuring the safety of all citizens, upholding the rule of law, maintaining social peace on the basis of community partnership, identifying and preventing crime, prosecuting violators, maintaining law and order, providing protection, assistance and services, being humble and patient Digital services are being used everywhere to educate and coordinate with different organizations. For security, law enforcement is ensuring all kinds of digital security for ordinary citizens by filling all the gaps through e-digital system. All in all, digital technology has penetrated the citizens in all fields starting from digital security, national security to food production, healthcare, media, financial transactions. Visible is the fulfillment of human expectations, victory in space, victory in information and technology. These are signs of the advent of digital. Education opportunities, women's empowerment, reduction of maternal and child mortality and birth rates, toilet and health facilities for the poor and immunization of children are among the activities. Behind all these notable successes are the use of digital equipment and digital security services. And in order to speed up the process of adopting endless digital security services, there is no alternative but to consider the law enforcement police force of the people of the country equipped with digital devices and the creation of digital devices as a national priority. Otherwise, the lack of security in digital Bangladesh will undermine all aspects of development in this progressive digital history. The results of the research will play an important role in determining future policies and strategies for the development of digital systems in Bangladesh to ensure the safety of citizens through the establishment of an improved hunger-free digital Bangladesh.

II. Statement of the Problem

Bangladesh is a poor country. Digitization is the name given to the eradication of poverty and inequality by building the capacity of all citizens of the country to use digital technology for the purpose of building a developed country and establishing the fundamental rights of ordinary citizens. In addition, in the process of digitization, creating an environment around society, knowledge-based practice in every aspect of life, especially instruments and information technology, is one of the tools to build an advanced digital

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Bangladesh. At present, every indicator of the country is moving forward to establish Digital Bangladesh. All indicators of the country including security sector have improved. Digital indicators such as: the number of mobile usage has doubled, the number of Internet users has increased from twelve million to four and a half million and in all cases the progress of the digital system is visible. With all these visible developments, especially with the development of information and communication technology, its proper security protection is a major issue. One of the problems of digitalization is cyber crime. If not resolved, all development is likely to be hampered. The digitalization of citizens, especially the development of e-service delivery systems, the fight against militancy, terrorism, extremism, cybercrime and ensuring all kinds of security for citizens is a challenge for digitization of all other activities of law enforcement. In addition, the recent Covid-19 situation is affecting almost every aspect of security and the lives of ordinary people around the world, including in the country, and is a major concern for our country in terms of social, economic, political and legal consequences. Moreover, most of the people in Bangladesh live in villages and they are not accustomed to using digital system information technology. A developed, science-minded, happy, prosperous, educated Bangladesh is free from inequality, corruption, poverty and hunger, which is indeed a state of full people and whose main driving force is digital technology. This is the hope, dream and aspiration of the people of Bangladesh for a better life. On the other hand, digitization is a strategy to increase per capita income or national income to transform from a small and developed or poor country to a rich and prosperous country as the best way to meet the minimum basic needs of all the people of Bangladesh. Above all, the research to ensure the security of citizens through digital means through the combined efforts of all will play a helpful role in building a more developed, happy and prosperous Bangladesh for the next generation.

III. Conceptual Framework

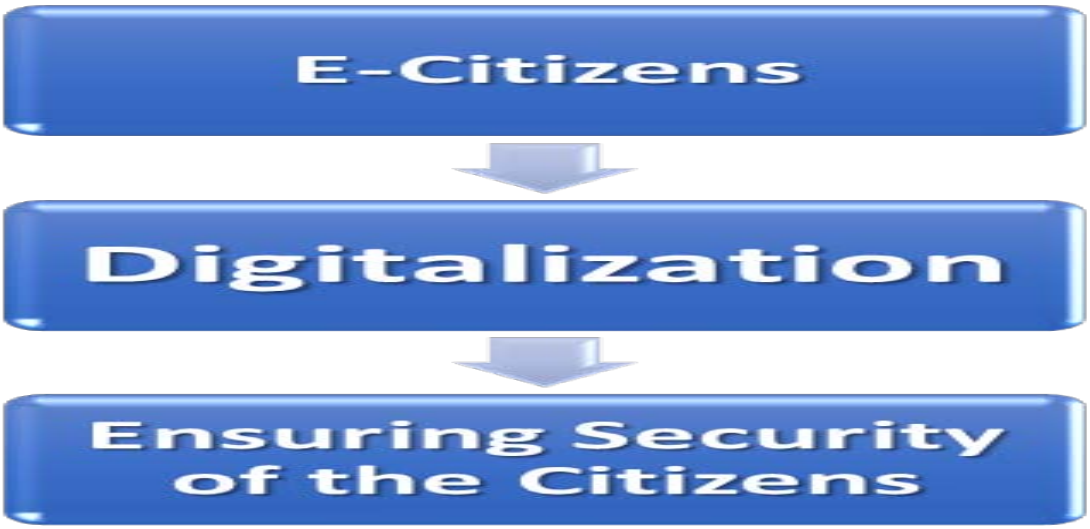


Fig. 1: Conceptual Framework of Ensuring Security of the Citizens through Digitalization

IV. Security Related Digital Services for Citizens in Bangladesh

Digital services for citizens to create a sense of security among the people by removing the fear of crime from the society.

a) Through Functions Of E-Policing

E- policing will also play a role in online based cybercriminal identification. E-policing has started with online GDs, lost passports, certificates, bank check-books, night guard emergency flights or domestic help. E-policing is facilitated by a data center at the police headquarters. Since apocalyptic initiatives involve national databases such as case docket management, crime statistics, crime intelligence, geo-policing and motor vehicle clearing certificates, and GIS mobile crime mapping, it makes a significant contribution to crime reduction in any country

999: Through the country's National Emergency Service Call Center 999, a number of services including Crime Data Management System, Citizen Information Management System, IGP Complaint Cell and BD Police Helpline launched e-services through this call center. Bangladesh Police is providing police, fire and ambulance services with a toll-free number by dialing 999. The service has received a huge response from the public, such as rape, child marriage, robbery, kidnapping, hijacking or emergency ambulance service. However, due to traffic congestion and traffic jams, the time to reach the help seeker is 25/30 minutes.

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b) Personal Information Management System (PIMS)

This server stores all the information of a police member's working life. Just click the BP number and all the information is out.

c) Crime Data Management System (CDMS)

It contains all the information related to the crime. In the age of information technology, CDMS is the name of recording all the information about the criminals, convicts, fugitives, professional convicts and accomplices of the crime. Through e-polishing, the case of the accused can be investigated very easily and in less time through CDMS.

Call Details Records (CDR): CDR is the name of the data analysis on the criminal's mobile. The CDR also provides information on the person associated with the offender. The criminal can be easily identified by analyzing all the information of mobile MMS and mobile communication.

CIMS (Citizen Information Management System): CIMS is the information registration of landlords, tenants and mess members.

E-passport: The biometric system of e-passport provides photographs, fingerprints and Irish of the passport holder. Passport chips can be verified by analyzing the electronically stored data through public key infrastructure.

Police clearance: Police clearance certificates are issued online in most cases for going abroad or working abroad. Police clearance certificate means he is not a criminal and there is no complaint against him in the police station.

Hello City: To spread information between the police and the public, the mobile application is called 'Hello City'. Its main purpose was to provide information on militancy and drugs. The feature of the app is that any person can remain anonymous and provide information to the police. Using this application, anyone in the world can provide information around the world. The information provided is searched by a special team from the City Unit.

e-Traffic Prosecution Process: The e-traffic prosecution system was introduced to bring transparency in the process of collecting fines from vehicle owners and passengers for violating traffic rules. The traffic police can file a case against the criminals and the violators can also pay fines with Robi number.

d) Application

Less manpower provides more services through e-policing, SMS intelligence information collection, alternative to Intelligence Collection (NIM), detailed monitoring to maintain contact with victims and witnesses via email, Database etc. probation and other related services to support immigration linked to the government and other trusts.

V. Methods and Methodology

The study is largely of a review nature. The articles were collected from online National and International publications. Apart from these, local journals which are not available online but are important the current research. The findings were reviewed by such journal reviews. Our research on the topic of the Security of Citizens of Bangladesh through Digitalization, reviewed titles and abstracts, and after screening the full text, some surveys were selected.

a) Research Questions

The present study aims at seeking answers to the following questions for identifying the kinds of security and supports that are being provided to the citizen through digitalization process. The specific research questions are-

(i) What kinds of digital security supports are given to the citizens?
(ii) What are the sources of those supports?
(iii) Can the citizen enjoy a good security life with provided digital supports?
(iv) Do they participate freely in every work and every time of insecurite life?
(v) Have they been successfully digitized in terms of security?

b) Objectives

The overall objective of this study is to examine the benefits of providing security services to the citizens of Bangladesh through digitization.

The specific objectives of the study:

To review the security situation of the citizens of Bangladesh through digitization.

VI. Results and Discussion

Various valuable literatures related to digital security of Bangladeshi and international citizens are available. Literary reviews include both theoretical and action studies. In Bangladesh, multiple studies have been done on the security of citizens through digitalisation to solve various problems such as burden and sensitivity. Literary review may include various innovative steps taken to address its security issues in establishing Digital Bangladesh at the NGO and GEO level. Their review will help ensure the safety of citizens through the establishment of a poverty-free digital Bangladesh and provide a sustainable model solution for the digital security of national civilization.

Bhuiyan, S. (2015). in his research, e-Governance discusses in detail the advantages and challenges of modernizing public administration in Bangladesh. Instructs public administration on how information and communication technology (ICT) is used in government activities worldwide to provide citizens with skills and affordable services. He further

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pointed out that the experience of some developing countries has shown that e-governance leads to corruption control and poverty alleviation, including improving transparency. He suggested through his research that e-governance could play an important role in controlling corruption and reducing poverty based on successful practices in developing countries and lessons learned from literary reviews and thus increase access to affordable services for the citizens of Bangladesh.

Kabir, M.R. (2012) discusses the opportunities for ICT integrated urban planning and management towards the establishment of Digital Bangladesh. System of Developed Countries Bangladesh and other developing countries have not yet acquired technological advantages or skills such as "Internet Boost" can become a huge engine of ICT development process, create virtual space to provide ICT services and create employment opportunities. But it is trying to turn the country into a "digital Bangladesh". This study examines that the scope and feasibility of e-planning in Bangladesh and illustrates the role of different stakeholders in this process. In this case, guidance has been given on the best way to change the methods of urban planning and management regarding eastablishement of digital Bangladesh.

Kamal, M.M. et, al. (2012) said in their research that cyber crime is known around the world as a crime committed through the internet. This has become a matter of concern all over the world nowadays. This study describes the nature of cyber crime in Bangladesh and the use of the Internet in Bangladesh is not as widespread as in other developed countries, but Internet-related crime is on the rise in this country. The study found that although cybercrime was not a serious condition in research, respondents' views were sometimes intercepted by hackers, pornographic sites, and computer viruses via the Internet. It is constantly attracting the attention of the majority of people in the study area.

Wickberg, S. (2012) thinks that his research will be used as background documentation to inform anti-corruption strategies for Bangladeshi agencies. The results of his research show that corruption is widespread in Bangladesh and has spread to all walks of life; The rule of law is weak and most institutions lack a framework of transparency and integrity. This is reflected in the country's weak workforce in most cases determined by the administration's indicators. But over the past decade, Bangladesh has made significant progress in the digital fight against corruption. However, patronage networks affect public life in Bangladesh and undermine the country's efforts to reduce corruption and poverty to the detriment of the hegemonic democratic institutions of opaque ruling parties.

World Bank Bangladesh Development Series (2006) finds that social safety nets program and identifies the risk group. According to them, the only way to solve these problems is to carry out all the work processes in the country through digitization.

VII. The Security Role of Digitalization in Bangladesh

In order to implement Vision-2021 i.e. Digital and secure Bangladesh and to provide easy, fast and low cost public-private services at the doorsteps of the people, Union Information and Service Centers were launched simultaneously in 501 unions of the country on 11 November 2010. At present, it is providing more than 270 public and private services in 6,086 digital centers across the country. By 2020, a total of 55.4 crore services have been provided from the digital center and through this, 168 crore working hours and Tk 76,775 crore have been saved. The digital system has changed the image of Trinamool Bengal, city services have reached the villages. Citizen life has become simple and modern. The contribution of every citizen of Bengal in the story of success and self-reliance of Digital Bangladesh in this long journey is undeniable. And the role of Bangladesh Law enforcement in contributing to security or citizen protection is outstanding. From the people, for the people, a trained force, trained and nominated by the people, called the police force. Bangladesh Law enforcement is committed to maintaining law and order, maintaining social order, reducing the fear of crime, enhancing the security of the people and ensuring internal security with the active cooperation of the people. To this end, Bangladesh is working to provide quality services by deserving, skilled and dedicated professionals to build Bangladesh as a more developed and safe place. Bangladesh Law enforcement is providing these services with the help of information and communication technology. As a result of the implementation of VPN connectivity of technology, it is becoming possible to apply modern technology and digital methods in conducting various activities of Bangladesh Law enforcement. As a result, it is becoming possible to ensure that all services are properly delivered to the public by exchanging accurate information, including ensuring the confidentiality of various sensitive issues. As a result, Bangladesh Law enforcement is making a significant contribution to the implementation of Digital Bangladesh. Especially in the year 2020, Bangladesh Law enforcement is working on a new challenge to bring digital services to the doorsteps of the people. The important roles of Bangladesh Law enforcement in building a digital Bangladesh will be included in the dissertation from research findings.

a) Relation with Social Policy Formulation

The study will play an important role in ensuring all kinds of security including digital security for all citizens of the country. It will also help in providing police

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protection to people of all walks of life including women, children and the elderly. All in all, policy makers will be able to make decisions about digital security of citizens very easily based on the research results.

b) Proposed Major Takeaways

In the present era, with the arrival of information technology and its application everywhere, the type of corruption in the crime cycle has also changed. Criminals are currently carrying out their criminal activities through the internet or using advanced technology. As a result, the number of militants, terrorists and criminals in cyber space has also increased. The use of advanced technology in e-policing to provide digital policing facilities to the general public and to tackle the criminal activities of terrorists needs to be explored through research. Recommendations from the research findings of the proposed study will help in formulating policy on security of the police department. It will also play an significant role in ensuring the protection of all kinds of rights of the citizens, just as the outcomes of the research will bring positive consequences in the security of the general community such as health, education, agriculture, trade, government information and communication technology (ICT). Cyber security concerns are now widespread around the world, including in Bangladesh. In order to tackle the present security situation of the citizens, Digital Bangladesh will be proposed in the form of research policy to ensure the security of citizens of all walks of life, especially in the rural areas. This will make it much easier for the police to provide security to the general pewople.

VIII. Conclusion

With the advent of information technology in the present era, the type of crime in the crime cycle has also changed. Criminals are currently carrying out their criminal activities through the internet or using advanced technology. It has also increased the number of militants, terrorists and miscreants in cyberspace. And these criminals are called cyber criminals. The use of advanced technology to curb their criminal activities is being added to e-policing. Through e-policing, ordinary citizens are experiencing positive results in a number of areas using health, education, government information and communication technology (ICT) methods. On the other hand, by ensuring the security of the citizens of Bangladesh through digitalization, Bangladesh will become a creative and competent industrialized country by developing intellectual power and knowledge power instead of currency and physical power and will lead the digital age of human civilization. The government and the people, including the law enforcement, security and defense forces, are working shoulder to shoulder to fulfill this dream. Apart from this, people's own interests, government meetings with the people, digital transformation of management, digital transformation of education, creation of suitable human resources, transformation of agriculture, industry and business are being seriously considered. Bangladesh has to face many challenges in implementing these. The purpose of this investigation is to assess the security of the citizens of Bangladesh through digitization. If implemented, every citizen of Bangladesh will be protected by digital security.

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Community Bonding: Experience Report of Online Groups with Elderly People

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Abstract- In times of social isolation necessary as a sanitary measure to prevent wider spread of the coronavirus, the elderly were particularly affected. This article aims to detail an internship experience in creating and facilitating online reflexive groups open to elderly who were previously regulars in an institution linked to the city hall, that had its physical space transformed into a screening center for coronavirus patients. These groups happened via *whatsapp*, and each had about 8 meetings. Our original goal was to create and maintain strong bonds between peers, healthcare providers and the institution itself. The groups had mostly positive feedback and themes discussed varied, ranging from gender issues, ageism, technology, intergenerational bonding, the pandemic, grieving and loss.

Keywords: *elderly, online group, police psychology, citizen police, covid-19 pandemic.*

GJHSS-A Classification: *FOR Code: 940199*



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Community Bonding: Experience Report of Online Groups with Elderly People

Eduarda Vieira Cardoso [α], Ester Dias de Brito [σ] & Maíra Marchi Gomes [ρ]

Abstract- **In times of social isolation necessary as a sanitary measure to prevent wider spread of the coronavirus, the elderly were particularly affected. This article aims to detail an internship experience in creating and facilitating online reflexive groups open to elderly who were previously regulars in an institution linked to the city hall, that had its physical space transformed into a screening center for coronavirus patients. These groups happened via *whatsapp*, and each had about 8 meetings. Our original goal was to create and maintain strong bonds between peers, healthcare providers and the institution itself. The groups had mostly positive feedback and themes discussed varied, ranging from gender issues, ageism, technology, intergenerational bonding, the pandemic, grieving and loss.**

Keywords: elderly, online group, police psychology, citizen police, covid-19 pandemic.

I. Old Age and Aging

The elderly have not always been at the center of academic literature, the last 60 years being the most prolific in scientific productions and theories about aging, greatly influenced by the mostly global phenomenon of population-aging (Neri, 2013). Thus, we seek to explore and reflect on the experiences regarding the creation and facilitation of online groups with elderly women, in a context of preventive psychology via the civil police of Santa Catarina in the face of the COVID-19 pandemic. [1]

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Therefore, we start from the Paul Baltes Lifespan theory and the theory of Selection, Optimization and Compensation (SOC) to explore certain concepts concerning old age and aging (apud Neri, 2006). For a long time, development theories neglected the old age phase or considered it only as synonymous with decline, seeing development as productivity and growth only. With Lifespan theory, also called lifelong developmental paradigm, Paul Baltes locates old age as one more stage of development. Furthermore, it postulates that each of these phases are permeated by gains and losses, and that to balance them we use Selection, Optimization and Compensation mechanisms (SOC theory). Such mechanisms refer to the internal and external resource management strategies that we use throughout our lives to achieve goals and reduce losses. For example, as we get older and our eyesight becomes "tired", we will most likely need to use eyeglasses for compensation.

It is important to differentiate the concepts: aging is the process that occurs naturally throughout life, while old age is one of the stages of life (Neri, 2006). Also, the elderly are people aged 60 years or more who, due to certain characteristics, fit into this life stage (WHO, 2005; Neri, 2013).

Thus, despite the relative scarcity of studies on old age and the aging process, there are several intervention strategies with the elderly public, one of them being the experience reported in this article, and mainly the institution that served as the research field for this essay. It is a service linked to the city hall in the state of Santa Catarina, Brazil, and aims to promote socialization among its users. As it is an institution dedicated to serving the elderly, it seeks to contribute to healthy aging by promoting autonomy, strengthening bonds, and preventing situations of social risk. This space offers workshops ranging from gymnastics and dance classes, to computer and Italian classes, and from 2021 onwards, it also has reflective groups managed by the psychology team.

a) The pandemics and the elderly population

Due to the COVID-19 pandemic, there was an interruption of the in-person workshops offered by the institution, especially considering that the elderly

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population is a risk group for the coronavirus (Ferreira, 2021). Thus, as part of the city's contingency plan, the institution's physical space was transformed into a screening center for coronavirus patients.

Dourado (2020) challenges the understanding of the elderly population as a risk group, questioning this categorization as a whole, given the understanding that this nomenclature brings to surface a double problem. As a first immediate effect, there is a reinforcement of the frailty stereotypes associated with old age and the consequent conception of the need for guardianship of the State, society and families; thus, old age is associated with a phase of loss, decline and curtailment of autonomy. Furthermore, a false sense of security is created for those not categorized as a risk group, regardless of their individual behavior and background.

It is in this scenario that, as a way of re-establishing some activities, the institution starts to function remotely, using mainly *Whatsapp* and phone calls as contact tools. Then, in 2021, the psychology service of a commissariat for the protection of women, children, adolescents and the elderly, which operates in the same city, starts a partnership with the institution. This partnership was the starting point for the creation of an online group model.

This project becomes especially necessary at a time of pandemic, given the possible damage - especially psychological - due to the physical distance needed to mitigate the effects and risks of the pandemic and decrease the numbers of deaths. Valentim (2020) is emphatic in suggesting that we replace the term social distancing by *physical distancing*, since, in a time of fear and anxiety like the one we live in, it is interesting to choose to strengthen social ties through possible means, and not the other way around. Thus, group strategies that promote virtual meetings become important and significant, especially for the elderly population, since it is estimated that this group will be particularly affected by the pandemic, as well as the means used to protect ourselves from it. The project described in this essay becomes, then, a possible community space used to mitigate said effects.

II. Police

The civil police, as described in the Constitution of the Federative Republic of Brazil (1998), deals with the investigation of criminal offenses (except for the military), as well as assuming the role of legal police. It is part of public security, which has the following agencies: federal police, federal highway police, federal railway police, civil police, military police and military fire brigades, federal, state and district criminal police. In addition, according to the Constitution of the State of Santa Catarina (1989), the civil police is also responsible for carrying out administrative traffic services, supervising private security services, controlling the ownership and use of weapons, ammunition, explosives and other controlled products and the surveillance of games and public entertainment.

The precinct to which this work refers, is a specialized civil police commissariat for the Protection of children, adolescents, women and elderly. It is important to emphasize that for adult women, not all crimes committed against them are investigated by the aforementioned comissartiat, only those related to gender, such as sexual and domestic violence (Oliveira & Ghisi, 2019).

a) Police Psychology and Citizen Police

The career of police psychologist is one of the four options within the civil police in the state of Santa Catarina, namely: Police Chief, Police Officer, Police Clerk and Police Psychologist (Polícia Civil, 2021). As specific attributions, the police psychologist is responsible for assisting people in situations of violence, conducting interviews, *acolhimentos*[2] and referrals. Such referrals refer to the possibilities available to the person, - a victim of violence - in question, related to health services and legal issues (Sousa, 2019; Souza & de Faria, 2017; Nobrega et al., 2018). *Acolhimento* is seen as a very important aspect, as it is the initial qualified listening that gives access to other services and defines the victim's continuation in the system (Conselho Federal de Psicologia, 2012).

At the commissariat aforementioned, another attribution performed by the psychologists is the facilitation of reflective groups with the target audience served by the police unit. Groups with women victims of violence, men perpetrators and adolescents in conflict with the law have already been offered. Due to the pandemic, these groups had to be discontinued and only the men's group was transposed to the online format. In 2021, for the first time, online groups were also offered with elderly people in partnership with the city hall, as mentioned above.

Historically, the police institution has been and it is linked to a punitive logic, focusing on fact-finding. In this traditional mode of operation, as Bengochea, Guimarães, Gomes and Abreu (2004) describe, strength is the main (and often the only) intervention instrument, routinely used in an indiscriminate, arbitrary and commonly and commonly on the fringes of legality way. Thus, the internship experience served as a space for echoing the question asked by the authors: "Is it possible to have a different police force in a democratic society?" (p. 119).

[2] Word in brazilian portuguese with no possible literal translation to english. It is one of the guidelines in the National Humanization Politics (Ministério da Saúde, 2013) and is part of Brazil's healthcare public system policy, defined as qualified listening of the healthcare system's user, implying them on the health-illness process and giving them autonomy and protagonism in the therapeutic process.

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Although this is not a question with a simple and single answer, both literature and practical experience point to a shift in the modes and objectives of police action. Instead of authoritarianism in search of maintaining a social order, the aforementioned authors suggest bringing communities closer together, so that the police focus on guaranteeing and enforcing the fundamental rights of citizens. In this logic, mediation and negotiation are established as the main intervention mechanisms.

Thus, the "citizen police" perspective emerges, proposing a new logic through "closer and more intense activities with the community, aimed at reducing violence and crime and/or their effects in line with human rights" (Nobrega, Siqueira, Turra, Beiras & Gomes, 2018, p. 153). Moreover, the police psychologist is in a hybrid position, in which it is necessary to make a professional and ethical commitment not only to the public police officer career they hold, but to psychology as a science and profession.

The online group, as a result of the partnership between the city hall's elderly care service and the commissariat, comes in line with the notion of "citizen police", through the promotion of care, strengthening of bonds and prevention of violence. In addition, the group fulfills an old desire of the police department's psychology service by promoting preventive interventions with the elderly population, which until then was accessed only through an investigative bias.

III. Intervening through Groups

In this context, the group is understood not only as a certain number of people gathered: Zimerman (2000) brings us some requirements to be met for it to be considered a group. The group is an entity in itself, beyond the mere sum of people, and still respects the identity and individuality of each member. Moreover, the group cannot be so large that it compromises its interactions, but there is no ideal number. It is also necessary for the group to have a space and a time previously established. Finally, an effective interaction between these members is essential. These necessary requirements by Zimerman (2000) are very similar to the five characteristics of a group created by A. Scherzer (apud. Andaló, 2006): plurality of individuals, common objectives, given space, determined time and social context.

The purposes of the group, therefore, are divided into operative and therapeutic, the first being the focus of this essay. The operative groups, created by Pichon-Riviére, are task-centered and primarily focused on clarifying issues or some form of learning. They are subdivided into institutional, community and teaching-learning. Institutional groups, as the name suggests, are linked to an institution, be it the school, the church, the army, a company, among others. The last one is a good example, as it is common to see operating groups in companies, with the objective of achieving a social climate of harmony to increase income. Community focused groups are more commonly seen in the area of mental health, such as parents groups or pregnant women's groups. These groups are based on the concept that humans are biopsychosocial beings, and health involves both physical, psychological and social aspects. Finally, there are the teaching-learning groups, in which the focus is on learning to learn and one of the most important examples is the reflective groups.

Reflective groups are also focused on learning, but not on any topic decided a priori: it is a type of learning related to the group itself, in which members will work to overcome stereotyped roles (Zimerman, 2000; Osório, 2003; Fernandes et al., 2003).

The facilitation of groups reported here were guided by the reflective posture proposed by Tom Andersen (2002), as the facilitators are attentive to their internal dialogues. Mediation took place without a reflective team itself, given the limited number of participants in the platform used, as we will mention later. Thus, it is up to the dialogue and the collaborative posture between the facilitators to use reflective processes in group management (Labs & Grandesso, 2017). It was also inspired by the methodology of gender reflexive groups proposed by Beiras and Bronz (2016), despite the distinction of theme and the target audience - since here gender appears as a tangential point and not as a central focus of the intervention. The approach is related to the theoretical bases used, social constructionism and popular education, in addition to the *acolhimento* of a complex, ecological and systemic view of thought.

For social constructionism, language stands out as a producer of realities and, therefore, the inexistence of a single and absolute truth is understood; It starts from a non-essentialist position, taking a curious questioning of what is given as obvious. Thus, the group process, through sharing, promotes an opening to plurality and listening of different versions of reality. About popular education, we establish a dialogue with the work of Paulo Freire, seeking horizontal relationships of dialogue and exchange, with respect to the experience and knowledge built in the history of each subject. Thus, jointly constructed reflections are sought, abandoning previously established notions of knowledge and answers (Beiras & Bronz, 2016).

Although the focus of operative groups is centered around learning, they also turn out to be therapeutic in a way (Osório, 2003). The same happens with therapeutic groups, they also end up teaching something to the subjects. We understand these classifications as illustrative and didactic; in a real situation, these boundaries between one type of group and another are more blurred. However, they are

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important to help the coordinator or group therapist to define the group's objective, which is essential to create appropriate goals and techniques to do quality work (Fernandes et al., 2003).

IV. Method

The experience reported took place in the context of mandatory internship for graduation in psychology at the Federal University of Santa Catarina (UFSC) carried out in the aforementioned specialized police station. We started from the peculiar experiences of the pandemic period and innovation proposed by the partnership between the services already described, for the elaboration of this experience report. This modality consists of accurately describing an intervention and reflecting on it, in order to contribute to the area of expertise.

As this intervention was part of an internship, two cycles of groups were carried out, lasting eight weeks each. Initially, six groups were proposed (three per semester) with six participants already attending the services provided by the city hall, totaling 36 elderly people attending the project. As a prerequisite for participation, it was necessary that the participants had access to the internet and a smartphone. Furthermore, because the meetings took place over two semesters, some seniors participated in more than one group; also with dropouts from the group, the intervention effectively had 22 participants.

It is worth mentioning that the group was open to any elderly participant that was assisted by the city hall program, until the vacancy limit was filled, but only women participated in the first round of groups. On the second, two men were present. This observation about the participant's gender is in agreement with the general population that attends the city hall program, which, in the majority, are also women, according to the service team itself.

Given the desire to establish strategies to approach the elderly public, the interns, with the authorization from the internship supervisor, established contact with the city hall. Interns were granted autonomy and freedom in the construction of the group, in terms of structure and themes. In this way, it was possible to create a project from scratch that would meet not only the academic needs of the internship, but that would maintain a certain flexibility during its course. The group's functioning was adapted to the institution's way of working online, during the pandemic, which migrated to workshops given through video conferences on whatsapp.[3]

From a list of names and telephone numbers provided by the city hall, the initial contact was made via whatsapp text messages with the elderly people, available to participate in the workshops, in order to invite them to the group that did not exist until then. Three groups were formed with two facilitators and six participants, since the maximum number of people allowed in a video call through the application is eight.

The initial groups lasted for seven and eight meetings during the months of April and May of 2021, with a duration of one hour each session. The second round of groups took place in August and September, with eight meetings and extended to one hour and thirty minutes each, after the facilitators understood that the length of the meeting would be beneficial for the intervention. The session starts with a call made by one of the facilitators via whatsapp, and the standard structure of the meetings starts with a check-in, followed by circular reflective questions and check-out (Aun, Vasconcellos & Coelho, 2005).

Invariably, expectations about the field are established, and, as planning and preparation, in internal meetings took place, the facilitators listed specific themes based on the Statute of the Elderly[4] (Lei n° 10.741, 2003) and related to the psychologist's role in the police station, such as the characterization of violence, coping and prevention strategies. However, in addition to discussion and reflection on the issues raised, the group's objective is also to promote a space for meeting and psychological care, in which the elderly could be together with their peers, in a community space, that became scarce by the pandemic. In this way, although still attentive to a priori planning, a flexible space was built, sensitive to the specificities of each context, so that the themes were centered on the demands of each group. Thus, each group has unique characteristics and specificities, constituted in the meeting of the participants.

A field diary was also made, to keep track of the frequency of participants (referred to the city hall) and to take notes during the groups. At the end of the last meeting, an informal semi-structured interview was carried out with the elderly to collect useful information for the group to continue in other semesters.

V. Results and Discussion

Categorizing the thematic vastness raised through to the groups is a challenge - this was a process of panning the material collected via online field diaries and extracting what was most precious. So, as a result, we present here what it was possible to gather from the meetings we had; the products of intergenerational interaction and the construction and consolidation of bonds between peers and healthcare services in the community.

[3] The use of the whatsapp messaging app is justified by its ease and low cost, as a cell phone with internet access is only what it takes for one to be able to use it

[4] Brazilian policy that regulates elders social rights that was created by a 2003 law.

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a) Gender

A first aspect of significant notoriety is the participant's gender: only one of the three facilitators was male; the other two interns, as well as the group participants were all I cis-gender women. This observation reflects the data obtained through the internship experience in this field: a significant portion of the regulars of the municipal service prior to this partnership were made up of cis-gender women. As a possible outlier, the first contact list provided by the city hall had in it a name for a man. However, when we invited him to join the group, it was his wife who joined and became a participant. Only in the second round of groups did we have the participation of men, more specifically two, who were the least frequent members of the group they participated in.

A hypothesis of what may be at stake in this situation are issues of gender and masculinity, as posed by Separavich and Canesqui (2013). Through the optics of hegemonic masculinity as proposed by Connell (1997), care and health care are characteristics associated with femininity, and therefore are less frequently observed in men who want to achieve a certain model of masculinity. As stated by the authors, to adhere to gender norms of strength and virility, men do not seek primary health care and seldom access prevention and health promotion programs. When they want to take care of themselves, they focus on taking care of their bodies through physical exercise and balanced nutrition. The authors also point out that, although, in general comparison, women seek health services more than men, it is considered that the elderly population as a whole also accesses services more.

The issue of gender arises in group discussions in different ways; participants inquired about the selection of group members and whether invitations had been made to men as well. Faced with the positive response, we seek to reflect together: what are the spaces and care practices accessed by the men in the participants' lives? "They don't take care of themselves, they die and leave us alone. I had planned for us to grow old together, but I've been alone for 20 years and I hadn't prepared myself for that", said one of the participants, a widow. This quote served, then, as an opening for a discussion about the loneliness of women in old age.

Hegemonic masculinity values men based on their demonstration of sexual and labor virility (Zanello, Fiuza, & Costa, 2015). Thus, given the stereotypy of old age as a stage of life in which one does not work and does not have sex, how is elderly men's perception regarding their own masculinity? Searching for health services, attending care spaces or even talking about vulnerabilities, are actions often perceived as demonstrations of weakness and fragility.

On the other hand, this conception of masculinity has a high cost: through psychosocial autopsies with family members of elderly people who died by suicide, Minayo, Meneghel and Cavalcante (2012) expose important questions about health, psychological distress and self-inflicted death in elderly men. From the aforementioned study, we highlight the importance of a careful look at matters of gender in interventions with elderly men, in particular in questions related to losses of important family members, the transition from the working life to retirement, cases of diagnoses of chronic or degenerative illnesses and when they have to face significant deficiencies or addictions. Even in old age, women take more care of their health and sociability: they are more likely to seek health services and tend to maintain more communicative relationships with family members and the community. In contrast, we observe men resistant to seeking help, silent in their suffering.

It's also worth noting the difference in expectations regarding the project itself in relation to male and female participants; from the women we observed hope for a nurturing space, where they could talk about their pain, difficult issues, traumas and sufferings, while the men expected a place for debate, where they could talk about objective issues related to work. "I think that at the next meeting we can talk about something else, right, we don't need to talk about ourselves all the time", one of the men said. In another group, the only male participant asked for more structured meetings with specific themes, which, according to him, could generate some concrete and measurable learning. It is worth noting that structured and formal learning is not the purpose of these groups, for their purpose is to work on the group itself and members' relationships.

Finally, Carvalho and Coelho (2006), in their analysis of depressive complaints in mature women, found results similar to what was observed in the management of groups, listing divorce, widowhood, idleness in retirement and children's growth as recurrent factors. In our meetings, these were issues commonly adressed to the different groups, associated with descriptions that can be understood as symptoms of depression, suicidal ideation and anxiety, as described below.

b) Intergenerational Bonding and Technologies

Another important aspect of the groups is the intergenerational bonding between facilitators and participants, identified as beneficial (França, Silva & Barreto, 2010). While the younger ones learn about traditions and culture, the older ones update and recycle already known ways of life and patterns. In addition, one of the important benefits for the elderly is to favor a possible delay in dependence, mainly physical, and thus reduce expenses with care and treatment (França et al., 2010).

The topic of learning in old age draws attention; during the meetings, some of the participants showed

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fear and doubt about a classworkshop through a video call. We associate this apprehension with the mistaken association of old age with the stereotype of the "senile grampa/grandma", doomed to decline and with no possibility of learning (Neri, 2006). This stereotype, in turn, is linked or has its roots in ageism: a name given to age prejudice (Oliveira Teixeira, Souza & Maia, 2018). The internship experience supports the literature on the topic, as it points to the digital sociability performed among elderly women being permeated by difficulties, limitations and distrust (Dourado, 2020; Nicolaci-da-Costa, 2005). However, as the meetings went on, the participants became more attached to the video calls, including listing them as a newly adopted form of contact with family members and other significant and intimate relationships.

From this greater attachment of the elderly to technology, it is emphasized that literacy and digital inclusion are very important in old age because of the benefits they can bring. Among this benefits is the aforementioned increase in social networks, but there is also an improvement in memory and other cognitive functions, an improvement in the performance of other daily activities such as shopping and paying bills, an increase in the social engagement of the elderly, an increase self-esteem (Alvarenga, Yassuda & Cachioni, 2019; Cipolli, Alonso, de Lima Flauzino & Cachioni, 2020; Scoralick-Lempke, Barbosa & Mota, 2012).

However, we must pay attention to the fact that, despite the increasing use of technologies and the internet, in 2017 only 1 in 4 elderly people used the internet (Fernández-Ardèvol, 2019). Furthermore, contrary to popular belief - which is permeated by ageism that the elderly and technology do not mix - factors other than age are much more important with regard to access to technology, such as class, race and sex (Fernández-Ardèvol, 2019).

It's also worth remembering that the regulars of this service are mostly exposed to some level of social vulnerability, with access to technology being something to take into account when thinking about intervention proposals. For this reason, the group meetings were carried out via *whatsapp*, as it is a platform that most of the participants were already familiar with and that required less action while handling the platform (the facilitators were the ones initiating the call). This was a point of discussion in academic supervisions, as there was a desire to expand the groups and use other audiovisual resources (such as music and videos), but that would require changing the platform used. However, once this change is made, we would probably reach fewer people or only the most privileged. A question that permeated our conversation during the creation and conduction of the project was: how to make effective and meaningful interventions with the most vulnerable populations in a pandemic, following health and hygiene protocols and without using computers?

c) COVID-19 Pandemic

The pandemic appears as a core theme, mainly due to the losses that surround it: the loss of close physical contact, the loss of routine, the loss of an already impaired autonomy. In this sense, old age, which is considered by the participants as a phase in which there is freedom to act according to one's wills, to be close to the ones you love, without being tied to the shackles of work, formal employment and schedules, loses its sense in the pandemic.

These reports corroborate the findings of Ferreira (2021), that displays gender differences in beliefs about covid-19 between older men and women. The study found that older people are at greater risk during a pandemic due to isolation, loneliness and symptoms of depression. Also, Brazilian women are more prone to anxiety than men, and in comparison, elderly women adhere more to physical distancing than men. As a consequence, these women may present more symptoms and greater risks to mental health, but these can be eased by the perception of social support. The author states that mental health interventions towards this group should aim to reorganize the perception of social support, pointing to the preservation of close social networks.

This proposal is in agreement with the project proposed in this article; during the meetings, the notion of physical, but not social, distance was reinforced (Valentim, 2020), since there's the possibility to maintain virtual contact with loved ones. The group also serves as a practical example of alternative ways to establish and maintain social bonds. Furthermore, self-care and connection strategies were proposed, in an attempt to minimize the impacts of the pandemic on mental health. In addition, the group itself was designed as a space for bonding, as a strategy to minimize the loss of the feeling of community and thus reduce distance and loneliness.

d) Mourning and Death

At times latent, at times loud, conversations about loss and mourning were present in the meetings as the thread that sewed together all the themes discussed and guided us in the writing of this article. We came across several stories of loss, ranging from early deaths of young relatives in adverse conditions - such as the pandemic; stories of illness, hospitalization and a longer and more overt death process.

As we see old age as the finishing, declining stage of life, facing someone else's aging reminds us of our own. In our feeble attempts to deny our own finitude, we disregard their opinions, their stories, their suffering and their losses. (Santos, Faria, & Patiño, 2018). And in this process, we also silence the good parts of aging, and paint it in our heads as the worst part of life.

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However, as our experience shows, becoming older comes with new experiences, new learnings, and, as in any transitional stage of life, there are losses and gains. Entering a new phase can be scary but also exciting. There is grief when their children leave home but also joy and pride in seeing them making a career, forming a new family or just simply making a life for themselves that makes them happy.

e) Other Themes

Other themes were also discussed, though with lesser recurrence, but by no means failing to represent very important issues. Although one of the pre established objectives of the group was to work on violence against the elderly and how they could protect themselves through the police station and other means, this theme had little resonance with the participants. When the issue of violence was raised to them, the participants themselves steered the conversation to their experiences of prejudice and ageism. We opted to touch on themes of violence then through other optics: prevention and guarantee of social rights. Thus, the group shared information about where to ask for help and what rights were guaranteed to them by the Elderly Statute (Lei n° 10.741, 2003).

Discussing a subject perceived as "tough" or "sensitive" from an angle of prevention rather than focus solely on the aftermath damage was a strategy used in other situations as well. In one of the meetings, a participant reported significant and recurrent suicidal ideation, and even though she was welcomed by the group, the issue of suicide was an specific and personal demand of the woman in question, and she was provided with individual psychological care to adress it. However, mental health as a general topic was of interest and brought up by the whole group, and so it was decided to bring up the themes of self-care and prevention strategies. These group discussions were helpful for private coversations about suicidal ideation, without specifically addressing it in the group scenario.

During this particular meeting, relevant prevention and coping strategies were presented and discussed, such as social and family support, quality health care and other bonds with the community - as the local church and even the services provided by the city hall such as the one where the group took place (Figueiredo, Vieira, Mangas, Sousa, Freitas & Sougey, 2015). Thus, one can see at that time the importance of community bonds for the elderly and how the group itself has significant importance strengthening these bonds.

VI. Conclusions

In a general sense, the partnership between the city hall service that serves the elderly and the police station proved to be successful. Although the initial desire was to work on specific issues of violence prevention, reality imposed itself and the group's desires to discuss other topics were respected and met. Even so, promoting health and meeting spaces is a possible form of prevention, as the support network of these elderly women is strengthened.

Several times, the participants thanked us profusely for being there, and for us to be willing to do our work managing the sessions. Various words used to name us drew our attention: doctors, professors, specialists - despite our claiming the role of interns. Explicitly, through working arrangements made in the first meetings, the demeanor adopted while managing the group seeks to build horizontal relationships, as we positioned ourselves as curious learners rather than specialists. We aimed to rid the sessions of notions of one-sided learning, as we constantly reinforced that, through sharing their story, their beliefs and their perceptions of the world, taught us just as much. However, perhaps due to our younger age, perhaps due to the role of university students or quasi-psychologists, we were placed in a prominent position by the participants.

Faced with this scenario, we ask: what is so special or so valuable about our work with elderly women that, in their eyes, deserves such profuse congratulations and thanks? Would it be a caring, attentive behavior towards these people, so often ignored by the academy? Thus, we highlight the need for careful and thoughtful attention to this audience that, in the words of one participant, was "left to die by the government". In this sense, we reinforce the importance of the continuity of this project, which creates a unique space for processing and sharing one's story, as well as the main point that ties together this article: the sense of belonging and acceptance that community bonds can create.

We also reiterate the limitations of our reflection and intervention due to it's exploratory and innovative character. Adaptations had to be made during the course of the project so that it was viable and could be carried out in the chaotic scenario that was and still is the pandemic in Brazil. Finally, the group, participants and work team, emphasizes the need to remain on this road, to collect the benefits of intergenerational bonding along the way and the political importance of building and defending the citizen police.

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Acknowledgments

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Manuscript Style Instruction (Optional)

- Microsoft Word Document Setting Instructions.
- Font type of all text should be Swis721 Lt BT.
- Page size: 8.27" x 11'", left margin: 0.65, right margin: 0.65, bottom margin: 0.75.
- Paper title should be in one column of font size 24.
- Author name in font size of 11 in one column.
- Abstract: font size 9 with the word "Abstract" in bold italics.
- Main text: font size 10 with two justified columns.
- Two columns with equal column width of 3.38 and spacing of 0.2.
- First character must be three lines drop-capped.
- The paragraph before spacing of 1 pt and after of 0 pt.
- Line spacing of 1 pt.
- Large images must be in one column.
- The names of first main headings (Heading 1) must be in Roman font, capital letters, and font size of 10.
- The names of second main headings (Heading 2) must not include numbers and must be in italics with a font size of 10.

Structure and Format of Manuscript

The recommended size of an original research paper is under 15,000 words and review papers under 7,000 words. Research articles should be less than 10,000 words. Research papers are usually longer than review papers. Review papers are reports of significant research (typically less than 7,000 words, including tables, figures, and references)

A research paper must include:

a) A title which should be relevant to the theme of the paper.
b) A summary, known as an abstract (less than 150 words), containing the major results and conclusions.
c) Up to 10 keywords that precisely identify the paper's subject, purpose, and focus.
d) An introduction, giving fundamental background objectives.
e) Resources and techniques with sufficient complete experimental details (wherever possible by reference) to permit repetition, sources of information must be given, and numerical methods must be specified by reference.
f) Results which should be presented concisely by well-designed tables and figures.
g) Suitable statistical data should also be given.
h) All data must have been gathered with attention to numerical detail in the planning stage.

Design has been recognized to be essential to experiments for a considerable time, and the editor has decided that any paper that appears not to have adequate numerical treatments of the data will be returned unrefereed.

i) Discussion should cover implications and consequences and not just recapitulate the results; conclusions should also be summarized.
j) There should be brief acknowledgments.
k) There ought to be references in the conventional format. Global Journals recommends APA format.

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Author details

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The abstract is the foundation of the research paper. It should be clear and concise and must contain the objective of the paper and inferences drawn. It is advised to not include big mathematical equations or complicated jargon.

Many researchers searching for information online will use search engines such as Google, Yahoo or others. By optimizing your paper for search engines, you will amplify the chance of someone finding it. In turn, this will make it more likely to be viewed and cited in further works. Global Journals has compiled these guidelines to facilitate you to maximize the web-friendliness of the most public part of your paper.

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A major lynchpin of research work for the writing of research papers is the keyword search, which one will employ to find both library and internet resources. Up to eleven keywords or very brief phrases have to be given to help data retrieval, mining, and indexing.

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One should start brainstorming lists of potential keywords before even beginning searching. Think about the most important concepts related to research work. Ask, “What words would a source have to include to be truly valuable in a research paper?” Then consider synonyms for the important words.

It may take the discovery of only one important paper to steer in the right keyword direction because, in most databases, the keywords under which a research paper is abstracted are listed with the paper.

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Numerical methods used should be transparent and, where appropriate, supported by references.

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Authors must list all the abbreviations used in the paper at the end of the paper or in a separate table before using them.

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Authors are advised to submit any mathematical equation using either MathJax, KaTeX, or LaTeX, or in a very high-quality image.

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Tables: Tables should be cautiously designed, uncrowned, and include only essential data. Each must have an Arabic number, e.g., Table 4, a self-explanatory caption, and be on a separate sheet. Authors must submit tables in an editable format and not as images. References to these tables (if any) must be mentioned accurately.

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Although low-quality images are sufficient for review purposes, print publication requires high-quality images to prevent the final product being blurred or fuzzy. Submit (possibly by e-mail) EPS (line art) or TIFF (halftone/ photographs) files only. MS PowerPoint and Word Graphics are unsuitable for printed pictures. Avoid using pixel-oriented software. Scans (TIFF only) should have a resolution of at least 350 dpi (halftone) or 700 to 1100 dpi (line drawings). Please give the data for figures in black and white or submit a Color Work Agreement form. EPS files must be saved with fonts embedded (and with a TIFF preview, if possible).

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3. Ask your guides: If you are having any difficulty with your research, then do not hesitate to share your difficulty with your guide (if you have one). They will surely help you out and resolve your doubts. If you can't clarify what exactly you require for your work, then ask your supervisor to help you with an alternative. He or she might also provide you with a list of essential readings.

4. Use of computer is recommended: As you are doing research in the field of homan social science then this point is quite obvious. Use right software: Always use good quality software packages. If you are not capable of judging good software, then you can lose the quality of your paper unknowingly. There are various programs available to help you which you can get through the internet.

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Verbs have to be in agreement with their subjects. In a research paper, do not start sentences with conjunctions or finish them with prepositions. When writing formally, it is advisable to never split an infinitive because someone will (wrongly) complain. Avoid clichés like a disease. Always shun irritating alliteration. Use language which is simple and straightforward. Put together a neat summary.

14. Arrangement of information: Each section of the main body should start with an opening sentence, and there should be a changeover at the end of the section. Give only valid and powerful arguments for your topic. You may also maintain your arguments with records.

15. Never start at the last minute: Always allow enough time for research work. Leaving everything to the last minute will degrade your paper and spoil your work.

16. Multitasking in research is not good: Doing several things at the same time is a bad habit in the case of research activity. Research is an area where everything has a particular time slot. Divide your research work into parts, and do a particular part in a particular time slot.

17. Never copy others' work: Never copy others' work and give it your name because if the evaluator has seen it anywhere, you will be in trouble. Take proper rest and food: No matter how many hours you spend on your research activity, if you are not taking care of your health, then all your efforts will have been in vain. For quality research, take proper rest and food.

18. Go to seminars: Attend seminars if the topic is relevant to your research area. Utilize all your resources.
Refresh your mind after intervals: Try to give your mind a rest by listening to soft music or sleeping in intervals. This will also improve your memory. Acquire colleagues: Always try to acquire colleagues. No matter how sharp you are, if you acquire colleagues, they can give you ideas which will be helpful to your research.

19. Think technically: Always think technically. If anything happens, search for its reasons, benefits, and demerits. Think and then print: When you go to print your paper, check that tables are not split, headings are not detached from their descriptions, and page sequence is maintained.

20. Adding unnecessary information: Do not add unnecessary information like "I have used MS Excel to draw graphs." Irrelevant and inappropriate material is superfluous. Foreign terminology and phrases are not apropos. One should never take a broad view. Analogy is like feathers on a snake. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Never oversimplify: When adding material to your research paper, never go for oversimplification; this will definitely irritate the evaluator. Be specific. Never use rhythmic redundancies. Contractions shouldn't be used in a research paper. Comparisons are as terrible as clichés. Give up ampersands, abbreviations, and so on. Remove commas that are not necessary. Parenthetical words should be between brackets or commas. Understatement is always the best way to put forward earth-shaking thoughts. Give a detailed literary review.

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22. Upon conclusion: Once you have concluded your research, the next most important step is to present your findings. Presentation is extremely important as it is the definite medium though which your research is going to be in print for the rest of the crowd. Care should be taken to categorize your thoughts well and present them in a logical and neat manner. A good quality research paper format is essential because it serves to highlight your research paper and bring to light all necessary aspects of your research.

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Informal Guidelines of Research Paper Writing

Key points to remember:

- Submit all work in its final form.
- Write your paper in the form which is presented in the guidelines using the template.
- Please note the criteria peer reviewers will use for grading the final paper.

Final points:

One purpose of organizing a research paper is to let people interpret your efforts selectively. The journal requires the following sections, submitted in the order listed, with each section starting on a new page:

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- In every section of your document, use standard writing style, including articles ("a" and "the").
- Keep paying attention to the topic of the paper.
- Use paragraphs to split each significant point (excluding the abstract).
- Align the primary line of each section.
- Present your points in sound order.
- Use present tense to report well-accepted matters.
- Use past tense to describe specific results.
- Do not use familiar wording; don't address the reviewer directly. Don't use slang or superlatives.
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An abstract is a brief, distinct paragraph summary of finished work or work in development. In a minute or less, a reviewer can be taught the foundation behind the study, common approaches to the problem, relevant results, and significant conclusions or new questions.

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Reason for writing the article—theory, overall issue, purpose.

- Fundamental goal.
- To-the-point depiction of the research.
- Consequences, including definite statistics—if the consequences are quantitative in nature, account for this; results of any numerical analysis should be reported. Significant conclusions or questions that emerge from the research.

Approach:

- Single section and succinct.
- An outline of the job done is always written in past tense.
- Concentrate on shortening results—limit background information to a verdict or two.
- Exact spelling, clarity of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else.

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The introduction should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable of comprehending and calculating the purpose of your study without having to refer to other works. The basis for the study should be offered. Give the most important references, but avoid making a comprehensive appraisal of the topic. Describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will give no attention to your results. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here.

The following approach can create a valuable beginning:

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- Present a justification. State your particular theory(-ies) or aim(s), and describe the logic that led you to choose them.
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Approach:

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Materials may be reported in part of a section or else they may be recognized along with your measures.

Methods:

- Report the method and not the particulars of each process that engaged the same methodology.
- Describe the method entirely.
- To be succinct, present methods under headings dedicated to specific dealings or groups of measures.
- Simplify—detail how procedures were completed, not how they were performed on a particular day.
- If well-known procedures were used, account for the procedure by name, possibly with a reference, and that's all.

Approach:

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Use standard style in this and every other part of the paper—avoid familiar lists, and use full sentences.

What to keep away from:

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- Skip all descriptive information and surroundings—save it for the argument.
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The page length of this segment is set by the sum and types of data to be reported. Use statistics and tables, if suitable, to present consequences most efficiently.

You must clearly differentiate material which would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matters should not be submitted at all except if requested by the instructor.

Content:

- Sum up your conclusions in text and demonstrate them, if suitable, with figures and tables.
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- Give details of all of your remarks as much as possible, focusing on mechanisms.
- Make a decision as to whether the tentative design sufficiently addressed the theory and whether or not it was correctly restricted. Try to present substitute explanations if they are sensible alternatives.
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- Recommendations for detailed papers will offer supplementary suggestions.

Approach:

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References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring

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