

# The Political Art of Patience: Adivasi Resistance in India

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**Abstract:** This article documents the emergence of the Denotified Rights Action Group (DNG-RAG), a national social movement orchestrated to assert the citizenship rights of *adivasi* (indigenous) populations in India. It assesses the movement's efforts to engage the central Indian government in meaningful dialogue to accommodate the inclusion of marginalized *adivasis* in the democratic politics of the nation. In doing so, the DNT-RAG reasserts the primacy of the Indian state as the principal engine driving the project of nation building, and as such, the site that activists target to further an agenda of equitable development and democratic rights for those known as India's Denotified Tribes.

**Keywords:** India, Denotified Tribes, rights, social movements

In February 1998, Budhan, a member of the Sabar community in West Bengal, died while in police custody. The young *adivasi*<sup>1</sup> (indigenous) man had left home one morning on his bicycle to commute to the market. En route he was arrested by Ashok Roy, the officer in charge of the local Barabazar police station. Budhan was detained on the allegation that he was involved in a theft in the surrounding area. Incarcerated in the Purulia jail, Budhan was denied food, water and subjected to repeated torture (Devi 2001); 6 days later, he was found dead in his cell. The police claimed he had committed suicide by hanging himself with his *gamchha* (towel). The matter may have been forgotten there, slipping into the recesses of time as simply another instance of state violence targeting those widely known as the Denotified Tribes of India (DNT)—the *adivasi* ethnic groups transformed into criminal populations by the British under the Criminal Tribes Act (CTA) of 1871.<sup>2</sup> But the event was not overlooked. Having worked closely with the Kheria Sabar and other DNT groups since the 1970s, the death of Budhan was of great concern to acclaimed Bengali writer and activist Mahasweta Devi.<sup>3</sup> The Kheria Sabar Kalian Samiti, a DNT people's alliance under the stewardship of Devi, was quick to demand an official inquiry into the death. Working through her personal networks, Devi enlisted the support of retired judge Dilip Basu, and together they pressed for justice in the Calcutta High Court. They were successful in prompting the courts to order a second postmortem of Budhan's body, revealing that he had suffered a series of severe beatings in custody. It lent credence to what many already knew; Budhan had been murdered.

In the aftermath of Budhan's death, Mahasweta Devi travelled to Gujarat to deliver a guest lecture at the Bhasha Research and Publication Centre, a non-governmental organization based in Baroda that was founded in 1996 to advance *adivasi* cultures and rights. Devi gave a passionate address that spoke not only of the recent events

in West Bengal but also the abysmal living conditions experienced by India's DNT groups. She called for united action. It was a serendipitous moment that proved to be the beginning of a movement. Here, she reencountered Ganesh Devy,<sup>4</sup> the founder of Bhasha, as well as Laxman Gaikwad, a DNT writer and activist based in Maharashtra, igniting the formation of the Denotified Rights Action Group (DNT-RAG) in March 1998. As a coalition of prominent activists drawing on long histories of political agitation staged by DNT communities, the DNT-RAG has emerged as a national social movement focused on asserting an agenda of social justice.

In this article, I document the efforts of the DNT-RAG to engage the highest echelons of the Indian political executive in constructive dialogue to further the collective rights of historically marginalized DNT populations. I begin by narrating the movement's decision to target the central government and its strategic use of scale to redress injustice. The DNT-RAG views the central state as their best bet for enacting progressive legislation and securing DNTs' equal (but differentiated) right to participate in the political community of the nation. In a very concrete way, the DNT-RAG works with the awareness that it is not the universality of rights that define democratic politics in India, but rather the machinations of government that depend upon the technological and discursive practices through which subjects are rendered governed. In mobilizing to bring subaltern DNTs within the structures of law and governance, the movement demonstrates how the technologies, knowledges and categories that comprise India's governmental apparatus remain a focal point of resistance politics. The DNT-RAG labours to disrupt the legal and administrative lacuna that has excluded these populations from India's substantial rights-protecting and developmental structures that were instituted in the early post-independence period. The territoriality of the Indian state is critical because, despite the past decades of liberalization, it remains regarded as the principal engine driving the project of nation building.

In negotiating for the recognition and inclusion of DNT populations, I argue that the DNT-RAG enacts an accommodation politics (Appadurai 2002; Roy 2009). This represents a model of organizing wherein NGOs, cultural figures, and social movement actors operate as bridging mechanisms between state agencies and disenfranchised groups. They work to recalibrate the structures of governance. The limits of this activism model and the central government's willingness to provide meaningful accommodation are interrogated. I end by questioning why certain state actors appear willing to dialogue with a particular coalition of prominent cultural figures, while continuing to flout and violate the rights and territories of DNT communities. This article draws on 14 months of ethnographic fieldwork in the city of Ahmedabad, Gujarat, where I continue to work closely with Chharas and Baoris—two DNT communities, the former intimately involved in the activities of the DNT-RAG. This empirical research is supported by a series of interviews conducted with some of the DNT-RAG's primary organizers.

## **Scales of Justice**

The formation of the DNT-RAG traces a particular geography of solidarity. In describing the origins of the movement, Ganesh Devy observed:

I had met Laxman Gaikwad, the DNT writer who writes in Marathi, my mother tongue. In 1994, the two of us traveled to China in a literary delegation. I met Mahasweta Devi for the first time in February 1998, though I had corresponded with her in 1984, when I used to edit the magazine *Setu*, to which she had contributed two long stories. Thus, in our March 1998 meeting in Baroda, the three of us met entirely as writers. I had no idea of Mahasweta Devi's activist life, not about Laxman's life as an activist (though I knew that he belonged to some workers' union)... Our sympathy for DNTs had the backdrop of the generally speaking humanistic literary sense of what is socially right (Email correspondence 5 March 2010).

Devy maps a spatiality wherein the founding members of the DNT-RAG came together by a "chance" encounter—lives colliding in space—and emerging out of specific life histories and relationships of trust. The movement was formed by a coalition of literary figures, each possessing their own histories of activism with DNT communities in different regions of the country. Their initial work was to connect disparate struggles and form a national movement.

The DNT-RAG began its organizing by taking several actions. It immediately pressed for justice in the murder of Budhan Sabar by submitting public interest litigation in the Calcutta High Court.<sup>5</sup> In February 2001, the verdict of Justice Ruma Pal was delivered, sharply condemning Budhan's death and criticizing inconsistencies in the state's police report. The courts directed the Government of West Bengal to pay monetary compensation (one *lakh* rupees) to Budhan's widow, while prompting a criminal investigation into the events surrounding the custodial death. Departmental action was initiated against Ashok Roy, as well as the warden and superintendent of the Purulia Prison. The wheels of justice, however, turn woefully slow, and 12 years later criminal proceedings continue to grid along in the courts. The DNT-RAG also launched *Budhan*, a print journal designed to publicize and disseminate issues relevant to DNT groups. It inaugurated the publication by circulating the ruling issued by the Calcutta High Court.

The DNT-RAG built upon their existing network by establishing contact with other DNT communities, such as Chharas in Ahmedabad, whose former industrial penal colony provided the setting for the first national DNT conference on 31 August 1998, the anniversary of the official closure of the detention camps established under the Criminal Tribes Act of 1871. This event brought together representatives from DNT groups, activists and scholars from across the country. The movement initiated other popular mobilizations, such as the annual *mela* (gathering) in Kaleshwari, Gujarat, a gathering drawing tens of thousands of DNTs from northwestern India. In February 2009, I was invited to attend the *mela* and travelled there with Chharas from Ahmedabad who performed a street theatre play retelling the custodial murders of Budhan Sabar and Pinya Hari Kale.

In scaling up its activism, Ganesh Devy suggests that it took time for him to realize how the movement was related to a broader discourse of human rights in and beyond India.

Devy: We did not know that there was a National Human Rights Commission in India. I knew about the black literary movement in the US, but did not know that a lot of international human rights activity was taking place at that time. My knowledge of Nelson Mandela's movement in South Africa was limited to what I read in newspapers... It was

a result of [our] discussions . . . and the public meetings we organized in various states that we ourselves became aware that the struggle of the DNTs belongs to what can be described as a Human Rights movement. Gradually, I became aware that similar movements have been taking place in other countries, and across national frontiers, on various other issues. Later, when I participated in the [World] Social Forum in Bombay, I became fully aware that the DNT movement in India can be seen as a part of a common cause of international human rights movements (Email correspondence 5 March 2010).

Devy's realization is instructive, particularly given the enthusiasm that global justice networks and human rights discourse have garnered of late (Featherstone 2008; Fraser 2009; Harvey 2008; Routledge and Cumbers 2009). For Nancy Fraser (2009:1), we are living in a time when various transnational actors "contest the national frame within which justice conflicts have historically been located and seek to re-map the bounds of justice on a broader scale". Fraser's interest lies in remapping the frames of injustice in a post-Westphalian world, and thus situating struggles for justice within a new global imaginary. "Today", she argues, "the Westphalian mapping of political space is losing its hold. Certainly, its posit of exclusive, undivided state sovereignty is no longer plausible, given a ramifying human-rights regime, on the one hand, and spiralling networks of global governance, on the other" (4–5). Any easy distinction, so the argument goes, between national and transnational space has collapsed under the authority of powerful global forces: NGOs to international human rights treaties, supranational institutions of global governance to transnational corporations, mass media to social movements.

Within the Keynesian-Westphalian frame, the struggle over justice typically took place within the territoriality of nation states, which retained authority over national policy, as well as claims and counter claims over redistribution, recognition and inclusion in the body politic. In this sense, the DNT-RAG falls into what Fraser describes as the "affirmative politics" that "still assumes the territorial state is the appropriate unit within which to pose and resolve disputes about justice" (22). But this is a politics of framing that is being radically transformed in a globalizing world, redrawn by capital and social justice movements that are building "new cosmopolitan institutions, such as the International Criminal Court, which can punish state violations of human dignity" (14). Increasingly, then, the scale of justice is superseded by a "transformative approach" wherein the forces that "perpetuate injustice belong not to 'the space of places' but to 'the space of flows'. Not locatable within the jurisdiction of any actual or conceivable territorial state, they cannot be made answerable to claims of justice that are framed in terms of the state-territorial principal" (23). Fraser argues that those concerned with (re)constituting a politics equipped to resist global capitalism must continue to appropriate the global, thus opening up the possibility for solidarity politics beyond the territoriality of nation states.

The DNT-RAG has made use of global institutions, initially in 1998 in a petition drafted by Mahasweta Devi and Gayatri Chakravorty Spivak for the United Nations Commission on Human Rights (Bhasha 2000). In the letter, Devi and Spivak draw attention to the systematic violation of the basic human rights of India's 60 million DNTs, requesting the Commission's "immediate intervention in the matter in

accordance with Clause XXII of the UN Charter of Rights" (2).<sup>6</sup> But even as they appealed to the UN, Spivak observed that, "the UN should not be called upon to manage our business. I think that the petition stands as a kind of monument in the history of the DNT-RAG" (7). The movement again drew on the global in the participation of Dakxin Bajrange (a DNT activist based in Ahmedabad) and Ganesh Devy in the World Social Forum in Mumbai in 2004, and then again in the invitation they received in February 2007 to present at the United Nations Education, Scientific and Cultural Organization in New York City. Their presentation at the UN was followed by a 2-day symposium at Georgetown University, organized under the theme of Liberation Movements and the Neo-Liberal World Order (see [http://www8.georgetown.edu/departments/english/lannan/symposiumfestival\\_wmm.htm](http://www8.georgetown.edu/departments/english/lannan/symposiumfestival_wmm.htm)). During this literary conference, they joined writers and activists from the USA, South Africa and Ethiopia to engage the legacies of colonialism and explore possibilities for transnational dialogue.

These moments presented an important site of organizing. Yet, it is imperative to emphasize the priority the DNT-RAG places on the national scale. Its activism does not exemplify a "globalization from below" or a subscription to a transnational public sphere. Rather, the DNT-RAG has made a very deliberate use of scale, decidedly focusing its efforts on the central Indian government to further the elusive rights of DNT populations. Ganesh Devy argues this is an essential strategy because:

The remoter the sight of injustice, the greater the scales of justice. Now, the state government has Members of the Legislature (MLAs) who know these communities as their day-to-day reality. And so to change their minds, it is more difficult. But when the central government decides, it becomes law, [and] things become easier. You have to have a legal instrument to fight the injustice. Then the fight can be done at the state level... Because the state government is more insensitive when it comes to social justice... When it comes to justice, ethics, and, you know, the states have a very low caliber. The central government is slightly better there (interview, 18 November 2009).

There is much ground to question Devy's claim that the central Indian government in New Delhi is somehow more responsive to the issue of DNT rights and welfare. One could well argue that all levels of government remain deeply ambivalent about (if not enable) the systemic exclusion of DNT groups. These issues will be interrogated in due course. In one respect, it is important to realize that much of Devy's work (within the DNT-RAG network) is based in Gujarat. His testimony thus needs to be understood within the socio-economic landscape of a state that functions as a laboratory for aggressive experiments in economic liberalization (Gidwani 2008) and in the consolidation of a muscular *Hindutva* or Hindu nationalism (Corbridge and Harriss 2000). In Gujarat, the forces of state-sponsored ethno-nationalism and liberalization intersect to violently undermine minority rights (as witnessed in the 2002 pogrom in Ahmedabad).<sup>7</sup> The purpose of the DNT-RAG was to unite disparate struggles throughout India, and other members of the movement, working in different states, share the value of pressing the central government. However, the success of the DNT-RAG in accessing the corridors of political power—a critical component of their accommodation politics—may

be dependent on the political configuration of the governing United Progressive Alliance (UPA) party in New Delhi.

In targeting the current UPA government, the movement reaffirms the primacy of the nation state as the dominant frame within which to assert DNT rights and press for their accommodation in the structures and laws over which the national government retains sovereignty. This represents a tactic that takes up Jim Glassman's (2002) sense that nation states remain the central mechanisms regulating global markets and policing national populations. Nancy Fraser asks, "Can the ideal of inclusive, unrestricted political communication still play a critical, emancipatory role in the present era, when publics no longer coincide with territorial citizenries, economies are no longer national, and states no longer possess the necessary and sufficient capacity to solve many problems?" The DNT-RAG certainly hopes that it can, presenting as it does one site where justice is being pursued territorially and not within the unbounded space of a transnational civil society.

The DNT-RAG is not working toward the realization of universal human rights. The movement has made limited use of various international treaties, such as the United Nations' Declaration of Human Rights (1948), the Covenant on Economic, Social and Cultural Rights (1996), or the Covenant on Civil and Political Rights (1996)—to which the Government of India is a signatory nation. Embodying Hannah Arendt's (1958) argument that global human rights represent the weakest form of rights, the DNT-RAG has staged limited appeals to the universal. For Arendt, human rights are always dependent upon national rights framed within the territoriality of nation states. This figures a deeper critique of global human rights discourse. Talal Asad (2000) takes issue with the way universal rights are defined and put to work, whose language assumes a global formula that veils the "universalizing moral project of America" and its "project of redeeming the world". Accordingly, universal human rights are intimately shaped by Western norms, and are arguably a primary artery through which to sustain the project of American empire. Asad brings a sharp critique not to the need for a universal ethic but to who and who does not get to define and mobilize what constitutes the universal. Asad argues that global ideals are not the most appropriate means for fighting injustices, and as such, we must (re)turn to national rights informed by the cultural and historical contingencies of sovereign nation states.

Rather than invoking the ideal of the universal, the DNT-RAG attempts to negotiate the accommodation of DNT populations within the rights and subject categories already defined in the Indian constitution. As Spivak argues in describing her work with Mahasweta Devi:

It is not a question of resituating anything. Those laws have been in existence in the 1947–49 Constitution and then the denotification of 1952. It is not really anything of subject-forming importance, it's an agency question, a validation that already exists. We have to be able to distinguish between law and justice although there isn't a strict distinction but it's a relationship without relationship, if you like, between ethics and politics. What we are talking about is the calculus of politics (Bhasha 2000:10).

The DNT-RAG does not seek to assert the humanity of DNT groups independent of the administrative and legal structures of the Indian state. The movement has

made use of the global but concentrates its activism on the central government because it maintains that while it remains the greatest violator of DNT rights, it also retains the sovereign power to enact national rights and enforce them under the rule of law. The movement thus realizes what Asad describes as the “divergence between the moral authority of norms and the political force of state laws”. The DNT-RAG refocuses the constitutive power of the political, which is to say the ability of state agencies to function as mechanisms for social justice. The state maintains the authority to determine whose rights are and are not to be protected.

The DNT-RAG is keenly aware not only of the critical importance of new legislation but also accessing existing mechanisms in the Indian constitution, such as Articles 342 and 366, which, at the time of independence, defined the country’s Scheduled Tribes and enshrined the state’s obligations to further their socio-economic improvement and political inclusion. This, then, is part of an elaborate developmental and rights-protecting apparatus meant to make special provision for specific populations in India in terms of education, livelihood, representation, and protection from violence, along with a plethora of social welfare schemes coordinated by Tribal Developmental Authorities and various planning agencies. It is a belief in the power of the central government over institutional structures that has prompted the past decade of activism staged by the DNT-RAG. This is a movement pressuring state actors to fulfil their constitutional responsibilities by providing meaningful accommodation to DNT populations within the structures of formal governance. I now turn to the scope and limits of the movement’s dialogue with state agencies.

## **Dialoguing the State and Organizing Politics**

The DNT-RAG began its engagement with the central Indian government by submitting a petition to India’s National Human Rights Commission (NHRC) in 2000. “It was only accidentally that I read about the NHRC in India”, observed Ganesh Devy, “which was, at that time, fairly new. After reading that an agency like [the] NHRC exists in India, I decided to write to them. Mahasweta Devi’s reputation as a writer helped us in getting an appointment.” Devy wrote in the hopes of drawing attention to the plight of DNT groups across the country, and urged for action to be taken to address specific instances of state violence, along with the widespread denial of these communities’ constitutional rights. After a meeting with the director of the NHRC in New Delhi, the DNT-RAG was invited to form an ancillary body to draft a report, which was eventually forwarded by the Commission to the Indian Ministry of Social Justice and Empowerment. The NHRC was moved by the appeals of the DNT-RAG, concluding that:

The continued plight of these groups of communities . . . is an eloquent illustration of the failure of the machinery for planning, financial resources allocation and budgeting and administration in the country to seriously follow the mandate of the Constitution (Bhasha 2006:132–133).

The DNT-RAG secured further support from the National Commission to Review the Working of the Constitution, a governmental body designed to study the

effectiveness of the Indian constitution. Released in 2002, the Commission's findings made specific reference to the dismal living conditions of DNTs, and drew attention to the fact that while a number of programs have existed to "rehabilitate" these populations, state agencies have done precious little to implement and carry out any concrete planning. It urged the Ministry of Social Justice and Empowerment to work in partnership with DNT advocacy organizations to formulate constitutional protections and specific social welfare programs.

The pressure exerted in both instances prompted the formation of yet another state body in 2004, the National Commission for Denotified, Nomadic and Semi-Nomadic Tribes (NCDNSNT). Charged with producing specific policy recommendations for the central government, the mandate of the NCDNSNT seemed promising. In six short years, the DNT-RAG had succeeded in moving the state to launch an official investigation into the living conditions of India's many DNT populations. Regrettably, the Commission was constrained in several important respects. It took over a year for a chairperson to be appointed, a state of affairs exacerbated by the fact that no technical staff were provided, and there were many further delays in securing basic administrative facilities: office space, electricity, telephones, etc. Very little effort was made to establish a functioning body with the personnel and resources necessary to carry out the objectives laid out for the NCDNSNT. "For one year", lamented Ganesh Devy, "the Commission remained non-functional because they created a commission but they did not appoint anybody. So in 2006, I met with the Prime Minister, with Mahasweta Devi, and then ten days later they appointed a person to chair the Commission" (interview, 18 November 2009).

The ability of Ganesh Devy and Mahasweta Devi to secure an audience with Indian Prime Minister, Manmohan Singh, is unusual. The encounter speaks directly to the influence of those leading the movement, along with the kinds of expertise necessary to access the innermost corridors of political power in the country. The issue of leadership and the role that prominent cultural figures play in social movement activism in India is fraught with politics. On the one hand, social movements often galvanize around the need for equitable development and the political inclusion of the disenfranchised. There are well founded anxieties that particular actors occupy positions of authority only to re-inscribe inequity. While poverty alleviation, empowerment and democratic processes remain the guiding words of progressive organization, institutions often do little to disrupt ensconced hierarchies shaped by class, caste and gender politics. As Richa Nagar and Saraswati Raju (2003) argue, these dynamics can sometimes be ascribed to the fact that the greater agency afforded to developmental agencies and movement organizers typically lead to their professionalization. This can have serious ramifications within organizations themselves, who reproduce exclusionary practices that obscure the possibilities for genuine equity and empowerment (see Sangtin Writers and Richa Nagar 2006).

This raises concerns over the kinds of silences embedded in the organizing staged by the DNT-RAG. There are selective mobilities that enable particular individuals to occupy positions of authority within the movement, and by proxy a host of exclusions that inform who and who is not positioned to represent the hopes,

aspirations and objectives of DNT groups. Devy and Devi are among a small group of elites orchestrating the DNT-RAG. Its activities, however, are not simply directed through the decisions of an elite leadership, but rather coordinated through a capillary network of research institutions, local people's associations, and non-governmental organizations, such as Muktidhara in Alwer, Sarthak in New Delhi, and Bhasha in Baroda (to name only three). "There are [a] large number of people involved here", Ganesh Devy argued, "in Hyderabad, Bangalore, Pune, Chandigarh, Uttar Pradesh, Delhi, there are many organizations active. If one were to make a list of these organizations, it can easily run up to 150 to 200" (interview, 18 November 2009).<sup>8</sup> In orchestrating a national movement, members of the DNT-RAG each bring their own histories of solidarity work grounded in local politics.

Orchestrating such a movement in India is no easy task. Consider that the DNT-RAG identifies 198 DNT populations, which are situated in relation to the 645 Scheduled Tribes recognized in the Indian constitution. Given the staggering social heterogeneity of DNT groups, the organizing efforts of the DNT-RAG have necessitated a transcultural politics. The movement has had to strategize around what David Featherstone (2005:263) identifies as the "prison-house of particularism" that often curtails the ability to imagine and enact solidarity across difference. The DNT-RAG thus forms a network that attempts to assert a mobile politics that is flexible but geographically and historically specific. This resonates with Vinay Gidwani's (2006:18) interest in tracing the connections that are possible "between different disenfranchised without absencing geography and summoning a 'democracy for the multitude'". For Gidwani, meaningful solidarity is only possible to the extent that heterogenic struggles are united in asserting their subalternity and by transmitting their "imprint and stain on other places through links and flow that crisscross regions, countries and continents".

It is further salient that the leadership of the DNT-RAG possesses the *savoir-faire* that enables them to legitimize and circulate DNT struggles within the knowledges of the state and literary cultures. As Mahasweta Devi (1995:xvi) notes:

I've been doing this for many years. I write these days for *Frontier*, and even for *Economic and Political Weekly*, and I have been doing a regular column contribution to Bengali dailies since 1982. Wherever there is exploitation, I report it immediately. I write directly to the pertinent ministerial department. I send a copy to the area, they make a mass-signature effort and go to the local authority. Each minister has one to two hundred of my letters. I think a creative writer should have a social conscience. I have a duty toward society. Yet I don't know why I do these things. This sense of duty is an obsession . . . And this journalistic exposure is very necessary. The government officials admit that they are afraid of me. What will I write next?

Devi reveals how powerful public figures can be put to work to exert pressure on state actors. Beyond showering ministers with petitions, it was only the personal reputations of Devi and Devy that enabled a meeting with Prime Minister Singh, and thus opened up an important opportunity to discuss the conditions of India's DNT communities. Moreover, I suggest that members of the DNT-RAG have been "given the right" (and responsibility) to represent precisely because they are entrusted

to critically engage with the machinery of the state on behalf of DNTs. As Spivak narrates:

It is true that they [adivasis] were calling Mahasweta Devi “Mother”, and comparing her relationship to them to Bapuji’s [“respected father”, the name used to describe Gandhi] relationship to the Indian Harijans. Now you and I know how to read this narrative partially... but at the same time this is a kind of giving the right to represent, in *loco parentis*, as much as parliamentary elections are, as, technically, *primus inter pares*, though that is, of course, never ever true. I, myself, find it exceedingly strange that so-called activists always talk about this speaking for business as if parliamentary democracy is the best model of identification. They have forgotten the noble and careful act of speaking about, informing, knowledge as descriptive information. Although the petition [to the UN] begins that way, I have no hesitation signing it because we have been chosen to agitate for those whose agitation was foiled by our kind (Bhasha 2000:8–9).

This leadership thus represents one potent channel through which action is coordinated on a national (and international) scale. It was the collective know-how and resources of the DNT-RAG that made possible the movement’s persistent correspondence with state officials in New Delhi just as the National Commission for Denotified, Nomadic and Semi-Nomadic Tribes languished. In response to the Commission’s lethargy, Ganesh Devy and Mahasweta Devi were successful in prompting not only the appointment of a chairperson but, more significantly, the appointment of the DNT-RAG’s membership as a special advisory council, which resulted in the formation of the Technical Action Group (TAG) in 2006. The TAG was authorized by the central government to obtain any information from state agencies deemed necessary to support the work of the NCDNSNT, and the coalition seized the opportunity to press forward in preparing its own report for the union government.

## **State Amnesia and Counter Counting**

Members of the TAG were intimately familiar with the issues affecting DNT communities, and they certainly possessed the expertise to report these conditions. But in preparing its findings for the Ministry of Social Justice and Empowerment, they faced a daunting challenge, as there is no existing numeration of these groups in India. This absence stems from the fact that this is a population category untracked in the country’s national census. Further, many DNT populations maintain various itinerant activities and are typically excluded from sample surveys as they reside and move across state boundaries in the most isolated areas of the country. This lacuna poses serious difficulties for the DNT-RAG in their efforts to produce the kind of technical knowledge recognized by state institutions. The DNT-RAG was successful in 2000 in prompting the National Human Rights Commission to extend an invitation to state secretaries to New Delhi in the hopes of bringing critical awareness of the conditions experienced by DNTs. The Commission went as far as issuing a judicial order directing all state governments to submit lists of the DNT populations present within their respective administrative territories. The subsequent response was disheartening. “Except for three states”, lamented Ganesh Devy, “all other states denied having any DNT populations at all” (interview,

18 November 2009). Devy's exasperation highlights the state amnesia that denies the very existence of a population category—a tactic to circumvent the responsibility to provide social welfare. By and large, DNTs are unrecognized and uncounted.

DNT populations have long had an opaque visibility within the classifications of the independent Indian state. The first comprehensive effort to map the ethnic groups interned under the Criminal Tribes Act of 1871 was made in 1939 under the auspices of the CTA Enquiry Committee. This was a state body established to survey detained Criminal Tribes in the Bombay Presidency and to recommend policies that would guide their assimilation into mainstream Indian society. Attempts to map DNT groups were again made by the Antrolkar Committee of 1950. The Committee not only catalogued populations but also made a number of recommendations it deemed necessary to ensure their "rehabilitation" following the official decriminalization of DNT groups in the early post-independence period. Regrettably, neither the national nor state governments in India formally ratified the Committee's classifications or adopted its recommendations. One important effect of this absence was that DNTs—as an administrative category—were not recognized in the writing of the Indian constitution. This resulted in their exclusion from various measures instituted by the Nehruvian state, most notably India's extensive reservation system—the country's version of affirmative action that makes special provision for recognized Scheduled Tribes (ST), Scheduled Castes (SC), and Other Backward Classes (OBC).

This is not to say that all DNT populations have remained excluded from governmental structures. Rather, what has emerged across India is an incredibly complex and convoluted matrix wherein the governance of DNTs varies dramatically from one state to the next. In certain states, DNTs are administrated within ST categories, in others as SC or OBC, and elsewhere excluded altogether from the reservation system and related social welfare programs. Never having been governed as a uniform population category, DNTs often struggle without a legal claim on the resources of the state. Many have thus remained disproportionately vulnerable to landlessness, bonded labour, violence, maternal mortality, caste violence, hunger and disease (Devy 2006; FoodFirst Information and Action Network 2008; United Nations 2007a, 2007b). "The state and country both", argues Ganesh Devy, "are trying to forget that there is a category called DNT... DNT is a category that in the official practice, the government is trying to brush aside or forget" (interview, 18 November 2009).

A key strategy of the DNT-RAG has been to establish the visibility of DNT as a legitimate population category. Following the unwillingness of state governments to comply with the judicial order of the National Human Rights Commission in 2000, activists took the issue to the Ministry of Home Affairs, the agency responsible for conducting India's national decennial census. It argued for a mechanism to be included in the 2011 census that would enable the identification of DNT groups. Their request was denied. In 2006, now working under the mandate of the NCDNSNT, the TAG suggested that DNT populations could be identified by appropriating existing statistics. It suggested that nomadic and semi-nomadic populations could be established by using data collected in the 1931 census (the last time caste was counted in British India), while DNT groups could be

identified by utilizing the classification schematics produced (but never ratified) by the Antrolkar Committee of 1950. This represents the calculated appropriation of colonial statistics—the classifications grids that facilitated the repressive policy apparatus of the Criminal Tribes Act during the late nineteenth century. The DNT-RAG thus attempts to redeploy the instruments of colonial biopolitical power to press for the accommodation of DNT populations within structures of governance and India's existing rights-protecting systems. Such tactics reflect an awareness that democratic politics in India depend upon producing knowable populations through various techniques designed to ensure the control, security and prosperity of mapped populations (Burchell, Gordon and Miller 1991; Chatterjee 2004; Foucault 2007). The DNT-RAG realizes that the legitimacy of DNTs—as an administrative category—must be recognized by the Indian state in order to secure their access to critical resources and lawful protections.

The DNT-RAG argues that the numbers of DNTs can be ascertained by estimating projected growth rates over time, establishing their proportionate percentage of the overall national population. This mirrors the methodology used by the Mandal Commission to institute constitutional quotas in India's reservation system for Other Backward Classes in the late 1980s. The DNT-RAG estimates a national DNT population of 60 million people composed of 198 distinct ethnic groups. In the absence of more accurate figures, it is not surprising that a key demand of theirs has been a national survey to construct a clearer demographic profile of these heterogeneous social groups. The DNT-RAG focuses on producing the kind of technical knowledge through which to apply pressure on state agencies, which possess an unrealized and (what some would argue) purposeful misunderstanding of DNT populations. Their efforts can thus be read as an instance of counter counting.

The TAG submitted their report to the central government's Ministry of Social Justice and Empowerment following the failures of the NCDNSNT to produce its own findings at the end of its tenure in 2006 (Bhasha 2006). The TAG's objectives were to not only establish the visibility of DNT as a viable administrative category but also outline a "road-map" for DNTs' long-term socio-economic security. Initially, the TAG pressed for the Commission's recommendations to be included in India's 11th Five Year Plan—the country's latest macro-economic planning strategy, which was instituted in 2007. They were unsuccessful. That said, the report produced by the TAG is a remarkable document.<sup>9</sup> At 446 pages, it is an archive chronicling an extensive activist history. It interrogates the legacy through which *adivasi* groups were transformed into criminal populations, the colonial strategies that devastated their local economies during the nineteenth century, and the reincarnation of repressive policy in the post-colonial period. It summons the various committees formed since the early independence period to study the governance of DNT groups, and attempts to untangle the convoluted manner with which these populations are and are not administrated across state boundaries and subject categories. The TAG attempted to translate DNT struggles into a planning document by articulating 353 policy recommendations it deems critical in furthering justice and equitable development for DNT populations.

In brief, the report argues for bringing DNTs under the protections of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act of 1989, establishing constitutional quotas in existing ST and SC reservation categories, the abolition of bonded and child labour, numerous social welfare programs in the realms of housing, education and employment, along with the immediate repeal of the Bombay Habitual Offenders Act and all related area restrictions that continue to constrain the mobility of individuals. The report also argues for a series of new laws to secure DNTs' access to forest and grazing lands, a mechanism to ensure the local delivery of social welfare programs, the provision of recognized identification in the form of ration and voting cards, birth and caste certificates, as well as the revision of police training and a public awareness campaign to disrupt ensconced discrimination. The TAG urged the central government to make an official public apology to address the historic injustice that DNTs have been subjected to, and to guarantee the provision of welfare programs over the next 50 years. The coalition has thus lobbied the state in an effort to dismantle the social, institutional and economic barriers that reproduce inequity, injustice and discrimination—the structures that continue to circumscribe the inclusion of DNTs in the nation state. In doing so, it is the state itself that is positioned as a site of struggle, a key battleground to right the wrongs perpetuated against DNT communities. This struggle for inclusion by the DNT-RAG is what I describe as accommodation politics.

## **Accommodation Politics**

The DNT-RAG submitted its findings to the central government in 2006, and there its report has marooned. The Ministry of Social Justice and Empowerment has not acted on any of its recommendations. As the term of the NCDNSNT expired, the TAG disbanded as an official advisory body. Members of the DNT-RAG remain resilient, and are now calling for further mobilization to hold state agencies and elected officials accountable to promises of accommodation:

Ganesh Devy: There was nobody there in 1998 when we started the Rights Action Group. Nobody had thought of the DNTs, but in ten years time to get so many organizations interested in it, to get a national commission setup, to prepare a report, to get the Prime Minister interested in the issue. I have spoken to Manmohan Singh twice on this issue, and he knows that such an issue exists. I think it's a long way we have come... So now that the [2009 general] elections are over, it is time for people to mobilize once again to ask for the implementation of the TAG report... Somebody will have to do it, and that's where, if there is a good rapport with the government, the government is willing to act but a little push is needed... This report will go to the parliament, and when the parliament accepts the report for implementation, it then becomes obligatory for all state governments to adhere to those guidelines (interview, 18 November 2009).

Devy intimates that the DNT-RAG has accomplished much in a relatively short period of time, and the coalition remains committed to a methodical, patient dialogue. The introduction of the movement's report to the Ministry of Social Justice and Empowerment can itself be read as a performative act that opens up the possibility to prompt significant change. It has furthered the conversation within a formal political arena, which has the potential to get policy makers and

senior politicians thinking and acting on the issues. In writing about the possibilities of dialogue with state agents, Arjun Appadurai (2004:78) reminds us that, "Not all these promises may be kept (or even meant) but they change the climate of negotiation, place certain commitments on public record and produce a common terrain of aspiration."

In attempting to change the climate of negotiation, the DNT-RAG deploys an oppositional politics increasingly common in India. Rather than organize to confront state power, the movement has opted for what Appadurai (2002:22) describes as a "politics of partnership" that establishes working rapport with various branches and levels of government. It thus contributes to a distinct modality of politics, guided by a coalition of prominent cultural figures who, according to Ananya Roy (2009:163), can function as "mediating institutions" to bridge problematic relationships between state actors and the poor. In describing accommodation politics elsewhere in India, Roy argues that by appropriating the "technologies of governing" such institutions and individuals can work the disenfranchised into the state's decision-making processes and thus contribute to new forms of governance.

Caleb: Do you see your work as mediating between DNT communities, adivasis and the state?

Ganesh: I see myself as belonging to the adivasis and DNTs. Belonging to the tribals and DNTs, and talking with them [and] to the government. But I'm not a trade unionist, because if you are a trade union person, then you have some compulsions to keep the unity, and so on. I am not terribly worried about the unity among the DNTs. I am more worried about justice. And I still have some faith in the structural means of delivering justice. I have not lost all faith. I have lost a lot in it, but not entirely. I am not an anarchist and I am not a Maoist. But I am pro-poor, pro-STs and DNTs, talking with them to the government, raising their voice, mobilizing them, but not unifying them into a party because I have no will to power... But I know that DNTs require justice. They need justice and in the process of giving justice, they should not be created as another destructive force, violent force. So, the work has to be done non-violently. Not in a submissive manner, one has to be outspoken, go to the government, bring people together, shout for this and all that. But violence should not be the basis of one's politics (interview, 18 November 2009).

Devy reveals many characteristics that constitute an accommodation politics, namely, the non-alignment with established political parties, a distancing from working class ideology, and a priority placed on non-violence as the guiding rationale for social movement activism. What is striking about Devy's testimony is a continued (albeit increasingly tenuous) belief in the institutions of liberal governance and the structural means of delivering constitutional justice for DNTs in contemporary India. This is not a violent confrontational politics, nor even the desire to unify DNT communities into a movement with the objective of capturing elected offices. Rather, while critical of state practices, the DNT-RAG positions itself as a mediator between DNTs and state organs. Critically, its accommodation politics pivots on specific demands for inclusion within the subject categories, as well as the legal and administrative structures that are lawfully equipped to protect minority rights and provide for socio-economic improvement.<sup>10</sup> Accommodation politics

thus attempt to recalibrate the mechanisms of state power, in this case, negotiate visibility within existing governmental logics and systems through which DNT populations can gain access to resources and constitutional protections. As I have argued, the DNT-RAG has strategically targeted the central government because it is considered the most effective site to transform the structures that render DNTs subaltern.

It remains ambiguous, however, whether or not the Indian state will in fact translate the recommendations of the DNT-RAG into concrete legislation. As one reviewer of this article keenly observed, “New commissions are formed, yet more reports are produced, a politics of accommodation enacted, and the state continues to chug along as is” (Email correspondence, 25 February 2011). It may be too early to measure the effects of the DNT-RAG’s accommodation politics, but the movement draws on Ganesh Devy’s realization that, “What was created over [a] hundred and forty years will take at least forty years to set right. But I am very sure that a new Act will come for the DNTs in this country. Their numbers are in their favour” (interview, 18 November 2009). While the policy successes of the DNT-RAG have been limited, the movement managed to prompt the central government to formally recognize a number of *adivasi* languages. This led to India’s Planning Commission instituting funding opportunities designed to promote the cultural activities of DNT groups. As a scholar of post-colonial literature, Ganesh Devy is sensitive to how the support of (rapidly disappearing) *adivasi* languages and dialects represents an integral part of strengthening cultural systems. This reflects the emphasis that the DNT-RAG places on culture as a site of politics and resistance.

Devy also speaks not only to the pragmatism of activists but also the sense of hope that drives the movement’s patient engagement with state agents. “Bearing witness to spaces of hope”, argue Ben Anderson and Jill Fenton (2008:76), “involves thinking of ordinary, quotidian, life as not-yet-become”. The DNT-RAG press for a future it hopes is on the horizon. It hopes that Prime Minister Singh was genuine when, in a conference held in November 2009 with India’s state Chief Ministers, he testified on public record that there has been a “systematic failure” to include *adivasis* in the country’s accelerated economic growth. Prime Minister Singh suggested further that, “The alienation built over decades is now taking a dangerous turn. We must change our ways of dealing with tribals. We have to win the battle for their hearts” (quoted in *The Times of India* 2009). How does the Prime Minister plan on “winning the hearts of tribals”? The signs are not particularly hopeful and there is an urgent need to seriously interrogate his government’s commitments. PM Singh’s words shortly followed the union government’s unleashing of Operation Green Hunt, a massive counterinsurgency campaign operating under the rhetorical cover of eradicating Maoist insurgents in east-central India. The Operation has led to the rapid militarization of the region—India’s “tribal belt”—representing an escalating civil war between the Central Reserve Police Forces, *adivasi* communities, and the recruits that form the rank and file of the People’s Liberation Guerilla Army of the Communist Party of India (Maoist).<sup>11</sup>

The dichotomy here reveals the Janus face of the Indian state and its key actors, such as PM Singh. While parts of its machinery appear willing to dialogue with prominent cultural figures, state actors continue to violate DNT rights and remain

unmoved in a substantive way by the welfare of historically vulnerable populations.<sup>12</sup> The DNT-RAG nonetheless continues to hope amidst a rising conflict and the dire living conditions experienced by many DNT communities across the country. “[H]opes are mobilized and modulated to continue relations of suffering or loss”, remind Anderson and Fenton (2008:79), “hopes can sustain valued ways of being or herald, however faintly, alternative better ways of being”. It is the possibility for a “better way of being” that sustains the DNT-RAG. One can only hope that the central government will engage this coalition and take seriously its appeals for equitable accommodation for India’s 60 million DNTs. For that future, they continue to wait.

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## Endnotes

<sup>1</sup> *Adivasis* are widely considered to be India’s indigenous peoples, who collectively represent a vast heterogeneous social field spread out across language, custom and geography. According to the 2001 census, Scheduled Tribes—those groups whose indigenous identity is recognized and counted by the Indian state—represent approximately 8% (or 84.3 million) of the national population. I am aware that the classification of *adivasi* is problematic. In using the terminology, I draw on the efforts of those who utilize the category to construct a national politics forged out of difference—what Spivak (1988:205) describes as strategic essentialism.

<sup>2</sup> The CTA was the legal apparatus that granted arbitrary powers of arrest whereby the colonial state notified, registered and interned 198 populations suspected of criminal or subversive activities in British India. As a system of preemptive security, it dictated that anyone with blood relations to either a convicted felon or someone already registered in the CTA could be notified. Once brought under the legislation, “normal” rights and due process were suspended; the courts had no jurisdiction to challenge the decision of state officials, nor the conditions of incarceration. The CTA instituted different forms of spatial restrictions wherein Criminal Tribes were compelled to notify authorities if changing residencies, present themselves to the police at regular intervals, and adhere to a pass system. The CTA permitted the forced settlement and relocation of ethnic groups to reformatory and detention colonies. These took either one of two forms: agricultural settlements or industrial labour camps. These colonies were decommissioned in 1952, five years after formal independence, and their populations were “denotified” by Jawaharlal Nehru and renamed as India’s *vimukta jatis* (liberated castes).

<sup>3</sup> Mahasweta Devi is a major literary and activist figure in India. As both a creative and investigative writer, she has an impressive list of publications. For many decades, Devi has worked in solidarity with *adivasi* communities across eastern India. She has won many major awards, including the 2006 Padma Vibhushan (the second highest civilian award of the Government of India), and the 2011 Banga Vibhushan (the premier decoration of the Government of West Bengal).

<sup>4</sup> Ganesh Devy is a distinguished professor of literature at the Dhirubhai Ambani Institute of Information and Communication Technology in Gandhinagar, Gujarat. He is the founding director of the Tribal Academy in Tejgadh. Devy has published several books based on his collaboration with *adivasi* groups, and has received various awards (Sahitya Akademi, SAARC Writers’ Foundation, Prince Claus, Durga Bhagwat) in recognition of his extensive activist and literary work.

<sup>5</sup> This was followed by a similar petition filed by Laxman Gaikwad in 1998 in the Bombay High Court following the custodial murder of Pinya Hari Kale, a landless agricultural worker and DNT belonging to the Pardi community in Maharashtra.

<sup>6</sup> Spivak's involvement with the DNT-RAG grew out of her work with Mahasweta Devi and the training of community educators with Kheriya Sabars in West Bengal.

<sup>7</sup> It would be misleading to suggest any clear relationship between DNTs and the foot soldiers of the Sangh Parivar. There are, however, documented cases of *Hindutva* activists attempting to radicalize DNTs by exploiting caste/class divisions during periods of communal violence (see Devy 2006).

<sup>8</sup> The politics of NGO work is not the focus of this article. Nevertheless, it is important to note how the work of the DNT-RAG is intimately related to an extensive network of NGOs. One prominent example is the Bhasha Research and Publication Centre based in Baroda, Gujarat, of which Ganesh Devy and his wife are founding members. There are close interrelations between many organizations and the movement, which blur the flexible boundaries between developmental politics and social movement activism. Given the important awareness that many such institutions do little more than reproduce caste and class inequities, there is much ground to be critical of NGO work and the NGOization of development in India (see Fowler 1994; Harris 2001; Hulme and Edwards 1997; Ray and Katzenstein 2005).

<sup>9</sup> This report is available at: <http://www.bhasharesearch.org.in/Site.html#id=DNT%20RAG>

<sup>10</sup> This apparatus would include various policy initiatives, including the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006. The Act means to affirm the customary rights—use and access—of *adivasis* over ancestral forested lands. Further legislation is the National Rural Employment Guarantee Act of 2005. As a flagship program of the union government, the Act ensures adult members of rural households 100 days of paid employment (at 100 rupees per day) in a range of public work projects. We can also include the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989. This institutes a number of affirmative measures for *dalits* and *adivasis*. It defines those acts that constitute atrocities: dispossession of land, acts of public humiliation, depositing of waste, voting intimidation, malicious prosecution, acts of physical (especially gendered) violence, and the discrimination of public officials. Such measures figure an immense developmental and rights-protecting apparatus that has existed since the early independence period.

<sup>11</sup> For an in-depth consideration of this conflict, see Asian Indigenous & Tribal Peoples Network (2009), Balagopal (2006), Bhattacharyya (2010), Das (2009), Datta (2010), Guha (2007) and Roy (2010).

<sup>12</sup> In addition to the conflict in east-central India, there have been many failures to implement policy designed to protect vulnerable populations and ensure their access to state resources. The Provisions of the Panchayats Act of 1996 have not been ratified by state governments. The implementation of the NREGA remains extremely uneven across the country. The National Commission of Scheduled Tribes has never asserted its independence from the Ministry of Tribal Affairs, and thus failed to work with the enormous powers mandated by the Indian constitution to investigate the violations of rights and ensure the implementation of constitutional provisions. The effectiveness of the Prevention of Atrocities Act has been limited, characterized by an abysmally low conviction rate and a long backlog of pending cases. Moreover, the Habitual Offenders Act of 1952 has not been repealed, nor amendments made to the much-maligned Armed Forces (Special Powers) Act of 1958. This is despite the express concern of civil rights attorneys, DNT activists, as well as the United Nations Committee on the Elimination of Racial Discrimination (United Nations 2007a, 2007b).

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