

Routledge New Horizons in South Asian Studies

THE DYNAMICS OF CONFLICT AND PEACE IN CONTEMPORARY SOUTH ASIA

THE STATE, DEMOCRACY AND SOCIAL MOVEMENTS

Edited by
Minoru Mio, Kazuya Nakamizo and Tatsuro Fujikura



The Dynamics of Conflict and Peace in Contemporary South Asia

This book engages with the concept, true value, and function of democracy in South Asia against the background of real social conditions for the promotion of peaceful development in the region.

In the book, the issue of peaceful social development is defined as the conditions under which the maintenance of social order and social development is achieved – not by violent compulsion but through the negotiation of intentions or interests among members of society. The book assesses the issue of peaceful social development and demonstrates that the maintenance of such conditions for long periods is a necessary requirement for the political, economic, and cultural development of a society and state. Chapters argue that, through the post-colonial historical trajectory of South Asia, it has become commonly understood that democracy is the better, if not the best, political system and value for that purpose. Additionally, the book claims that, while democratization and the deepening of democracy have been broadly discussed in the region, the peace that democracy is supposed to promote has been in serious danger, especially in the 21st century.

A timely survey and re-evaluation of democracy and peaceful development in South Asia, this book will be of interest to academics in the field of South Asian Studies, Peace and Conflict Studies and Asian Politics and Security.

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Introduction

*Minoru Mio, Kazuya Nakamizo and
Tatsuro Fujikura*

This volume is an outcome of the symposium held in Kathmandu in January 2018, which was co-organized by the INDAS (Integrated Area Studies on South Asia) project of Japan and Martin Chautari of Nepal under the title of “Peaceful Development of South Asia”. Peaceful social development is defined here in a broad sense as the conditions under which the maintenance of social order and social development is achieved not by violent compulsion but through the negotiation of intentions or interests among members of society. Maintaining such conditions for long periods of time is a necessary requirement for the political, economic, and cultural development of a society and state. Through the post-colonial historical trajectory of South Asia, it has become commonly understood that democracy is the better, if not the best, political system and value for that purpose. Indeed, every South Asian state, including monarchical Bhutan, is now espousing democracy as its principal political value.

While democratization and the deepening of democracy have been broadly discussed in this region, the peace that democracy is supposed to promote has been in serious danger, especially in the 21st century. For example, situations in which a social group has gained hegemonic state power through a democratic procedure and came to suppress minority groups have been widely observed in South Asian countries. Minority people, whether religious, ethnic, gender, socially discriminated, or another kind of minority, as a group or an individual, are often exposed to physical violence. Interference with free speech and the suppression of minority groups’ rights to live or rights to speak by state power have also frequently occurred in this region. Consequently, institutions or values related to peaceful social development have been hindered to a great degree. In addition, discourses and movements of resistance willing to use violent means such as Maoism and Islamic fundamentalism have spread, transcending the framework of states.

This region has been traditionally characterized by diversity and plurality of different social groups in terms of religion, caste, language, ethnic group, race, and so forth. However, the coexistence of diverse communities had been realized mostly within a traditional structure of hierarchy or imperial polity. Only if a community conceded hierarchical authority or imperial power could it be allowed to survive in a social niche. Insofar as the hierarchy or imperial polity was unwavering, pluralism could be comparatively easily realized.

Within a liberal democracy, however, various communities act as interest groups and/or are recognized as having certain political and social rights; as is the case in South Asia, where all communities and social groups compete with each other as equals for legal and constitutional recognition in all spheres of social, political, and public life. Without any clear hierarchy of power or arbitrators, negotiations and interactions among such groups are relatively more troublesome and can create potentially volatile situations (Mahajan 2005: 110). Recurrent violence between social groups and individuals can indeed co-occur with deepening democracy through this mechanism.

To promote peaceful development in contemporary South Asia, democracy itself should be reconsidered in terms of its concept, true value, and function against the background of real social conditions in this region. Deep-rooted thoughts and practical wisdom of coexistence of diverse social groups and communities should also be revisited and reforged to fit contemporary social situations along with the reconsideration of democracy.

While majoritarian tendencies are indeed currently overwhelming democracies in South Asia, strong popular challenges have nonetheless also emerged. For example, following the enactment of the Citizenship (Amendment) Act, 2019 (CAA) by the Indian government in 2019, opposition movements were, in fact, mushrooming throughout India before the all-India lockdown due to the COVID-19 crushed it. The anti-CAA protests are arguably the first major opposition movement and campaign since the inauguration of the Modi government in 2014 at the time of writing. Their main claim is that the CAA initiative by the Indian government comprises a comprehensive attack on Indian democracy, which has for long cherished the values of cultural diversity and religious plurality. An inclusive notion of democracy, in other words, is exactly the opposite of the concept of the 'tyranny of majority'. There are other threats as well, such as the killing of journalists who are critical of the Hindutva (Hinduness) social and political agenda.¹ The anti-CAA protests are thus based on the need for pursuing an inclusive and constitutional understanding of democracy rather than accepting a majoritarian version of democracy. In effect, what is happening in front of our eyes is precisely this fierce battle over how the notion of democracy is to be conceptualized after 70 years of democratic practice in India.

One of the characteristics of current majoritarian democracy is the faith-based majoritarianism. As the Indian cases (discussed in Chapters 1 and 2) indicate, Modi's new strategy (two-sword strategy) is the attempt to combine Hindutva majoritarianism with economic development (Nakamizo 2020: 81–82). Although his main aim is to socially and politically rewire India as a Hindu Rashtra (nation), the aspiration for economic development ('Gujarat model') was one of the important resources that helped gather support from the younger generation and the lower social strata in the 2014 and 2019 general elections. In this sense, economic development served as the glue to draw in elements that were not entirely convinced by or aware of the implications for a 'Hindu Rashtra'. Considering that the global tendency in recent years has involved the combining of neo-liberal economic policies with authoritarian politics, the Indian case should not be treated as an exception nor a surprise. We, nonetheless, need to look into the function of

this new trend and how it is shaping political tendencies towards majoritarianism ever more closely. This book, in fact, aims to examine and explore how several kinds of political fault lines and vulnerabilities within this fast-evolving paradigm are now witnessing a surge in popular resistance movements alongside calls for peaceful development.

With this in mind, we organize 11 papers into three parts to reconsider peaceful development in this region. The first part directly examines the functioning of democracy, especially in India. We also look at problems of inter-communal, as well as state–community, relations in this region with special reference to Muslim communities in a broad sense. The second part focuses on various social movements and the deepening of democracy based on examples from broad social strata and sites of South Asia. The final part specially considers the methods of peace reconstruction after violent conflicts. Through concrete cases of the peace recuperation process, we can witness creative imaginations for future democracy in the region. Key issues and summaries of all parts and chapters are as follows.

Part I Democracy, state, and religion

As a political institution that realizes the values of liberty and equality, democracy has been regarded as a goal to be achieved by many countries. However, severe criticisms have been levelled at the malfunctions of democracy, for example, as James C. Scott strongly states in his work, ‘[p]erhaps the greatest failure of liberal democracies is their historical failure to successfully protect the vital economic and security interests of their less advantaged citizens through their institutions’ (Scott 2012: 19).

In South Asia, democracy is not necessarily highly valued. For example, India, which has maintained a democratic system since its independence in 1947, except for the less-than-two-year emergency period, faces the problem of the tyranny of the majority Hindu community. Nepal, which overthrew royal rule, is struggling to establish stable democratic institutions. Pakistan, which removed a president with a military background from power, is tackling terrorism by dissidents. In Sri Lanka, which ended its prolonged civil war, Tamil and Muslim minorities continue to be repressed. In Bangladesh, Rohingya refugees are living under very tough circumstances, which are caused by the brutal repression of them by the Myanmar government, especially the military and private armies. How can democratic institutions solve these serious problems?

One can first examine the tyranny of the majority, which has persisted along with democracy as a political issue since ancient Greek times. The idea of fundamental human rights and the mechanisms of separation of state powers has been devised over time to protect individuals and minority groups from the tyranny of the majority. However, the concept of rights and the mechanisms to protect them can be trampled on easily by pervasive state power. For example, in India, Muslim minorities are suppressed by vigilante groups such as Gau Rakshaks, who have tacit governmental support and allege that Muslims slaughter cows and eat beef, sometimes only based on rumours. Muslims are lynched in the worst cases. Indian democracy is in crisis.

This crisis is not peculiar to India. The crisis of democracy, especially constitutional liberalism, is taking place in countries that were thought to have established democracies, as evidenced by the election of Donald Trump in the US and the anti-immigrant demonstrations in European countries, which represent a bursting of the dike. This phenomenon, however, can be traced back to the post-Cold War era, though the context is different from the current situation.

Concretely, since the end of the Cold War, new forms of political regimes have emerged mainly from the former socialist bloc, which many scholars have strived to grasp. For example, Zakaria (1997) proposed the framework of illiberal democracy that has open, fair, competitive, and multiparty elections but with no constitutional liberalism, citing cases of countries in Latin America, Africa, and parts of Asia. According to him, '[d]emocracy is flourishing; constitutional liberalism is not' (Zakaria 1997: 23). In the field of authoritarianism studies, Levitsky and Way (2002) proposed a framework of competitive authoritarianism that is situated between full-scale authoritarianism and democracy, citing cases such as Croatia under Tudjman, Serbia under Milosevic, and Russia under Putin (in 2002). According to them, competitive authoritarianism has four arenas of democratic contestation that present the possibility of overturning sitting authoritarian regimes: the electoral arena, the legislative arena, the judicial arena, and the media (Levitsky and Way 2002: 54–58).

This means that the boundary between democracy and authoritarianism is becoming blurred. In this situation, how can we cope with the tyranny of the majority in a democratic setting? In the South Asian and South-East Asian contexts, religious minorities are the focus. Importantly, the states play a crucial role in oppressing religious minorities. In Part I, we deal with the relationship between democracy, state, and religion by analysing the case of the Muslim minority in India, the electoral victory of the Hindu majority in the largest Indian state of Uttar Pradesh, the phenomena of Islamophobia, and the situation of the Rohingya in Myanmar and Bangladesh.

Chapter 1, Nakamizo's 'Democracy and Vigilantism: Spread of Gau Rakshaks in India', debates the recent spate of 'vigilante justice' in India, which is the new form of oppression against religious minorities. For example, vigilante groups such as 'Gau Rakshaks' are enforcing their norms against minorities with violence, although the extent of the violence is less than religious riots. The important thing is that their activities have tacit but strong governmental support, which is quite different from the activities of past vigilante groups such as Ranvir Sena in Bihar. Ranvir Sena, for example, was formed because upper-caste landlords felt insecure as they could not secure governmental support, which was caused by 'state deficit' in 1990s' Bihar.

At the same time, recent vigilantism also has a distinct character in the area of its activities compared to the 20th century. The Salwa Judam in Chhattisgarh, for example, had strong support from the state government, which justified governmental support through several discourses about the need to contain terrorism or to neutralize 'anti-state groups' such as the Maoists. At best, however, the Salwa Judam could be conceptualized as being a type of a local experiment of sorts that was only relevant to the Chhattisgarh state. With the Gau Rakhsha, however, the

violence has been structured around pushing for an all-India type of an identity, which has, in turn, fed new attempts to institute the new type of ‘majority tyranny’ as normal.

In this context, Nakamizo first classifies the type of vigilante groups and then specifies the character of recent vigilante groups such as the Gau Rakshaks. By focusing on Gau Rakshaks, he analyses the recent crisis of Indian democracy, that is, the politics of obedience under the new Bharatiya Janata Party (BJP) system.

Chapter 2, Kondo’s ‘Creating Majoritarian Democracy: Bharatiya Janata Party in the 2017 Legislative Assembly Election in Uttar Pradesh’, also analyses the rise of Hindu majoritarianism from different perspectives and methodologies, that is, by an election analysis. His work is based on solid statistical data analysis and explains the popularity of Narendra Modi, which is quite important for understanding the tyranny of the majority. Kondo specifies two factors that explain the victory of the BJP as follows.

The first factor is the anti-incumbency feeling. This cannot be ignored for the various communities that the previous governments did not attach a greater importance to. The core support communities have been, and are, the Jatav and Chamar in the case of Mayawati’s Bahujan Samaj Party (BSP), whereas in the case of the Samajwadi Party (SP), the Yadav and Muslim. Non-Jatav Dalits, namely, Scheduled Castes/Scheduled Tribes, and non-Yadav Other Backward Classes (OBCs) are said to have not benefitted enough under the BSP and SP governments, respectively. According to the preliminary report of a post-poll survey conducted by Lokniti, the Centre for the Study of Developing Societies, non-Yadav OBCs supported the BJP more than the SP, and a fairly large number of non-Jatav Dalit voters went to the BJP. The feelings of relative deprivation among the weaker sections within the broad categories of Dalits or OBCs can be a reason for their changing their support for political parties in the economically backward Uttar Pradesh.

The second factor is the popularity of Prime Minister Narendra Modi. His popularity among the Hindu cannot be unimportant, since the 2017 legislative election could be understood as a continuation of the 2014 Lok Sabha election. In addition, the propagation of the party’s ideology “Hindutva” cannot be ignored. Several news outlets reported that workers of the BJP and its associate organizations, such as Rashtriya Swayamsevak Sangh, propagated communal discourses among the Hindu. The combination of these factors and other pre-election contingencies, such as a family feud in the SP, seem to have brought about the massive victory of BJP.

Based on these analyses, Kondo concludes that the ‘BJP is depending on “heterogeneous majority”, not “monolithic majority”’. To satisfy these heterogeneous social strata, the BJP government has to assign greater emphasis to its good governance and development agendas, which would make it easy for BJP to pursue its Hindutva agenda.

Then why is this kind of anti-Muslim feeling strong in India? How can we overcome it? Chapter 3, Gottschalk’s ‘Practicing the Right to Indifference: Secularism, Toleration, and Islamophobia’, analyses the emergence of Islamophobia by comparing the case of India with the US and suggests embracing ‘the right to

indifference'. According to him, both India and the US have colonial experience under the British rule and share the specific form of secularism that operates within the rubric of 'toleration'. This toleration, he sharply analyses, allows both for the embrace of certain religious identities as part of a national subjectivity and for the exclusion of others as incompatible.

For example, in the case of India, the British introduced their understanding of the Indian society that views 'Hindu' and 'Muslim' as mutually exclusive species of Indians who are also inherently antagonistic to each other. Importantly, the Indian leaders of the independence movement accepted this stereotyped view. Gandhi's emphasis on 'tolerance' was based on Hinduism, which shows that even the Congress formulated a normative nationalist subjectivity using the 'Indian qualities' most associated with Hindus. In this context, Muslims were supposedly regarded as 'non-Indians who represented a threat', though Gandhi vigorously opposed such views. As in Britain and the US, Muslims and the Islamic traditions were negatively used to define the nation of 'India' by Hindus.

How can we tackle such anti-Muslim sentiment? Gottschalk proposes introducing 'the right to indifference', which is beyond 'a right to difference'. He concludes that '[o]nly when their neighbour and governments practice not "toleration" but this indifference will pluralism be self-determined instead of majoritarian- and state-established'.

Last, Chapter 4, Farzana's 'State and Violence in Burma/Myanmar: The Rohingya Crisis and Its Implication for South and Southeast Asia', extends the analysis of Islamophobia to Southeast Asia. Undergoing the process of democratization, Myanmar still has a strong military presence, which has caused attacks on the Rohingya Muslim ethnic minority by the Buddhist majority in the Rakhine state of Myanmar. Their citizenship has been taken away through constitutional changes and has made the Rohingya stateless within their own country.

This particular structural inequality resulted in much brutal structural violence by the state to suppress the group's right to speak and even the right to live. As reported by the United Nations team, approximately 420,000 Rohingya have been forced to enter into Bangladesh from the Rakhine state of Myanmar since August 25, 2017. As in past forced migration, people are again fleeing to save their lives from arson, torture, arbitrary killing, gang rape, and other grave human rights violations by the military and other security and non-security forces in Myanmar. This situation will soon have regional implications with more refugees coming to India, Malaysia, Thailand, Indonesia, and other parts of the world, many by taking illegal routes, thus leading to human trafficking and social insecurity.

Farzana's article investigates the current situation of the Rohingya crisis and its implications for South and South-East Asian regions. By using the theory of statelessness, it criticizes the state institution that creates a stateless community within its boundary. It argues that as a state, Myanmar again failed to realize that 'state unity' cannot be achieved by violent compulsion; rather, it should be by respecting diversity and coexistence among diverse groups. Apparently, regional organizations such as South Asia Association for Regional Cooperation and Association of South-East Asian Nations have also failed to take actions against Myanmar to stop violence in the Rakhine state. Considering such harsh reality,

she concludes that the consequences of the Rohingya crisis will hinder peaceful development of South and Southeast Asia; therefore, it is imperative to revisit the root causes and find sustainable peaceful solutions to this issue.

As mentioned, these four chapters in Part I make contributions to understanding the current oppression of religious minorities in terms of the relationships among democracy, state, and religion from various approaches.

Part II Democratization and social movements

For the last 20 years, democratization and the deepening of democracy in South Asia have been widely discussed. Various activities by social movements facilitate or hinder democratization in South Asian countries. Anti-discrimination movements by Dalits, women's movements, and various ethnic movements have promoted the political participation of those who had been excluded from the public sphere. In India, Nepal, and other countries, movements demanding anti-corruption and "good governance" have attracted attention in recent years. However, exclusive social movements are also deeply involved in state power and have spread through grassroots support, such as Hindu nationalism in India and Buddhist nationalism in Sri Lanka. At a theoretical level, some take a positive stance in relation to the tradition of civil society and citizens' movements in South Asia and its modern developments, making full use of transnational networks (e.g., Appadurai 2013). Conversely, others argue that in places such as South Asia, only a few elites can participate in 'civil society', while a vast majority of people who are not 'citizens' but 'the population' are targets of the government by the state. Therefore, it is necessary to formulate the concept of democracy afresh from various sites of practices in mass politics, including illegal acts, which are conducted from the position of "the governed" (e.g., Chatterjee 2004). Such problems are also related to the issue of what patterns of sociality and interaction democracy was supposed to entail in post-colonial South Asia (e.g., Hull 2010). In this section, we examine specific cases of social movements from India, Nepal and Pakistan. They involve Dalit and ethnic movements, large-scale philanthropy, and urban cleanliness campaigns. From their different perspectives, they all engage with the issues of civil society and political society, as well as the changing patterns of sociality and interaction in contemporary South Asia.

The first two chapters in this part directly engage with the issue of the interface between the state and social movements. They are interactions between representative and procedural democracies as an institution, on one hand, and social movements that seek to put forth demands that tend to fall outside of the normal procedures of representation, on the other hand. The classical forms of these movements are 'direct action', involving demonstrations, strikes, road blockages, and so forth. However, the two chapters identify new developments in these social movements.

Chapter 5 by Maya Suzuki discusses recent developments in the Dalit movement in India. In particular, she focuses on 'judicial activism' within Dalit movements. With the increase in educational, economic, and political empowerment, there is an increasing number of Dalit activists in the legal profession. This is

true even for the Balmikis, the focus of the ethnography, who have been socially and economically disadvantaged even among the Dalit communities. The new generation of Dalit lawyer-activists say that they are inspired by the great Dalit leader of the 20th century B. R. Ambedkar, who was a lawyer himself. They seek to improve the conditions of Dalits, not necessarily through mass movements, but through filing Public Interest Litigations in the court. Suzuki relates this to a more general tendency of ‘judicialization of politics’ in contemporary India. This tendency has attracted some criticisms, suspecting it of having elite biases. Suzuki’s description of the self-understandings of the lawyer-activists reveals that they feel that they should be ‘role models’ for others in the same community and thus behave as exemplary citizens, forsaking ‘vices’ such as drinking and meat-eating, which are prevalent in the community. This chapter thus engages with the issue of civility and democratic politics mentioned earlier. Moreover, through her ethnography, Suzuki shows that a more classical issue of modernization and sanskritization, raised decades ago by M. N. Srinivas (1969), is still alive within contemporary social movements.

Chapter 6 by Lokranjan Parajuli surveys the trajectories of major social movements in Nepal between 2007 and 2012. With the success of the massive democracy movement and the conclusion of a decade-long civil war in 2006, there was a large upsurge in the number of social movements making demands on the Nepali state. These movements were spearheaded by ethnic and indigenous groups demanding recognition and their share of resources from the state. There were also movements by Dalits and other ‘backward’ classes. There was a Muslim movement. Last, there were movements led by Brahmins and Chettris (Kshatriyas), widely considered to be the dominant members of society, defensively demanding that they too should be recognized as ‘indigenous’ peoples of Nepal. All these movements employed classical protest genres, such as protest rallies, sit-ins, *bandh* (strikes), and *chakka jam* (road blockades). Moreover, all 18 movements that Parajuli surveys were deemed ‘successful’ by the activists themselves. The reason is that all made the government sign ‘agreements’ acknowledging their demands. One might be tempted to explain this using the notion of a ‘weak state’—that is, the Nepali state was weak because it was in a transitional period and had no choice but to yield. However, Parajuli argues otherwise. The agreements that the Nepali state signed were vaguely worded with regard to the core demands of the movements and did not lead to substantial action on the part of the state, while the activists claimed their victory and withdrew the protest activities. The state was not ‘weak’ but ‘clever’. The chapter thus presents a new mode of interaction within the political society in Nepal that does not appear to lead to substantial changes. This should also make the readers wonder how much of the judicial activism in India described in the preceding chapter leads to substantial change or the gaining of only a ‘formal’ victory.

In Chapter 7, Tahir Kamran discusses the life and work of Abdul Sattar Edhi, one of the most prominent philanthropic figures in Pakistan. Edhi, who was born in 1928 in Gujarat, India, established the Edhi Foundation, the largest welfare network in Pakistan in the 1950s. The foundation is a home for more than 6,000 destitute, runaway, and mentally ill people, and it provides free dispensary and

hospital services to over 1,000,000 persons annually. The organization has held the Guinness record for the world's 'largest volunteer ambulance organization', operating a fleet of over 400 ambulances. Abdul Edhi was a thoroughly modern person who brought to the poor and destitute modern medical care for free. Kamran describes how Edhi was influenced by socialist ideologies from his youth. However, Kamran notes that Edhi read Marxist writings alongside the history of Islam. Thus, for Edhi, the history of Islam also showed the struggle between the haves and the have-nots. He found in its history the true reformers who renounced their own comforts and never sought to accumulate wealth on their own behalf. Kamran argues that Edhi's simple lifestyle was that of a Sufi and that the hospices that he created were a modern-day reincarnation of pre-colonial *dargahs* (shrines of saints that also served as hospices). In this way, this chapter engages the debate on civility and civil society in modern South Asia. For Chatterjee, civil society is a notion that is developed in the West and has its ultimate root in Protestant Christianity. It cannot be applied to the vast majority of the world's population, whose subjectivities were formed outside that Western tradition. However, Kamran insists that Edhi embodied the values and the lifestyle of a Sufi. It is by embodying this traditional value that Edhi could transcend parochial religious divides that characterize so much of modern South Asia and become a true humanist. Kamran's emphasis on virtues, such as 'simplicity', associated with Sufism also contributes to the discussion of modes of sociality that are respectable and effective in modern South Asia.

Chapter 8, in a way, ties all the threads of the preceding discussions together, as it engages with the problems of what it means to be a 'citizen' in contemporary India and how those modes of being a citizen entail being 'political' or 'apolitical'. In this chapter, Yoko Taguchi describes a case of citizens' participation in the improvement of the urban environment. She points out that contemporary public-private partnerships are characterized by an emphasis on 'depoliticization' and market-oriented reforms. She argues that this reflects a tension between 'political society' and 'civil society', whereby 'civil society' often decries the corruption and nepotism of 'political society' by upholding the logic of the free market and promoting its own positions as 'apolitical'. This chapter examines the practices and effects of these 'apolitical' politics of citizens in relation to urban space and personhood. She locates the conception of citizen participation within broader middle-class activism in contemporary India. Contrary to pro-poor social movements, this trend has been criticized as facilitating increased control over the city's public space. Criticism of the new middle class in India, in turn, employs the dualism of the 'global' (colonialism and predatory capitalism) and the 'local' (the resistance of the subaltern). Taguchi argues that, within this framework, middle-class urban activism appears to represent the irresistible power of world-class aesthetics and the global logic of neo-liberalism oppressing the local subalterns. However, she argues, when examined closely, practices of civic activism do not fit the dichotomous framework. Through the case study of Mumbai citizens' groups called Advanced Locality Management, she explores how concepts and practices of public and private spaces are negotiated when different realms of power and control are entangled. Taguchi shows that while the new type of urban

development was informed by the ‘global’ notion of the public and private, it was also entwined with the ‘local’ notion of inside and outside. She argues that citizen participation in urban development, despite its apolitical appearance, is a site in which notions of public/private as well as of the sense of self and proper sociality are actively negotiated in contemporary South Asia.

Part III How does a conflict end?

How is the end of conflict attained in a society that has experienced civil war or large-scale violence among groups? In the ‘post-conflict’ society, how are violence and those lost to violence remembered and mourned? How are the illegal acts in the conflict period treated and how are the damages to the victims redressed? In addition, how is a society divided by the conflict restored and reorganized? In the standardized notion of ‘post-conflict’ used by international organizations such as the United Nations, codified according to the perspective of a peace-building intervention, the post-conflict period begins with a negotiated settlement of conflict. Its end is marked by the successful conduct of post-conflict elections and the establishment of liberal democratic state institutions. Sara Shneiderman and Amanda Snellinger (2014) have criticized this bureaucratic periodization that rarely reflects complex local realities. The chapters in this last section seek to present a complex picture of ‘post-conflict’ situations that goes beyond the simplified conflict/peace dichotomy.

In Sri Lanka, the civil war between government forces and Liberation Tigers of Tamil Eelam (LTTE) from 1983 to 2009 ended with the government military putting the LTTE to rout. The Sri Lankan government deems it a successful example of war against terrorism. The government prohibits the mourning of LTTE combatants while attempting to unify the people by mourning the (selected) war dead with memorial ceremonies and the construction of monuments led by the state. The government seems to be attempting to achieve restoration by ‘top-down’ reconciliation and development programmes. In Nepal, which experienced armed conflict between Maoists and the government from 1996 to 2006, peace was realized in the form of democratization and abolishment of the monarchy. However, similar to Sri Lanka, it is difficult to say that the procedures of transitional justice are truly reflective of the voices of diverse victims. The new constitution promulgated in 2015 has also sparked fierce protest movements. In Bangladesh, the Jumma people of the Chittagong Hill Tracts (CHT) have been progressively marginalized since the time of the British colonial rule when they were first defined as ‘primitive’ tribes. After the partition, between 1957 and 1963, at least 54,000 acres of CHT were flooded by a hydroelectric dam project. After the independence of Bangladesh in 1971, the denial of autonomy of the indigenous people by the government led to the formation among the Jumma people of the political party called Parbatya Chattagram Jana Sanghati Samiti (PCJSS) in 1973, with a military wing called Shanti Bahini (Peace Brigade). The government placed CHT under military occupation while encouraging the migration and settlement of Bengalis into the area. Violent conflict continued until the signing of a peace accord between PCJSS and the Bangladesh government in 1997, but there are

still many unsettled issues. In India, religious and caste conflicts have occurred frequently since the 1980s, causing heavy casualties and internally displacing people. Although the social and political rise of lower castes and its suppression by upper castes has developed into caste conflicts, Hindu ideologists insist on the unity of the nation beyond castes, partly by ‘othering’ Muslims and Christians. Under the current administration, India aims at an authoritarian rule led by the majority (caste Hindus) and top-down economic development. The three chapters in this section concern situations after violent conflicts in Bangladesh, Nepal, and Sri Lanka. Each chapter, in its own manner, goes beyond the simplified dichotomization of conflict and peace mentioned earlier.

Chapter 9 by Ranjan Saha Partha on everyday life in CHT in Bangladesh seeks to problematize a series of dichotomies, including conflict versus peace and Jumma versus Bengali. As mentioned, violent conflict in CHT formally ended in 1997, with the signing of the peace treaty between the political party PCJSS and the Bengali government. However, Partha argues, the peace accord failed to address the basic demands of the Jumma, which included regional autonomy, constitutional recognition of the indigenous Jumma people, restoration of land rights, withdrawal of the military, and withdrawal of the Bengali settlers from the CHT. Additionally, the accord contains no mention of the human rights abuses during the armed conflict. This has led, among other things, to conflict *within* the Jumma. The United People’s Democratic Front (UPDF) emerged as an alternative to the PCJSS, questioning the latter’s failure to secure the rights of the Jumma people. The PCJSS and UPDF compete with each other, and ordinary Jummas are caught in between and forced to live in fear. The Bengalis in CHT are not homogeneous either. There are Bengalis who resettled through official programmes and those who resettled voluntarily or without legal documentation. The accord does not address the latter, and there is an increasing number of Bengali organizations to express their respective demands. Ranjan argues that the continuation of conflicts in everyday life in CHT is due to the failure of the peace accord to address the root causes of the conflict, which he traces back to the colonial era.

In the next chapter, Tatsuro Fujikura also discusses a situation in which a peace settlement failed to address the grievances of a party to the conflict. The chapter discusses the fate of the Tharuhat movement that demanded an ‘identity-based’ federal state in the western plains of Nepal. According to some of the contemporary political discourses in Nepal, ‘identity politics’, which has gained strong momentum after the conclusion of the armed conflict in 2006 and which threatened national integrity, has been defeated in recent years. After the promulgation of the new constitution in 2015 and with the conduct of local and federal elections, the key words seem to have shifted from ‘identity’ and ‘class’ to ‘stability’, ‘development’, and ‘prosperity’. Given this background, Fujikura focuses on some of the recent moments in the Tharuhat movement, including the Tikapur incident in August 2015, in which eight police officers were killed during a large demonstration, and the actions of some of the Tharu activists who now live under the new constitution which they once deemed so ‘unacceptable’ that they had to burn it. The chapter tries to appreciate what is at stake in the actions that the Tharu activists take in the context of a federal setup that they did not wish for.

In trying to interpret Tharu activists' attempts to insert their traditional institution of self-governance called *barghar* into the formal local governance system, Fujikura uses an expanded conception of 'mediation' as proposed by William Mazzarella (2006). This conception of mediation includes not only attempts to harmonize diverging interests but also, more broadly, social practices that reduce particularities of diverse experience and render them provisionally commensurable and communicable and, in doing so, become the basis of self-consciousness and desire.

Finally, in the last chapter, Pradeep Jeganathan grapples with the issue of loss and reimagination. He focuses on maps as objects that intersect with the lived worlds of migrants and on the notion of region as imbricated with migration. He conceptualizes the intensity and horizon of migrants in lost and reimagined objects as melancholia, engaging with and expanding on Freud's notions of the work of mourning and melancholia. Jeganathan begins with a personal account of his first visit to a dwelling of his great-grandfather in Jaffna, on the northern tip of Sri Lanka. This is followed by a discussion of the history of the Jaffna Tamil Vellalar community from the 17th century to the 1950s. The dominant status of the Vellalar was enhanced under both the Dutch and the British colonial rule. Many of them eventually became prestigious civil servants as well as professionals in the fields of medicine, law, and engineering and migrated all over the island, including the Sinhala South. In the 1950s, the Sinhala leader Bandaranaike started the 'Sinhala only' campaign, which gave rise to two competing linguistic nationalisms in Sri Lanka, and the Vellalar were folded into the idea of 'Tamil-speaking people', occluding caste and class distinctions. The violence of this competition culminated in the massive pogrom of July 1983, and a long civil war ensued. The war ended by the Sri Lankan armed forces routing the Liberation Army of Tamil Eelam in May 2009. Jeganathan explicates the divisive maps created through the violent conflict by discussing three fictional characters from literature and film. One shows the impossibility of life for a Tamil who is neither a separatist nor a militant in the Sinhala South. Another concerns the viability of a Sinhala–Tamil marriage in the post-conflict time, made impossible by prior atrocities during the conflict. The third shows a Tamil asylum seeker in France who acts out a repressed violence in a Parisian neighbourhood. Jeganathan discusses these examples as well as different maps that were produced of Tamil Eelam. He considers them in terms of the 'work of melancholia,' which is also a form of 'inhabitation' in this world (Das 1997). These maps show the horizons of a person's psychic and social investments in what is lost after a violent conflict.

Note

- 1 Protest demonstrations took place throughout India following the assassination of Gauri Lankesh, a journalist and social activist who had argued against Hindu supremacism. See 'Activist in Mumbai Protest Scribe Gauri Lankesh's Murder', *The Hindu*, 7 September 2017. For reference, <https://www.thehindu.com/news/cities/mumbai/activists-protest-scribes-murder/article19632713.ece>, last accessed on 20 January 2020). And also see Siddiqui (2017) for other cases.

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Part I

Democracy, state and religion



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1 Democracy and vigilantism

The spread of Gau Rakshaks in India

Kazuya Nakamizo

The question: Indian democracy in crisis

Indian democracy is in crisis. Almost 30 years ago, Atul Kohli, an eminent political scientist, pointed out in his *Democracy and Discontent* that India was facing a crisis of governability (Kohli 1992). What we are witnessing now is not only a crisis of governability but also a crisis of democracy: the suppression of freedom of speech via the arrest of social activists who are critical of the government,¹ the oppression of freedom of thought and creed via control of educational institutions and the media,² and the violation of the separation of powers by interference in the judiciary.³ A human rights advocate describes these actions of the present government as worse than Indira Gandhi's declaration of a state of emergency in 1975.⁴

Under this egregious situation, the activities of vigilante groups are gaining attention. In particular, Gau Rakshaks (cow protection groups) lynch Muslims, sometimes based only on rumours that they slaughter cows and eat beef.⁵ As Figure 1.1 shows, the number of violent cow-related incidents increased from 3 to 37 between 2014 and 2017, which is a change resulting from the accession to power of the Narendra Modi-led National Democratic Alliance (NDA) government after the 2014 general election.

The emergence of vigilante groups, however, is not new in the history of post-independence India. In 1967, a group of radical leftists started a land grab movement at Naxalbari in West Bengal, which they believed would be the beginning of a violent revolution sweeping away poverty, inequality, and injustice. Referred to widely as Naxalites, their violent tactics and militarized actions spread to other regions within India. In response, non-state actors, such as landlords, formed their own private armies to defend their land ownership and prestige and defeat the 'Naxalite menace'. Perhaps the most notorious of these private armies was that of the Ranvir Sena, which was formed in the north Indian state of Bihar in 1994.

However, recent vigilante groups are distinct in character from these earlier militant groups of the 20th century. In the 21st century, vigilantism now appears to have created new relationships with the state by not only drawing on the latter for support but also increasingly targeting the Indian constitution and pressing for extra-legal actions.

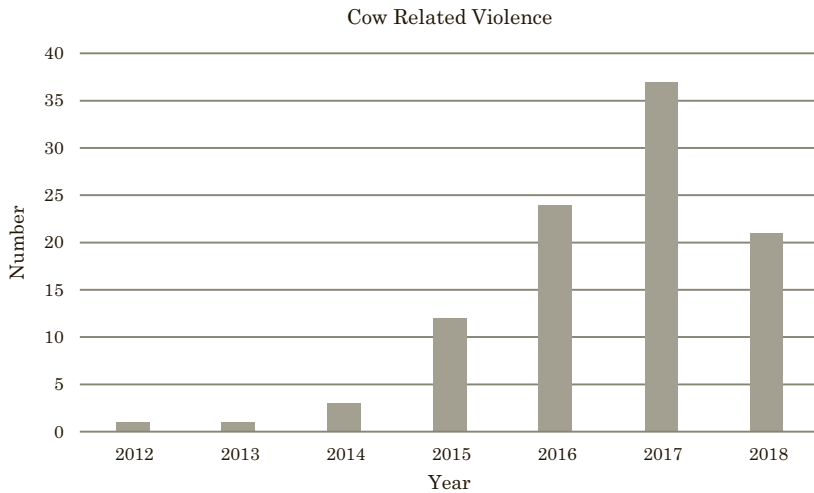


Figure 1.1 Cow-related hate crime in India (2012–18).

Source: Compiled by author based on IndiaSpend database, quoted in Alison Saldanha, ‘Cow-Related Hate Crimes Peaked in 2017, 86% of Those Killed Muslim’, *The Wire*, 8 December 2017, <https://thewire.in/203103/cow-vigilantism-violence-2017-muslims-hate-crime/> (last accessed on 8 December 2017) for 2012–17 data and Varun B. Krishnan, ‘The Cow vigilante menace: U.P. records highest number of incidents’, *The Hindu*, 5 December 2018, <https://www.thehindu.com/data/data-point-the-cow-vigilante-menace/article25666768.ece> (last accessed on 19 January 2020). Date for December 2018 is up to 4 December 2018. Articles of the *Wire* and the *Hindu* are based on same data set which was published by IndiaSpend. Now this data set is deleted from IndiaSpend. See, ‘FactChecker pulls down hate crime database, IndiaSpend editor Samar Halarnkar resigns’, *Scroll.in*, 12 September 2019, <https://scroll.in/latest/937076/factchecker-pulls-down-hate-crime-watch-database-sister-websites-editor-resigns> (last accessed on 19 January 2020). FactChecker received Data Journalism Award in 2019 from this survey.

How can we understand this changing character of vigilantism? What does it mean for Indian democracy? These are the questions I seek to explore in this chapter by examining the development of vigilantism in India.

Arguments on vigilantism in India

Before discussing the development of vigilantism, we need to define the term *vigilantism*. Defining *vigilantism* is quite a difficult task due to its complex, changing characteristics and varied range of activities, as noted by Ray Abrahams (1998: 6–10). After carefully examining this definitional problem, Abrahams, an anthropologist who pioneered work on vigilantism, defined *vigilante* and *vigilantism* as follows:

‘vigilante’ and ‘vigilantism’ have seemed to me ‘ideally’ to involve an organized attempt by a group of ‘ordinary citizens’ to enforce norms and maintain law and order on behalf of their communities, often by resort to violence, in the perceived absence of effective official state action through police and courts.

(Abrahams 2007: 423)

Emphasizing this last point, he added, ‘Vigilantism cannot exist alone but only alongside and, typically, on the frontiers—structural and/or cultural—of state power’ (Abrahams 2007: 423). In short, vigilantism can be described as (1) involving ‘ordinary citizens’, (2) taking place through organized actions and often violent means, (3) enforcing norms and maintaining law and order on behalf of citizens’ communities, and (4) being situated on the frontiers of state power. This chapter basically follows his definitions of *vigilante* and *vigilantism*.

In India, the emergence of these militant vigilante groups has been a subject of considerable academic debate and discussion. The most compelling arguments, however, have sought to suggest that violence has been a result of the failure of the state to perform its expected roles, which I would prefer to term as ‘state deficit’.⁶ In brief, *state deficit* means that the state fails to deliver the political goods of security, like the protection of life and property, economic welfare, and basic infrastructure like health services, educational institutions, and social welfare schemes – whether by design or otherwise. For instance, the emergence of Naxalite/Maoist movements could be potentially traced to the Indian states’ inability to meet a number of popular expectations and responsibilities to solve socio-economic problems, such as actions disregarding the social oppression of disempowered castes, aggravating the economic oppression of marginal communities by not implementing land reforms, and failing to implement meaningful schemes to promote economic development, in addition to the disinterest of parliamentary parties in solving these problems (Louis 2002; Banerjee 2006; Gupta 2006; Mohanty 2006; Sagar 2006; Singh 2006).

The links between such kinds of state deficit frameworks and growth in anti-Naxalite/Maoist vigilantism was also suggested in studies analysing the role and emergence of landlord militias in Bihar in the 1980s. Prasad’s excellent work on the subject, in fact, revealed how the prevalence of semi-feudal agricultural relations in Bihar was not solved due to the inaction of the state government to implement land reform laws (Prasad 1987). In a subsequent study, Kohli illustrated how the declining capacity of political parties, especially the once-dominant Congress Party, further aggravated the political violence involving militant vigilante groups in the region (Kohli 1992: 205–237). Kumar’s (2008: 170–171) analysis of the Ranvir Sena similarly follows the state deficit framework.

However, recent vigilante groups have characteristics that are markedly different from those of past militant vigilante groups in the 20th century. In the 21st century, these vigilante groups appear to be acquiring their momentum and strength from tacit governmental support. That is, rather than state deficit, we are now witnessing a reversal in the sense that vigilante groups in India are increasingly drawing their impetus from state support. The Salwa Judum (Purification Hunt), for example, was organized by a local member of the state legislative assembly and had the strong support of the Indian state. The recent Gau Rakshaks have a similarly close relationship with the state machinery, such as the ruling parties at both the central and state levels and the police. Recent vigilante groups, in other words, appear to have emerged not only to fill the vacuum created by state deficit but also to act as *de facto* ‘agents of the state’. This is the new tendency in the history of militant vigilante groups in India. Let us next examine their development in detail.

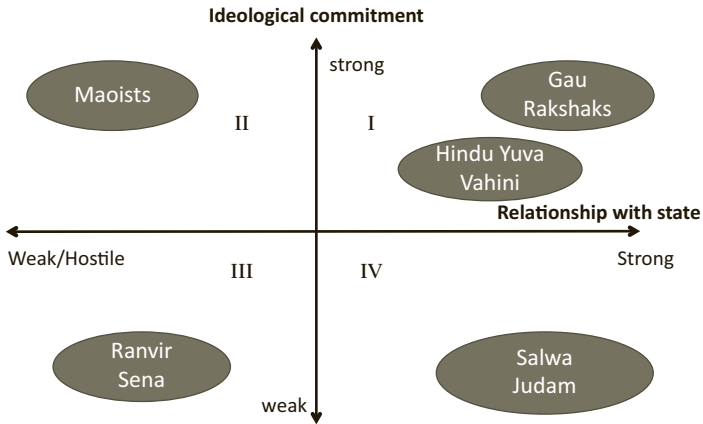


Figure 1.2 Classification of militant groups in India.
Source: Prepared by author.

Development of militant vigilante groups

Typology of militant vigilante groups

First, I classify these militant groups into four categories using two indicators: their relationship with the state and the degree of their ideological commitment. The relationship with the state has two directions: 'strong or agent of the state' and 'weak or hostile relationship with the state'. The degree of ideological commitment also has two directions: 'strong' and 'weak' (Figure 1.2).

Gau Rakshaks are located in the first quadrant, that is, the 'strong or agent of the state and strong ideological commitment' quadrant. The second quadrant, that is, the 'weak or hostile relationship with the state and strong ideological commitment' quadrant, includes organizations such as the Maoists/Naxalites. In the third quadrant, the Ranvir Sena is the typical case, having a 'weak or hostile relationship with the state and weak ideological commitment'. In the fourth quadrant, that is, 'strong or agent of the state and weak ideological commitment', the typical example is the Sarwa Judam, which was formed by a local Congress leader and was supported by the Bharatiya Janata Party (BJP) government in Chhattisgarh to crush the Maoists. First, I want to explain the Maoist movements in the second quadrant, then the Ranvir Sena in the third quadrant, Sarwa Judam in the fourth quadrant, and, finally, Gau Rakshaks in the first quadrant based on their chronological order to show the changing characteristics of vigilantism.

Maoist/Naxalite movements

Maoist movements may arguably be regarded as militant vigilante groups. According to Abrahams's definition, Maoist movements fulfil the requirements of (2) using violent means and (4) being situated on the frontiers of state power; however, we need to consider the requirements of (1) subject and (3) purpose.

Regarding the subject of such movements, the activists in Maoist movements are literally not ordinary citizens. Abrahams repeatedly reminds us that his definition concerns ideal types and that his analysis of vigilantism includes political activities in the case of South Africa (Abrahams 1998: 90); therefore, we can include Maoists in his definition. Regarding the purpose of their activities, Maoist movements are revolutionary movements that aim to realize justice in India, which has severe poverty and inequality. In this sense, their aim is not to protect existing norms or to maintain law and order but instead can be interpreted as realising new norms for an ideal society. In this respect, we find commonality with Abrahams's definition. Moreover, in practice, Alpa Shah reveals that the activities of Maoist movements include vigilante actions based on a study of the Maoist Communist Centre (MCC), a Maoist group (Shah 2007: 295–296).

Maoist movements started as Naxalite movements in the late 1960s. In West Bengal, the Indian National Congress lost the assembly election held in 1967, and the United Front government was established and included the Communist Party of India (Marxist; hereafter CPM) as one of its main components. The leader of the CPM, Hare Krishna Konar, who came into office as the minister in charge of land reform, presented a proactive policy promoting land reform. CPM radicals responded by forming farmer committees in the Naxalbari area of the Darjeeling district and began a redistribution of agricultural lands. At first the United Front government asked the radicals to strictly observe legal procedures, the government eventually changed direction and began suppressing them when the radicals rejected mediation and escalated their activities. The radicals formed the Communist Party of India (Marxist-Leninist) to resist this attempt at suppression, and as a result, the CPM was split. Their movement was called the Naxalite movement, which takes its name from the starting location of the movement (Louis 2002: 51–56).

The Naxalite movement has existed since that time. The Naxalites, as with all radical leftist movements, have repeatedly been beset by the development of very complicated competing factions based on differences in ideology and strategy.⁷ Those factions that still exist as the main groups in the movement are as follows: first, the Communist Party of India (Marxist and Leninist) Liberation (hereafter ML); second, the Communist Party of India (Maoist; hereafter, Maoist); and, finally, other parties that are associated with the CPI (ML) (Mohanty 2006: 3165–3167).

Focusing on these movements' strategy and organizational form, we can divide the stages of development into three phases (Louis 2002: 4–8; Bhatia 2005: 1536–1537; Mohanty 2006: 3165–3167; Singh 2006: 163). The first phase extends from the armed uprising in 1967 to the end of the Emergency in 1977. During this time, the strategy of 'annihilation of class enemies', in which violent struggle was the main activity, was the mainstream position. The second phase extended from 1977 to 1998. It was during this period that the ML switched to an electoral strategy. On another front, the MCC and People's War Group (PWG) continued during this time to develop the violent revolutionary strategy pioneered in the first period. The third period extends from 1998 to the present. During this time, the Communist Party of India (Marxist-Leninist) Party Unity (CPI-ML [PU]) merged with the PWG, and other parties that pursue a violent revolutionary strategy also gradually merged and reinforced the ongoing militant struggle. In 2004, the MCC and

PWG merged and formed a new party, the Communist Party of India (Maoist). The faction pursuing the strategy of violent revolution was revived by this merger.

In these Maoist/Naxalite movements, there are two characteristics of note. First, they have strong ideological commitments. The strategies and styles of these movements are basically based on interpretations of communist ideologies, which mainly explain the internal conflicts among Maoist/Naxalite movements. As Shah points out in the case of the MCC in Jharkhand, support for the MCC is not necessarily ideologically bounded; rather, protection from them is expected to capture state resources (Shah 2007: 310). Although it is real, it is also certain that activists have a firm ideological commitment.

Second, their relationship with the state has been hostile in the case of Maoist, although, in some cases, the situation is more complex. Indian governments, regardless of whether they are central/state governments ruled by the Congress, BJP, or other parties, have suppressed Maoist movements in a very harsh manner using extra-judiciary measures, such as ‘crackdowns’, ‘encounters’, ‘enforced disappearances’, and the employment of special police officers (SPOs).⁸ Operation Green Hunt, which started in 2009, is a typical case of severe oppression by the state (Sundar 2016: 16). On the other hand, Shah (2007) made clear the cooperative relationship between the lower strata of state machinery and the MCC in the informal economy and politics. The MCC engaged in business extortion, and local politicians used the influence of the MCC for their electoral victories in Jharkhand. These kinds of symbiotic relationships are not necessarily applicable to all areas of Maoist movements, but we need to keep these complex relationships between such movements and the state in mind. Additionally, in the case of the ML, their relationship with the state is not as harsh as that of Maoist due to their base in legislative bodies. However, they are generally unable to expect government protection because of their critical stances against sitting governments. Thus, Maoist/Naxalite movements can be located in the second quadrant.

Ranvir Sena

The Ranvir Sena was formed in 1994 in the village of Belaure in the Bhojpur district in one of the poorest states, Bihar.⁹ Using the name of Ranvir Choudhary, who was a legendary fighter against Rajput landlords in the 19th century, they claimed to be an army composed of upper castes. From 1995 to 2005, the Ranvir Sena massacred almost 300 lower castes and poor farmers (Kumar 2008: 188, Table 8). It fits Abrahams’s ideal definition mentioned earlier. How was the Ranvir Sena formed?

We can point out three factors for the emergence of the Ranvir Sena. First, as a precondition, there was harsh oppression of lower-caste farmers by upper-caste Bhumihar landlords in Belaure before 1990. These lower-caste farmers suffered humiliation, including violence in several cases, but they did not have any means of expressing their anger.

Second, the radical leftist party, the ML, succeeded in uniting and mobilizing these lower-caste farmers, who began protesting against oppression by upper-caste Bhumihar landlords. In 1994, they held several demonstrations against the misdeeds of Bhumihar landlords by blocking roads. More important, they

succeeded in raising agricultural wages during the peak season of transplanting in July 1994, which caused Bhumihar landlords to perceive them as grave threats. After this negotiation of the wage increase, Bhumihar landlords beat an ML leader who had led protest movements among the lower castes since 1990, which resulted in clashes between lower-caste farmers and Bhumihar landlords.

Finally, and most important, the state government at the time was somehow neutral in this conflict. In Bihar, radical political change occurred with the formation of the Laloo Prasad Yadav–led Janata Dal government. Under his government, the backward castes, especially the upper-backward castes, succeeded in gaining and consolidating political power in place of upper castes, who had enjoyed political dominance under the Congress governments since independence (Nakamizo 2020a: 233–336). Laloo Yadav himself has expressed sympathy for the cause of lower castes, stating in the assembly that ‘if the agricultural labourers and landless grab land, police will not fire at them’ (Louis 2002: 139). As if to honour this sympathy, local police did not actively intervene to support upper castes in this fight, which would have been unimaginable under the previous Congress regime. Upper castes, feeling very insecure, then decided to form their own private army to defend themselves. In an interview, the commander Brahmeshwar Singh told me, ‘The police under Laloo’s control would not protect us; that’s why we had to protect ourselves’.¹⁰ One Dalit (scheduled caste, formerly untouchable) villager also told me, ‘The Rashtriya Janata Dal was there for the Yadavs, and the ML was there for us. There was nothing for the Bhumihars, and that’s why they created the Ranvir Sena’.¹¹ We can confirm that the Ranvir Sena was formed from this kind of threat perception. In its perception, the state is not completely reliable, and for this reason, the Ranvir Sena was formed—to realize its own ‘justice’ by killing lower-caste farmers, thereby filling the power vacuum within the state.

Considering these three factors of emergence, we can point out two characteristics of the Ranvir Sena. First, its ideological commitment is weak. It was formed in opposition to the menace of radical leftist parties, which means that the organization is defensive by nature. It is said that most members of the Ranvir Sena are criminal gang members who are employed by upper-caste landlords. According to my interview, some members of the Ranvir Sena worked as the private security guards of apartment houses in normal times and were then summoned to perpetrate attacks and to kill poor farmers at the requests of landlords.¹² In my interview, the organization’s commander, Brahmeshwar Singh, claimed that the Ranvir Sena is fighting for the cause of farmers, but it does not have a clear ideology of its own.

Second, the organization’s relationship with the state is not as hostile as that of the Maoists, but it is weak. As the process of formation shows, the Ranvir Sena was formed as a reaction to the inaction of the state. It had been acting for an extraordinarily long period of eight years from 1994 to 2002 when its commander, Brahmeshwar Singh, was arrested, but its longevity was not the result of tacit governmental support. Rather, it was the result of the ineffectiveness of the state, as the Laloo government had always been severely criticized for the ‘jungle

raj’, that is, the lack of ‘law and order’. The case of the Ranvir Sena fits well with the state deficit thesis, which can be positioned in the third quadrant.

Salwa Judam

Salwa Judam (Purification Hunt) was formed in June 2005 to crush the Maoist movements in the Dantewada district in the central state of Chhattisgarh.¹³ According to Nandini Sundar, who has performed thorough and extensive work on this topic, preparation for the formation of Salwa Judam can be traced back to early 2005, and its original form can be found in the Jan Jagran Abhiyan (Public Awakening Campaign) of 1990–1991. Jan Jagran Abhiyan was a ‘local resistance group’ fighting Maoist that beat sangham members (members of village-level organizations set up by Maoist), raped women, and forced the sangham members to surrender. However, there is a dispute about whether it was created by the police or as an initiative of the local village elite. Following the BJP-led NDA central government’s policy of forming a ‘local resistance group’ in 2003–2004, the Chhattisgarh government decided to revive Jan Jagran Abhiyan under the cover of a new name: Salwa Judam (Sundar 2016: 91–99).

To annihilate Maoist, Salwa Judam employed every means possible: beating, killing, and raping sangham members and even tribal people who did not have any relationship with the Maoists; burning the entire villages of sangham members; and forcing them to migrate to ‘camps’ to sever their supposed connections with Maoist (Sundar 2006: 3187–3188, 2016; Cheney and Cheney 2010: 101–104). This ‘strategic hamletting’ originated in the ‘New Villages’ strategy against the Communist Party of Malaya during the British Malaya period. Salwa Judam continued its activity until the Supreme Court declared that it was illegal and unconstitutional to deploy tribal youth as SPOs and ordered their immediate disarming.¹⁴ After this order, the Chhattisgarh state government changed its name and has been continuing its counter-Maoist operations in different forms.

Salwa Judam has two characteristics. First, although the government claimed that it was a ‘spontaneous, self-initiated people’s movement against the Naxalites’, it was organized by the police and politicians (Sundar 2016: 15–16). Congress leader Mahendra Karma, who was later killed by Maoists in 2013,¹⁵ was widely considered the leader of Salwa Judam, and then BJP chief minister Raman Singh and his government supported it. BJP ministers and Mahendra Karma held many public meetings and rallies as a form of Jan Jagran Abhiyans to target Maoist (Cheney and Cheney 2010: 101; Sundar 2016: 16, 103). According to Cheney and Cheney (2010: 105), ‘Local officials admitted off the record that it was the state government that armed people to fight militants and protect themselves’. The deputy superintendent of the police testified that they gave the arms licenses. The district collectors also confirmed governmental support for Salwa Judam by sponsoring and training SPOs (Cheney and Cheney 2010: 104–105).

Adding to the testimonies described earlier, the state-supported Salwa Judam used a variety of means, as Sundar’s study (2006, 2016) reveals. Salwa Judam’s operations were accompanied by police and paramilitary forces. The government set up camps for tribes as mentioned in the activities of Salwa Judam and allotted

a sizable budget to their operation.¹⁶ Their attacks on villages were thoroughly and comprehensively organized. Based on the scope and the impunity of Salwa Judam, the organization is a de facto government agent; indeed, its members constitute ‘death squads’, in Abrahams’s (1998: 122–136) term, even though they pretend to be ordinary citizens. Thus, its relationship with the state is remarkably different from that of the Ranvir Sena. The state deficit thesis does not fit in the case of Salwa Judam.

Second, regarding ideology, it does not have a clear ideology. It was formed against the Maoist movements, which is the entire reason for its formation. Similar to the Ranvir Sena in Bihar, it is defensive by nature.

Considering these characteristics, Salwa Judam can be placed in the third quadrant. As Sundar (2016: 345) rightly pointed out, ‘[t]he biggest problem in Indian law, however, is that the masterminds of the Salwa Judam strategy — both at the Centre and in the state — cannot be held to account for command responsibility’. This evasion of responsibility is exactly the main purpose of the organization.

At best, however, Salwa Judam can be conceptualized as a local experiment of sorts that was only relevant to the Chhattisgarh state. As Sundar (2016: 16) pointed out, state-sponsored vigilantism has spread throughout all of India under the current Modi government.

Gau Rakshaks

The Gau Rakshaks represent a new form of vigilantism that has a tacit and strong relationship with the state. Their main aim is to oppress the Muslim minority and secure their obedience to realize the ‘Hindu *rashtra*’ (Hindu nation).¹⁷ As mentioned earlier, they lynch Muslims, but the number of victims is less than that due to attacks by Salwa Judam. Gau Rakshaks are not death squads in the sense that killing is not their primary purpose. However, they have many similarities with Salwa Judam, especially regarding their relationship with the state, even though their relationship is more implicit. In fact, they constitute an advanced form of Salwa Judam, inviting less criticism and spreading their ideology throughout all of India. They represent Modi’s new two-sword strategy, which worked well in Modi’s victory in the 2019 general election (Nakamizo 2020b: 77–84). Here, I select two cases of Gau Rakshaks to identify their characteristics.¹⁸

Case 1: cow protection group

This group is based in the western state of Maharashtra. It began its activities in 2000, aiming to protect the Hindu community from ‘the attacks of Muslims’. Its founder stated that

Muslims are killing and eating cows not to obtain nutrition but to humiliate Hindus. By slaughtering cows, they try to show that Hindus are weak.

(When I asked about the criticism that the activities of the cow protection groups threatened the lives of Muslims) It is a total lie. Their aim is only to insult Hindus.¹⁹

This organization has two main characteristics. First, it has a strong ideology, basically following Hindutva ideology, which worships cows as sacred animals and regards Muslims as ‘Others’ and, more explicitly, as enemies. In fact, the founder himself and his organization have strong connections with the Sangh Parivar.²⁰ The founder belonged to the Rashtriya Swayamsevak Sangh (RSS) and received training as a cadre. For various reasons, he is not an RSS member, but his brother was a member of the RSS at the time of the interview. Since his father was also an active member of the RSS, the organization’s relationship with the RSS runs deep. This strong ideological inclination is quite different from the Ranvir Sena and Salwa Judam.

Second, it has a strong relationship with the state. Regarding this second point, we can identify two characteristics. First, this organization recognizes itself as an arm of the state. In the case of Maharashtra, the state government enacted ‘The Maharashtra Animal Preservation (Amendment) Act, 1995’ and received the assent of the president in 2015.²¹ Following this enactment in 1995, the organization began its activities long before the assent of the president, and its members had captured almost 800 trucks by the time of my interview. After seizing trucks that carry cows, buffalos, or beef, the police are instantly informed, and the cases are handed over to them. In this sense, the organization is a de facto agent of the state. Second, the commander is active in politics and has the protection of the state. He has been a long-time elected member of the municipal corporation, and he tried to obtain a BJP ticket for the 2014 Maharashtra state assembly election. He failed to do so but managed to run as a Shiv Sena candidate, which did not bring him success in winning a seat. When I visited his home, at least three policemen were protecting him as security guards. At the time of the interview, his sister-in-law was a member of the municipal corporation representing the BJP; thus, the BJP flag was hoisted at the gate in front of his house.

Its relationship with the state is naturally in stark contrast with that of the Maoists and that of the Ranvir Sena. In the case of the Maoists, the states obviously oppress them harshly. In the case of the Ranvir Sena, when I met with its commander, Brahmeshwar Singh, he was detained in the prisoner’s quarters of Patna Medical College and Hospital, which is like a smaller version of London Tower. Of course, the activities of the organization are quite different from those of the Ranvir Sena in terms of its mode of operation and number of victims. Even considering this difference, its close relationship with the state is remarkable. This organization is a developed form of state-sponsored vigilante groups such as Sarwa Judam.

Case 2: Hindu Yuva Vahini

The Hindu Yuva Vahini (HYV) was formed in 2002 by the current chief minister of Uttar Pradesh (UP), Yogi Adityanath, who is the *Mahant* (chief priest) of Gora-khnath Temple and is well known for disseminating anti-Muslim propaganda (Jha 2017: 35–58). The formal aim of the HYV is to protect Hindus from the menace of Muslim terrorists and Maoists and from conversion to other religions.²² However, the organization’s covert (or, rather, overt) aim is to engineer support for Yogi Adityanath by creating communal division.²³ The general secretary of

the HYV told me that the HYV is working for Hinduism: 'We cannot be Ram, but we can follow the practice of Ram'.²⁴ Gau Raksha is one of the main activities among the organization's numerous activities. Similar to Case 1, the HYV captures trucks carrying cattle and surrenders them to the police. The general secretary of the HYV said, 'The cow is a sacred animal, so we cannot discard it'. When I asked about Muslims' claim that Gau Rakshaks threaten their lives, he said, 'They want to create a divide between Hindus and Muslims. We have a law prohibiting the slaughter of cows, so they should obey it'. I point out two characteristics of this organization.

First, it has an ideological inclination, although its commitment is rather weaker than that of Case 1, in the sense that its main aim is to mobilize support for Yogi. However, its founder, Yogi Adityanath, is the Mahant of Gorakhnath Temple, which has been politicized from the time of Digvijay Nath, who was the leader of Hindu Maha Sabha and was arrested as part of the conspiracy to assassinate M. K. Gandhi. Yogi Adityanath follows this ideological line, and he himself is notorious for his harsh anti-Muslim propaganda. According to Harris, Jeffrey, and Corbridge (2017: 6), he is reported to have said, 'I will not stop until I turn the UP and India into the Hindu rashtra'.

Second, this organization has a strong relationship with the state. Regarding this second point, there are two characteristics. First, the HYV regards itself as an agent of the state, especially in relation to Gau Raksha activities. The organization's style of activities is the same as that of other Gau Raksha groups, such as those of Case 1. Second, the HYV's relationship with politics is very strong; in fact, it is a political group (Jha 2017: 43). As mentioned, the covert aim of the HYV is to engineer support for Yogi, and its members have political ambitions. Although the founding members of the HYV left the organization and themselves fought election after they were not allowed to obtain BJP tickets in the 2017 UP state assembly election, its founder Yogi Adityanath is now the chief minister of UP. Its close relationship with the state is without doubt, although its relationship with the Sangh Parivar is unclear.

In short, the HYV has an ideology of Hindutva and a strong connection with the state. At present, it has become a state-sponsored vigilante group, as its founder, Yogi Adityanath, is the chief minister of India's largest state.

As shown by these two cases, they are de facto and hidden agents of the state. Their activities are actually acts of the state and do not result from state deficit. Thus, the emergence of the Gau Rakshaks is the result of state action to spread Hindutva ideology, placing Gau Rakshaks in the first quadrant.

Conclusion: the meaning for Indian democracy

How can we understand this changing character of vigilantism? What does it mean for Indian democracy? By focusing on the development of vigilante groups, this chapter specifies the changing characteristics of vigilantism, from initially emerging as the outcome of 'state deficit' to evolving into a capacity for extra-constitutional violence that is harnessed by 'state support'. How can we understand this discernible shift and transition in vigilante violence?

By using vigilante groups, the state can evade direct responsibility as Sundar points out in the case of Salwa Judam (Sundar 2016: 345). In the same way, the ferocity and regularity of Gau Rakshak attacks reflect the ‘two-sword strategy’ of Narendra Modi’s government, which mixes economic development with the realization of the Hindutva agenda (Nakamizo 2020b: 81–82). In this new strategy, the state can terrorize Muslim minorities by inspiring fear until they feel their lives are precarious due to their inability to predict when, where, and how they might be attacked. The Gau Rakshak violence, moreover, has avoided the harsh criticism and systematic scrutiny that followed the 2002 Gujarat carnage. This is the devious invention of oppression that characterises the politics of obedience under the new BJP system.²⁵

What does this shift and transition in the capacity for violence mean for Indian democracy? As the Introduction points out, the demarcation between democracy and authoritarianism is becoming blurred both in the contemporary world and in India. To understand the current spread of Hindu majoritarianism, various analytical frameworks have been proposed, such as authoritarian populism (Harris, Jeffrey, and Corbridge 2017), illiberal democracy (Hansen 2019), and ethnic democracy (Singh 2000: 35–55, 2019; Jaffrelot 2017, 2019). Apart from these typological frameworks, Chandra proposed exploring authoritarian elements in democracy (Chandra 2017). Although their approaches are different, they share a common perception: what is happening right now is a systematic infringement on and steady undermining of constitutional liberalism. Interestingly, Fareed Zakaria, the proponent of the notion of illiberal democracy, declared at the end of the 1990s that ‘[d]emocracy is flourishing; constitutional liberalism is not’ (Zakaria 1997: 23).

Although Zakaria’s framework seems to be applicable to India, this analytical demarcation between constitutional liberalism and democracy is misleading and dangerous in a sense because it provides a democratic disguise to an undemocratic regime and possibly justifies it. As Müller rightly points out (Müller 2017: 49–60), constitutional liberalism is integral to democracy, even though their respective historic origins draw from different trajectories. Democracy can function well due to the existence of the protection of fundamental rights such as freedom of speech, thought, religion, and association, personal liberty and ‘checks and balances’, represented by the separation of powers. Without constitutional liberalism, not all citizens can elect their own government at their own will. In this sense, the separation of liberalism and democracy is misleading. Thus, the crisis of constitutional liberalism is itself the crisis of democracy. The increasing shift and transition in India from state deficit–caused vigilantism towards a state-supported mode of violence, I argue, indicate and strongly suggest a crisis in democracy rather than a mere qualification of democracy. This strong use of the term *crisis* for India’s current situation is, in fact, in sync with the recent study of Levitsky and Ziblatt (2018) of mainly American cases in their *How Democracies Die*.

Is democracy in India dying? We still have a ray of hope. As examined above, the activities of Salwa Judam were restrained through public interest litigation, in which a civil rights group that included Nandini Sundar as a core member sued in Indian courts (Sundar 2016: 310–331). The Anti-CAA (Citizenship

[Amendment] Act, 2019) movement was the largest civil society movement since the inauguration of the Modi government at the time of writing, although it was crushed by the all-India lockdown related to COVID-19. Although the situation is very tough under the ‘politics of obedience’ of the BJP system, Indian democracy still lives. Citizens’ tenacious initiatives and courageous actions are urgently necessary to prevent Indian democracy from dying.

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Notes

- 1 Many social activists, lawyers and academics who are critical of the Modi government have been arrested. For instance, 10 activists, lawyers, and academics have been arrested and charged under several sections of the Unlawful Activities Prevention Act (UAPA), an anti-terror law. They are alleged to have instigated violence in Bhima Koregaon in January 2018 and to have collaborated with the banned Communist Party of India (Maoist) in a plot to assassinate the prime minister. See Rajshree Chandra, ‘Activists’ Arrests: The Exceptional Has Been Made the New Normal’, *The Wire*, 1 November 2018. (<https://thewire.in/rights/activists-arrests-the-exceptional-has-been-made-the-new-normal>, last accessed on 14 July 2020). Nandini Sundar concludes that the recent arrests of the anti-CAA (Citizenship [Amendment] Act, 2019) activists is the developed form of the ‘Bhima Koregaon’ model. See Nandini Sundar, ‘Amit Shah’s “Bhima Koregaon Model” Used for Anti-CAA Protests’, *NDTV*, 26 May 2020. (<https://www.ndtv.com/opinion/amit-shahs-bhim-koregaon-model-used-for-anti-caa-protests-2234716>, last accessed on 14 July 2020).
- 2 For intervention in educational institutions, see D’Souza (2018) and Sundar (2018). For oppression against journalists, see Siddiqui (2017).
- 3 For instance, the Modi government transferred the High Court judge who directed the police to take ‘conscious decision’ with respect to the lodging of first information reports against alleged hate speeches by three BJP leaders that caused the 2020 Delhi riots. Former Assam chief minister Tarun Gogoi denounced this decision, saying, ‘[T]he Modi government has not allowed the judiciary to function independently which is dangerous to the democracy of the country’. See Hemanta Kumar Nath, ‘Modi Government Interfering with Judiciary Puts Democracy at Peril: Former Assam CM Tarun Gogoi’, *India Today*, 27 February 2020. (<https://www.indiatoday.in/india/story/modi-government-interfering-with-judiciary-puts-democracy-at-peril-former-assam-cm-tarun-gogoi-1650567-2020-02-27>, last accessed on 12 July 2020). Also see ‘Take Decision on Lodging FIRs for Hate Speeches by 3 BJP Leaders, Delhi HC Tells Police’, *The Hindu*, 26 February 2020. (<https://www.thehindu.com/news/national/take-decision-on-lodging-firs-for-hate-speeches-by-3-bjp-leaders-delhi-hc-tells-police/article30922359.ece>, last accessed on 12 July 2020).
- 4 Prashant Bhushan, ‘Worse Than Emergency’, *The Indian Express*, 30 August 2018. (<https://indianexpress.com/article/opinion/columns/worse-than-emergency-activists-arrest-elgar-parishad-sudha-bhardwaj-indian-express-columns-5331634/>, last accessed on 5 September 2018).

- 5 See Puniyani (2015, 2017) and Dabhade (2017). Cows are considered holy in several interpretations of Hinduism, and therefore, slaughtering cows is treated as a religious taboo. See Nakamizo (2020b: 77).
- 6 I would like to thank Prof. Rohan D'Souza for formulating the framework of state deficit. In fact, he proposed this concept in our discussion for refining the analytical framework.
- 7 For instance, please see Louis (2002: 198–199, Chart 7.1).
- 8 The legal proviso for appointing an SPO is stipulated by Article 17 in The Police Act (1861), which is still valid in India. According to Article 17, it is stated that '*When it shall appear that any unlawful assembly, or riot or disturbance of the peace has taken place, or may be reasonably apprehended, and that the police-force ordinarily employed for preserving the peace is not sufficient for its preservation and for the protection of the inhabitants and the security of property in the place where such unlawful assembly or riot or disturbance of the peace has occurred, or is apprehended, it shall be lawful for any police-officer not below the rank of Inspector to apply to the nearest Magistrate to appoint so many of the residents of the neighbourhood as such police-officers may require to act as special police-officers for such time and within such limits as he shall deem necessary; and the Magistrate to whom such application is made shall, unless he see cause to the contrary, comply with the application*' (pp. 9–10). In practice, the SPOs, it is often alleged, are mostly drawn 'former insurgents', who have quit their groups for a variety of reasons and become police informers (Chenoy and Chenoy 2010: 92–101). In the opinion of many human rights activists and observers on the ground, the police often use these SPOs, who are now salaried by the state, to then carry out a range of extra-judicial killings.
- 9 I conducted fieldwork in Belaur village, the birthplace of the Ranvir Sena and where villagers murdered each other, intermittently from November 2002 to September 2003. At the time of the interview, the deep divisions between the upper castes and the scheduled castes still remained, as it had been only eight years since the first clash in 1994. I interviewed 64 villagers there. For details, see Nakamizo (2020a: 307–327).
- 10 Interview with Ranvir Sena commander Brahmeshwar Singh, 5 November 2002.
- 11 Interview with a Dalit agricultural labourer, 9 February 2003.
- 12 Interview with Mr Kahnaiya Bhelari (senior correspondent, *The Week*, at the time of interview), 30 January 2003.
- 13 The explanation of Salwa Judam is based on Sundar (2006, 2016), Chenoy and Chenoy (2010: 101–107). The government translated 'Salwa Judam' as 'peace march'; however, Sundar translated it as 'purification hunt' (Sundar 2016: 99).
- 14 J. Venkatesan, 'Salwa Judum Is Illegal, says Supreme Court', *The Hindu*, 5 July 2011. (<https://www.thehindu.com/news/national/Salwa-Judum-is-illegal-says-Supreme-Court/article13639702.ece>, last accessed on 12 December 2018).
- 15 Ejaz Kaiser, 'Chhattisgarh Attack: Maoists Danced on Karma's Body after Killing Him, say Survivors', *Hindustan Times*, 27 May 2013 (<https://www.hindustantimes.com/india/chhattisgarh-attack-maoists-danced-on-karma-s-body-after-killing-him-say-survivors/story-gHbdngJ4vqaJ3U5jkLdXwN.html>, last accessed on 12 December 2018).
- 16 Chief Minister Raman Singh sanctioned nearly 860,000,000 rupees for Salwa Judam in November 2005. However, most of the budget was spent on banners, hoardings and leaflets praising Salwa Judam and condemning Maoists. They did not pay much attention to the living conditions of the camps. See Sundar (2006: 102).
- 17 The goal of Hindu supremacists is to turn India into the 'Hindu rashtra'. Their concept of 'Hindu' can be traced back to Savarkar's *Hindutva* (Hinduness) which describes Hindus as a people belonging to a common nation (*rashtra*), common race (*jati*) and common culture (*sanskriti*) and for whom India (*Sindhusthan*) is their fatherland (*pitribhu*) and holy land (*punyabhu*). For this reason, a person who has converted to Islam or Christianity cannot be a Hindu, even though this person shares the same fatherland and culture with Hindus, because this person's holy land is outside of India. See Savarkar (1989: 113, 115–116). Vanaik points out that the Sangh Parivar upholds a highly exclusive form of Hindu nationalism, which asserts that India must recognize itself as a Hindu nation and that it needs an effective Hindu state to gain national and international strength and prestige (Vanaik 2017: 368). See also Nakamizo (2020b: 79).

- 18 The sources are anonymized due to the sensitivity of this issue.
- 19 Interview with its founder, 5 September 2017.
- 20 Sangh Parivar (family of organizations) is an umbrella organization for Rashtriya Swayamsevak Sangh (national volunteer corps) and other affiliated groups, and the Bharatiya Janata Party forms its political arm. Their main purpose is to turn India into the Hindu rashtra, as mentioned in note 17. For details, see Nakamizo (2020a: 148–151).
- 21 See A. G. Noorani, “The Ban on Cow Slaughter,” *Frontline*, 8 June 2016. (<http://www.frontline.in/social-issues/the-ban-on-cow-slaughter/article8700526.ece?css=print>, last accessed on 26 November 2017). The Maharashtra government created the post of ‘honorary animal welfare officer’ and placed one in each district. All publicly known applicants for these posts have been Gau Rakshas. See Jaffrelot (2017: 56) and Sumita Nair, ‘Refrain in Sangh Turf: Cards Will Give Us Power’, *Indian Express*, 27 January 2017. (<http://indianexpress.com/article/india/india-news-india/maharashtra-government-beef-ban-gau-rakshak-id-cards-animal-husbandry-modi-sangh-turf-2991489/>, last accessed on 6 December 2017).
- 22 Interview with senior local journalist Manoj Singh on 15 March 2018.
- 23 See Jha (2017: 35–38). The general secretary of the HYV denies this charge and said that the group’s aim is to unite society by overcoming division.
- 24 Interview with the general secretary on 15 March 2018.
- 25 I analyse the current one-party/alliance dominance by the BJP as the ‘BJP system’. One characteristic of the BJP system is ‘the politics of obedience’, which contrasts with ‘the politics of consensus’ under the ‘Congress system’ (Kothari 1964). ‘The politics of obedience’ means that if people obey the BJP’s rule, they will receive rewards (the fruits of economic development); otherwise, they will receive punishments (oppression). The BJP’s main agenda is the realization of the Hindu Rashtra, as mentioned earlier. Under this BJP system, three pillars can be identified to realize the Hindu rashtra. The first is economic development, which works as a bond to unite Hindus. The second is the institutionalization of the Hindu rashtra, for example, through the September 2019 abolition of Article 370, which gave special autonomous status to the Muslim-dominant states of Jammu and Kashmir, and the implementation of a national register of citizens and the Citizenship (Amendment) Act 2019, which aims to exclude religious minorities, especially Muslims. The third pillar is a new strategy for Hindu extremism such as vigilante activities, which is the topic of this chapter. I develop this argument in Nakamizo (2020b).

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2 Creating majoritarian democracy

Bharatiya Janata Party in the 2017 Legislative Assembly election in Uttar Pradesh

Norio Kondo

The 2017 legislative election in Uttar Pradesh (UP) was apparently an epoch-making election. The Bharatiya Janata Party (BJP) won a landslide victory, with 39.67% votes polled. The BJP were awarded 312 seats out of 403. The then ruling party, the Samajwadi Party (SP), won 47 seats, with 21.82% votes, whereas the Bahujan Samaj Party (BSP) won 19 seats with 22.23%; the Indian National Congress (Congress) won 7 seats with 6.25%. Although the SP and Congress made an electoral alliance, their combination was no match for the BJP's ability to win the election. For the first time since June 1991, the BJP's single-party rule was established in UP. The BJP's sweeping victory in 2017 was apparently a repetition of the 2014 Lok Sabha (Lower House of Indian Parliament) election, which apparently brought about a kind of majoritarian rule in UP, at least in party politics.

This chapter presents a look into the factors leading to the broad victory of the BJP in the 2017 Legislative Assembly election and offers some implications for political prospects in UP.

Electoral politics in UP and BJP victory in the 2017 Legislative Assembly elections

The BJP victory in the 2017 Legislative Assembly election was expected in view of the BJP performance in the 2014 Lok Sabha election. The victory surprised many people and brought about substantial change in UP politics. Figure 2.1 presents changes in the percentage of votes polled by major parties in the Legislative Assembly and Lok Sabha elections after 1989. The rise of the BJP from 2014 Lok Sabha election to the 2017 Legislative Assembly election was tremendous. Before analysing factors leading to the phenomenal victory of BJP, one must understand the trajectory of recent state politics.

Party politics in UP: 1989–2017

Party politics in the UP changed radically after 1989 when the Congress government collapsed both in the centre and UP. Congress has shown no sign of revival in UP to date, as shown in Figure 2.1.

During the first half of the 1990s, the BJP retained about one-third of people's support and came to power in 1991 without the support of other parties. However,

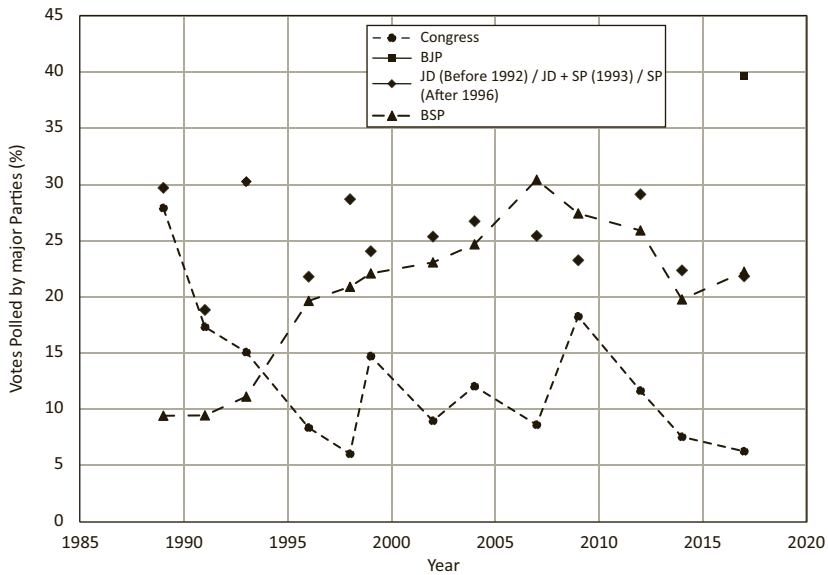


Figure 2.1 Percentage of votes polled by major parties in Legislative Assembly and Lok Sabha elections in Uttar Pradesh after 1989.

Source: Created by author on the basis of data in Election Commission of India (Legislative Assembly Election data: 1989, 1991, 1993, 1996, 2002, 2007, 2012, 2017, Lok Sabha Election data: 1998, 1999, 2004, 2009, 2014) (http://eci.nic.in/eci_main1/ElectionStatistics.aspx, accessed November 23, 2017).

Note: “JD” = Janata Dal.

the BJP government was dismissed by the central government because of the communal disturbance caused by the destruction of Babri masjid in Ayodhya in December 1992. Another feature of party system evolution in the 1990s was the rise of SP led by Mulayam Sing Yadav and BSP led by Kanshi Ram and Mayawati. The rise of these parties is largely attributable to the churning of political perception of people caused by the so-called Mandir and Mandal issues and others. The former refers to Hindu–Muslim communal conflicts related to the Ayodhya problem. The latter refers to social conflicts between Other Backward Classes (OBCs)¹ and socially and economically advantaged groups among the populace, especially high castes, which resulted from the creation of reservations in the central government for OBCs. The social turmoil attributable to the Mandir and Mandal issues and other issues caused a strengthening of the caste/community-consciousness of people in the party politics. The growth of the SP, after its separation in 1992 from Janata Dal (JD), was based on OBC support, especially the Yadav caste and Muslims after the 2010s. The growth of BSP, on the other hand, was based on the increasing support of Scheduled Castes (SCs: Dalit),² especially the Jatav/Chamar castes.

The growth of the SP and the BSP based on caste/community identity brought about the fragmentation of the party system and unstable government formation from the mid-1990s to the mid-2000s. There were eight chief ministers of different parties between 1993 and 2007. However, in the 2007 Legislative Assembly

election, a stable single-party government was established by the BSP with Mayawati as chief minister. BSP won the election by attracting not only Dalits but also other sections of the populace such as Muslims, high-caste people, and others who had come to be dissatisfied with successive unstable governments. Although the Mayawati government came to power based on the support of fairly wide sections, its main beneficiaries were Dalits, especially the Chamar/Jatav castes, which dissatisfied other sections, leading to the defeat in the next election in 2012. During the Mayawati government, it was said that the perceptions of some sections of Dalits in evaluating government changed with more emphasis on development and governance (Heath and Kumar 2012), although caste/community-based identity continued to play an important role.

In the 2012 Legislative Assembly election, SP won a majority and came to power with Akhilesh Yadav, son of Mulayam Singh Yadav, as chief minister, and completed his full 5-year tenure. Although Akhilesh Yadav himself was said to be a clean and development-oriented chief minister, his government was perceived as incompetent in administering law and order, and as corrupt, nepotistic, and casteist (Kang 2016: 16). Although the support of Yadav caste was stable, dissatisfaction was reflected in the 2014 Lok Sabha election when vast groups of people changed their allegiance to vote for the BJP. Increasingly, people have emphasized the government's performance based on development and governance (Verma 2014). The 2017 Legislative Assembly elections demonstrated the people's rising dissatisfaction leading to the great victory of the BJP.

Victory of the BJP in the 2017 Legislative Assembly Election

This section points out several factors leading to a broad victory of the BJP and the defeat of other parties based on election surveys and some descriptive analyses of the election, which is necessary to decide the direction of the statistical analyses in the next section.

First, the anti-incumbency feelings against the BSP and the SP cannot be ignored among various communities which have not attached greater importance in earlier governments. According to several surveys, the core castes/communities supporting Mayawati's BSP, are Jatav or Chamar³ among Dalits. It is often said that Jatav/Chamar have received a larger share of benefits under the BSP government than other Dalits, which causes feelings of relative deprivation among non-Jatav/Chamar Dalits, resulting in their dissatisfaction. Furthermore, the intraparty feud and the exit of OBCs' influential leader, S. P. Maurya in 2016, had adverse effects on BSP's electoral prospect (*Times of India* 2016). The fact that BSP is nearly a Mayawati-centred party and that she controls the whole process of ticket distribution in the election is an important factor underlying his defection (Farooqui and Sridharan 2015: 87).

The same might be said about the SP (Michelutti 2008: 162). The core castes/communities supporting the SP are Yadav and Muslim. The non-Yadav OBCs have not benefitted sufficiently under the SP governments, which resulted in the dissatisfaction among non-Yadav OBCs. In addition, the SP's internal feud between the development-oriented chief minister, Akhilesh Yadav, and his father and party leader Mulayam Singh Yadav (Kang 2016), seems to have worked against popularity of the SP.

According to a survey conducted by the Lokniti, Centre for the Study of Developing Societies (CSDS), in January 2017,⁴ an overwhelming 79% of Jatav supported the BSP. However, related to other Dalits, although 47% of them supported the BSP, 24% supported the BJP and its allied parties, and 21% supported the SP and its allied parties. A 2009 survey⁵ showed that 64% of other Dalits supported the BSP. The support of non-Jatav Dalits has been diversified. Regarding the SP, in 2017 survey 73% of Yadav and 74% of Muslim supported the SP. However, only 20% of other OBCs (excluding Yadav and Kurmi) supported the SP, whereas 34% of other OBCs supported BJP and its allied parties; 16% of other OBCs supported the BSP. A 2009 survey revealed that 25% OBCs other than Yadav, Kurmi and Lodh supported the SP, whereas 29% of them supported the BJP and its allied parties; 19% supported the BSP.

Consequently, the diversification of the support base had been recognized by the 2017 election among both other Dalits and other OBCs. Apparently, the castes/communities which were made light of in the BSP and SP governments, especially the non-Jatav/Chamar Dalits and non-Yadav OBCs and non-Muslims, had shifted their support to the BJP, which had been appealing to people for development under the Modi central government (Jha 2017).

Second, in connection to the first point, it must be pointed out that development-conscious voters seem to emphasize government performance in terms of development and governance in selecting party in the election. Therefore, if people do not evaluate the BSP and SP governments in development and governance, they will vote for another seemingly more development-oriented BJP. In fact, most parts of the BJP manifesto for the 2017 Legislative Assembly election were devoted to the statements of development and welfare schemes; only one sentence touched on the Ram temple and Ayodhya issue (Bharatiya Janata Party – Uttar Pradesh 2017: 20).

Third, the popularity and propagations of BJP are important. In particular, Prime Minister Narendra Modi's popularity among Hindus is an important factor because the 2017 Legislative Assembly election can be understood as a continuation of the 2014 Lok Sabha election in which the popularity of Modi and the campaign of BJP-associated groups, such as Rashtriya Swayamsewak Sangh (RSS), were influential in attracting the votes of diverse voters.⁶

The propagation of the BJP ideology, "Hindutva," also cannot be ignored. It might have worked effectively, especially in attracting the marginal castes/communities associated with the BSP and SP described earlier (Ramaseshan 2016). Several news sources reported that workers of the BJP and its associated organizations, such as the RSS, propagated communal discourse among Hindu, which was likely to increase the support of Hindus to the BJP.⁷ Furthermore, although a series of communal incidents such as the Muzaffarnagar communal riots between Muslims and Hindus in 2013, the Saharanpur Riots in 2014 between Muslims and Sikhs, the lynching of an old Muslim man, suspected of storing beef, by a Hindu mob in Dadri of Gautam Buddha Nagar district in 2015 has been further alienating Muslims from BJP, the communal tension, in turn, has been sensitizing communal sentiment of majority Hindu simultaneously, which was likely to raise Hindu support for the BJP.

The next two sections present statistical analyses based on election data and population census data to look for the factors explaining major parties in UP. Although the survey data based on the interviews and their analyses paint a more detailed and accurate picture of the election, its coverage is narrow compared to the aggregated macro-election data. It is sometimes difficult to ascertain the influence of macro-scale structural factors such as urbanization, quantitatively. There are, of course, limitation of macro-scale aggregated data in analysing electoral behaviours, such as the “ecological fallacy.” However, if interpreting the result while considering the survey data-based analyses of other studies, there would be no severe mistake in understanding the people’s behaviours. The analyses explained in the following sections illustrate quantitatively what the survey data-based analysis said and gives a wider perspective of the party–people nexus.

Methodology

To analyse the election data on the basis of socio-economic data at macro/aggregate level, the matching of election data and socio-economic data is necessary. According to electoral laws,⁸ a Lok Sabha constituency consists of several Legislative Assembly Constituencies (LACs). The statistical records of Lok Sabha elections after the 2009 election are shown not only for each Lok Sabha constituency but also for the LACs within the Lok Sabha constituency. Furthermore, no major delimitation of the constituencies occurred after 2008. Therefore, the data for the 2012 and 2017 Legislative Assembly elections and those of 2014 Lok Sabha election can be dealt with as a set of a continuous panel data set based on LACs.

It is important that the geographical boundary of a specifically aggregated set of continuous LACs completely matches a specifically aggregated set of continuous “tehsils”, a sub-district unit in UP. Most items of population census have tehsil-level data. Consequently, the geographical boundary matching between a set of continuous LACs and a set of continuous “tehsils” in the population census was made for 2012, 2014, and 2017 elections. In this way, I have created 143 aggregated sample units (hereinafter called “sample units”) all over UP. The matching made regression analyses possible between the two data sets. This is a method used by Paul Brass (1985).

Variables used for statistical analyses are presented in Table 2.1. The dependent variables are the percentage of votes polled by major parties and the differences in the percentage of votes polled by parties between two elections. One can get a better understanding of UP electoral politics by examining the picture of a party in one election as well as the changes occurring between two elections.

The independent variables include the percentage of voter turnout and differences in voter turnout between the two elections, as well as variables created from the population census data. The former might be significant because voter turnout or an increase in the voter turnout might affect the support of a particular party. The latter variables related to ethnicity, economic class, and the level of modern life are created based on the population census. Ethnic and economic class variables, such as percentages of “Muslim,” “Scheduled Castes,” “Main Cultivators,”

and “Main Agricultural Labourers,” are regarded as important for examining the socioeconomic basis of party support in UP because of the close connection between major parties, on one hand, and castes or economic classes, on the other, as in the case of the BSP and the SP. In addition, a variable representing the overall level of modern life might be important because the rising level of modern life can be regarded as rendering people more sensitive to politics and changing their voting behaviours. Modern life is regarded as a variable having various aspects such as “urbanity,” “literacy,” “tap water,” and “electrical light.” Therefore, the author has created a composite variable of “level of modern life,” called “Mdnty”, consisting of the four variables in Table 2.1, through principal component analysis. Thus, we can estimate the popular voting behaviours related to major parties in relation to castes, religious communities, economic classes, and standard of living based on the population census of 2011.

For statistical analyses, weighted least squares (WLS) regression was applied with the “Number of voters” in each sample unit 2014 Lok Sabha or 2017 Legislative Assembly elections as weight variables. It is because the voter group sizes are widely different among sample units. It is attributable to the heterogeneous combinations of LACs and tehsils in matching the boundaries of both variables. A sample unit, for example, includes six LACs in one case while only one LAC included in another. Regarding the probable problem of “endogeneity,” it appears to be intractable.⁹ The problem of severe endogeneity can arise because of reasons such as the cyclical causation between dependent and independent variables. For example, the voter turnout, which is an independent variable, can be raised by the political mobilization of a particular party. However, actually in all the WLSs that follow, voter turnout or the difference of voter turnouts between two elections is statistically not significant in explaining the dependent variables, which most probably indicates the very low probability of the severe endogeneity caused by them. Furthermore, in the estimation, those sample units are excluded from the WLSs, which include LACs where there was no candidate of the party concerned to avoid the strong, biased estimation of coefficients.

Finally, it must be described that the interpretation of the results must be done carefully so that no mistake of “ecological fallacy” is committed. That would occur in misunderstanding the estimation based on aggregated macro-data as what would happen at the individual level. The risk of “ecological fallacy” can be minimized in two ways. First, the size of aggregated macro-data should be as small as possible. As described in this chapter, the level of aggregation, the sample unit, is smaller than the district, which ensures better estimation. Second, survey data based on the opinion poll should be taken into account for the interpretation of estimation simultaneously.

Statistical analyses of the party performance in three elections

First, it must be described that the continuity of the elections between 2014 Lok Sabha election to 2017 Assembly election is stronger than that from 2012 to 2014. The Pearson’s correlation of the BJP vote percentage between 2012 and 2014 elections is 0.398 whereas that between 2014 and 2017 is 0.543.¹⁰

Table 2.1 Variables used for statistical analyses

<i>Variable</i>	<i>Explanation</i>	<i>No. of Obs.</i>	<i>Mean (standard deviation)</i>	<i>Min. Max.</i>	<i>Source</i>
bjp2017*	Percentage of votes polled by BJP in 2017 Legislative Assembly election.	127	41.1 (6.61)	21.0 55.6	ECI
bjp17as12as*	[bjp2017] – [Percentage of votes polled by BJP in 2012 Legislative Assembly election]	126	26.9 (8.14)	7.70 49.8	ECI
bjp17as14ls*	[bjp2017] – [Percentage of votes polled by BJP in 2014 Lok Sabha election]	125	–1.60 (7.27)	–28.6 19.5	ECI
bsp2017	Percentage of votes polled by BSP in 2017 Legislative Assembly election.	143	23.0 (5.79)	7.00 39.6	ECI
bsp17as12as	[bsp2017] – [Percentage of votes polled by BSP in 2012 Legislative Assembly election]	143	–3.35 (5.87)	–25.8 13.6	ECI
bsp17as14ls	[bsp2017] – [Percentage of votes polled by BSP in 2014 Lok Sabha election]	143	2.57 (6.12)	–18.3 20.0	ECI
sp2014ls*	Percentage of votes polled by SP in 2014 Lok Sabha election.	137	23.6 (10.1)	3.40 59.8	ECI
sp14ls12as*	[sp2014ls] – [Percentage of votes polled by SP in 2012 Legislative Assembly election]	136	–6.83 (10.1)	–30.0 21.4	ECI
inc2014ls*	Percentage of votes polled by Congress in 2014 Lok Sabha election.	114	9.13 (11.7)	0.500 64.5	ECI
inc14ls12as*	[inc2014ls] – [Percentage of votes polled by Congress in 2012 Legislative Assembly election]	107	–3.30 (11.5)	–46.4 45.6	ECI

Table 2.1 (Continued)

<i>Variable</i>	<i>Explanation</i>	<i>No. of Obs.</i>	<i>Mean (standard deviation)</i>	<i>Min. Max.</i>	<i>Source</i>
spinc2017*	Percentage of votes polled by both SP and Congress in 2017 Legislative Assembly election.	142	27.8 (6.81)	6.30 48.1	ECI
spinc17as14s*	[spinc2017] – [Percentage of votes polled both SP and Congress in 2014 Lok Sabha election]	142	–2.51 (8.30)	–26.5 16.9	ECI
vote2017	Number of voters in 2017 Legislative Assembly election.	143	606,492 (437,724)	164,353 221,6559	ECI
vote2014ls	Number of voters in 2014 Lok Sabha election.	143	562,547 (406,447)	153,938 1,959,196	ECI
vote2017p	Percentage of voter turnout in 2017 Legislative Assembly election.	143	61.1 (5.09)	44.8 75.0	ECI
vote2014lsp	Percentage of voter turnout in 2014 Lok Sabha election.	143	57.8 (5.93)	42.5 75.7	ECI
votep17as12as	[vote2017p] – [Percentage of voter turnout in 2012 Legislative Assembly election.]	143	1.70 (2.25)	–4.80 8.30	ECI
votep17as14ls	[vote2017p] – [vote2014lsp]	143	3.35 (2.69)	–5.60 9.90	ECI
votep14ls12as	[vote2014lsp] – [Percentage of voter turnout in 2012 Legislative Assembly election]	143	–1.64 (3.40)	–10.0 9.90	ECI
vrbjp121417*	{(bjp17as14ls) ² + ([Percentage of votes polled by BJP in 2014 Lok Sabha election] – [Percentage of votes polled by BJP in 2012 Legislative Assembly election]) ² } ^{0.5}	124	29.4 (8.93)	8.46 61.5	ECI

Table 2.1 (Continued)

<i>Variable</i>	<i>Explanation</i>	<i>No. of Obs.</i>	<i>Mean (standard deviation)</i>	<i>Min. Max.</i>	<i>Source</i>
muslim	Percentage of Muslim persons	143	16.8 (11.1)	2.76 61.6	Census
p_sc	Percentage of Scheduled Castes persons	143	21.5 (6.07)	8.81 41.7	Census
main_cl_p	Percentage of persons engaged in cultivation of land owned or held and work at least 6 months in the preceding one year.	143	8.17 (3.27)	0.870 18.6	Census
main_al_p	Percentage of persons work as agricultural laborers on another person's land for wages in money or kind or share at least 6 months in the preceding one year.	143	5.13 (1.86)	1.13 12.6	Census
Mdnty	"Mdnty" shows the level of modern life. It is made by Principal Component Analysis (with weight of total population) using the following data: "Percentage of urban population (%)," "Percentage of literacy population (%)," "Percentage of Households which have access to tapwater (%)," and "Percentage of Households which have electrical light (%)." The first principal component is adopted. It summarizes 65.2% of the variance of the four variables.	143	-0.40 (1.40)	-2.68 6.41	Census

Source: "ECI" = Created by present author from the data of Election Commission of India. "Census" = Created by present author from data of the India Population Census 2011.

Note: An observation, namely sample unit, is the data of specifically aggregated and geographically continuous LACs, the boundary of which is exactly same as the boundary of a specifically aggregated set of geographically continuous tehsils.

* indicates that those samples are excluded which include Legislative Assembly constituencies where there was no candidate of the party concerned.

Tables 2.2 through 2.14 present results of WLSs. In all the WLSs, the Variance Inflation Factors (VIFs) are sufficiently small that they show no severe multicollinearity among independent variables in the WLSs. Party-wise analyses are presented next.

BJP

In the 2017 election, according to Table 2.2, people living in the more modern areas are apparently more likely to vote for the BJP. Regarding castes/communities, the BJP received fewer votes where more Muslims and more SCs people live. Furthermore, the BJP won more votes where more cultivators and agricultural labourers live. This is, in a sense, a static picture of the BJP support structure in 2017.

A somewhat different story is apparent when we examine the change of BJP vote percentage from 2012 to 2017 in Table 2.3 and that from 2014 to 2017 in Table 2.4. An analysis of the change in BJP vote percentages from 2012 to 2017 reveals that BJP vote percentage increased less in the areas where more Muslim people live, but it increased more in the areas where more cultivators live. The analysis of the change in BJP vote percentage from 2014 to 2017 shows that the BJP vote percentage increased more in the areas where more cultivators and more SCs people live. These analyses are not contradictory to what the CSDS survey data and other data show, which means that we can interpret these statistical results, by and large, without fear of ecological fallacy.

Based on the three tables, first, it is clear that most Muslims do not support BJP, which did not change from 2012 to 2017.

Second, SCs are, by and large, unlikely to support BJP in the 2017 elections. However, some sections of SCs people probably support BJP, which is understandable because the agricultural labourers, whose main portion consists of SC people, tend to support BJP.¹¹ Agricultural labourers are economically weakest

Table 2.2 BJP’s support base in 2017 Legislative Assembly elections

<i>Dependent Variable = bjp2017</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation Factor (= VIF)</i>
vote2017p	0.0948	0.104	0.91	0.363	1.52
Muslim	-0.217	0.0502	-4.31	0.000	1.76
p_sc	-0.333	0.103	-3.22	0.002	1.51
main_cl_p	0.501	0.205	2.44	0.016	2.54
main_al_p	1.11	0.342	3.24	0.002	2.16
Mdnty	2.48	0.412	6.02	0.000	2.84
constant	37.4	5.49	6.80	0.000	

Weighted least squares with robust standard error: Weight variable = vote2017
 Number of obs = 127, $F(6, 120) = 9.13$, Prob > $F = 0.0000$, R -squared = 0.3231
 Source: Calculated by the author.

Table 2.3 Variables explaining the change in BJP vote percentage from 2012 to 2017 elections

<i>Dependent Variable = bjp17as12as</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t </i>	<i>Variance Inflation Factor (= VIF)</i>
votep17as12as	-0.196	0.280	-0.70	0.486	1.04
muslim	-0.178	0.0666	-2.67	0.009	1.35
p_sc	0.204	0.110	1.86	0.066	1.40
main_cl_p	0.738	0.254	2.91	0.004	2.21
main_al_p	-0.277	0.485	-0.57	0.569	2.16
Mdnty	0.797	0.529	1.51	0.135	2.69
constant	21.2	3.56	5.94	0.000	

Weighted least squares with robust standard error: Weight variable = vote2017
 Number of obs = 126, $F(6, 119) = 5.22$, Prob > $F = 0.0001$, R -squared = 0.2498
 Source: Calculated by the author.

Table 2.4 Variables explaining the change in BJP vote percentage from 2014 to 2017 elections

<i>Dependent Variable = bjp17as14ls</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t </i>	<i>Variance Inflation Factor (= VIF)</i>
votep17as14ls	-0.277	0.266	-1.04	0.300	1.22
muslim	-0.0616	0.0459	-1.34	0.182	1.41
p_sc	0.221	0.0969	2.28	0.024	1.40
main_cl_p	0.537	0.194	2.77	0.007	2.27
main_al_p	-0.209	0.459	-0.46	0.649	2.26
Mdnty	-0.452	0.376	-1.20	0.232	2.71
constant	-8.00	3.17	-2.52	0.013	

Weighted least squares with robust standard error: Weight variable = vote2017
 Number of obs = 125, $F(6, 118) = 10.79$, Prob > $F = 0.0000$, R -squared = 0.2457
 Source: Calculated by the author.

section in India. Therefore, it can be inferred that economically weaker SCs tend to support the BJP. Such economically weaker SCs might be, most probably, Dalits other than Jatav if we incorporate the evidence from the CSDS surveys.

Third, cultivators tend to support the BJP and tend to have increased their support constantly between 2012 and 2017. In light of the fact that major groups of cultivators consist of OBC farmers and that the CSDS surveys show that Yadav people firmly support the SP, probably non-Yadav OBCs have increased their support for the BJP continuously.¹²

Finally, it is interesting that people in modernized areas tend to support the BJP in 2017. However, no such tendency is clear in the percentage changes of BJP votes from 2012 to 2017 and 2014 to 2017. The signs of the variable “Mdnty” in

Table 2.3 are positive, whereas those of Table 2.4 are negative. Neither coefficient is statistically significant. Based on these facts, it can be inferred that modern life is a feature that accelerates change in the short run and that the accumulation of changes has contributed to the substantial increase in the BJP vote percentages in 2017. To assess this idea, an indicator of the fluidity of the BJP vote percentage based on the changes of BJP vote percentage from 2012 to 2014 and 2014 to 2017 is constructed as shown in Table 2.1 and regressed against independent variables. The result in Table 2.5 shows, with statistical significance of the 5% level, that modern life is likely to increase the fluidity of the BJP vote percentage between elections. Modern life has brought some fluidity into the people's support to the BJP, implying that the other parties have also been affected. That fluidity has cumulatively caused a substantial increase in the support to the BJP in the 2017 election.

BSP

Results show that the BSP’s social base is still SCs in 2017 according to Table 2.6, which is presented in Figure 2.2. However, as discussed in the BJP analysis, the economically weaker SCs in the agricultural labourer category appear to be less supportive of the BSP. Cultivators, mainly consisting of OBCs, were less supportive of the BSP. Furthermore, people in modern areas are less likely to support the BSP. This pattern is a reverse of the case for the BJP, except for Muslims.

Related to the changes in the BSP vote percentages, the process of erosion of the BSP support base is apparent in Tables 2.7 and 2.8. Table 2.7 shows that, between 2012 and 2017, the BSP has lost the support of people in the more modern areas as well as the support of cultivators. Additionally, it is important that, according to Table 2.8, the BSP has tended to lose the support of SC people overall between 2014 and 2017. The erosion of SC support is a severe matter because SC people have been traditionally core supporters of the BSP. Furthermore, it

Table 2.5 Variables explaining the fluidity of BJP vote percentage between 2012, 2014 and 2017 elections

<i>Dependent Variable = vrbjp121417</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation Factor (= VIF)</i>
muslim	-0.124	0.0832	-1.50	0.138	1.34
p_sc	-0.0303	0.126	-0.24	0.811	1.39
main_cl_p	0.244	0.283	0.86	0.391	2.24
main_al_p	-0.0751	0.587	-0.13	0.898	2.18
Mdnty	1.20	0.602	2.00	0.048	2.70
constant	30.5	4.04	7.54	0.000	

Weighted least squares with robust standard error: Weight variable = vote2014ls
 Number of obs = 124, $F(5, 118) = 2.03$, Prob > $F = 0.0790$, R -squared = 0.0793
 Source: Calculated by the author.

Table 2.6 BSP's support base in 2017 Legislative Assembly elections

<i>Dependent Variable = bsp2017</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t </i>	<i>Variance Inflation Factor (= VIF)</i>
vote2017p	-0.00774	0.0842	-0.09	0.927	1.50
muslim	0.0364	0.0403	0.90	0.368	1.60
p_sc	0.473	0.0764	6.19	0.000	1.45
main_cl_p	-0.390	0.161	-2.42	0.017	2.31
main_al_p	-0.724	0.327	-2.21	0.029	2.09
Mdnty	-1.237	0.380	-3.26	0.001	2.76
constant	18.8	4.51	4.17	0.000	

Weighted least squares with robust standard error: Weight variable = vote2017
 Number of obs = 143, $F(6, 136) = 9.45$, $\text{Prob} > F = 0.0000$, $R\text{-squared} = 0.3016$
 Source: Calculated by the author.

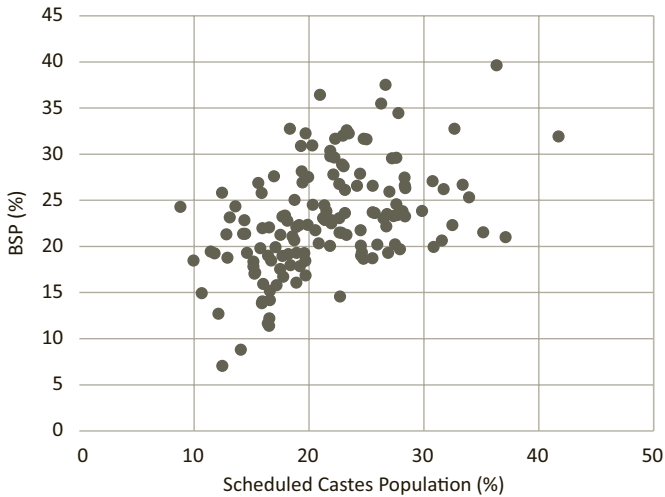


Figure 2.2 Scheduled Castes population (%) and votes polled by BSP (%) in 2017 Legislative Assembly elections.

Source: Created by the author.

must be noted that the Muslim position vis-à-vis the BSP is not clear in spite of the BSP efforts to gain Muslim support.

SP in the 2012 and 2014 elections

In the case of the SP and the Congress Party, statistical analyses involving the 2017 Legislative Assembly election are difficult to conduct because both parties made electoral alliances against the BJP and its ally Apna Dal in the 2017 election. Therefore, statistical analyses are conducted only for the 2012 Legislative Assembly and the 2014 Lok Sabha elections.

Table 2.7 Variables explaining the change in BSP vote percentage from 2012 to 2017 elections

<i>Dependent Variable = bsp17as12as</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation Factor (= VIF)</i>
votep17as12as	0.0340	0.223	0.15	0.879	1.04
muslim	0.0504	0.0394	1.28	0.202	1.28
p_sc	0.0163	0.0888	0.18	0.855	1.37
main_cl_p	-0.588	0.137	-4.28	0.000	2.02
main_al_p	-0.371	0.281	-1.32	0.189	2.05
Mdnty	-1.82	0.413	-4.40	0.000	2.53
constant	1.42	2.24	0.63	0.528	

Weighted least squares with robust standard error: Weight variable = vote2017
 Number of obs = 143, $F(6, 136) = 4.52$, $\text{Prob} > F = 0.0003$, $R\text{-squared} = 0.1837$
 Source: Calculated by the author.

Table 2.8 Variables explaining the change in BSP vote percentage from 2014 to 2017 elections

<i>Dependent Variable = bsp17as14ls</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation Factor (= VIF)</i>
votep17as14ls	0.228	0.259	0.88	0.381	1.26
muslim	-0.00889	0.0603	-0.15	0.883	1.37
p_sc	-0.241	0.112	-2.15	0.033	1.37
main_cl_p	0.0765	0.172	0.44	0.658	2.07
main_al_p	-0.428	0.428	-1.00	0.319	2.17
Mdnty	0.0158	0.404	0.04	0.969	2.56
constant	8.38	3.36	2.49	0.014	

Weighted least squares with robust standard error: Weight variable = vote2017
 Number of obs = 143, $F(6, 136) = 1.42$, $\text{Prob} > F = 0.2109$, $R\text{-squared} = 0.0759$
 Source: Calculated by the author.

According to Table 2.9, the support base of the SP in 2014 is clearly cultivators among which the OBC population occupies a main portion. It is difficult for the SP to gain the support of SC groups, agricultural labourers, and people in modernized areas. Regarding the change between 2012 and 2014 when the SP vote percentage was reduced from 29.13% to 22.35%, the SP retained their votes among cultivators but lost votes where more SC people live, according to Table 2.10.

Regarding Muslims, who have been regarded as SP supporters,¹³ Table 2.9 cannot clarify whether they supported the SP. However, clues indicate their increasing support for the SP between the 2012 and 2014 elections, which is apparent in Table 2.10, although it is not statistically significant at the 5% level.

Table 2.9 SP's support base in 2014 Lok Sabha elections

<i>Dependent Variable = sp2014ls</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation Factor (= VIF)</i>
vote2014lsp	0.0429	0.216	0.20	0.843	1.55
Muslim	0.115	0.118	0.97	0.334	1.71
p_sc	-0.338	0.155	-2.18	0.031	1.43
main_cl_p	1.33	0.404	3.30	0.001	2.41
main_al_p	-1.40	0.503	-2.78	0.006	2.07
Mdnty	-1.74	0.727	-2.39	0.018	2.82
Constant	21.5	9.04	2.38	0.019	

Weighted least squares with robust standard error: Weight variable = vote2014ls
 Number of obs = 137, $F(6, 130) = 9.26$, Prob > $F = 0.0000$, R -squared = 0.3149
 Source: Calculated by the author.

Table 2.10 Variables explaining the change in SP vote percentage from 2012 to 2014 elections

<i>Dependent Variable = sp14ls12as</i>	<i>Coeff.</i>	<i>Robust Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation Factor (= VIF)</i>
votep14ls12as	0.267	0.250	1.07	0.288	1.23
Muslim	0.143	0.0834	1.72	0.088	1.36
p_sc	-0.642	0.149	-4.31	0.000	1.37
main_cl_p	1.09	0.275	3.97	0.000	2.07
main_al_p	0.278	0.473	0.59	0.558	2.15
Mdnty	0.607	0.751	0.81	0.421	2.64
Constant	-5.50	4.62	-1.19	0.236	

Weighted least squares with robust standard error: Weight variable = vote2014ls
 Number of obs = 136, $F(6, 129) = 10.18$, Prob > $F = 0.0000$, R -squared = 0.2866
 Source: Calculated by author.

Congress in 2012 and 2014 elections

In view of Table 2.11, Congress gained more support among SCs and people in the modernized area in 2014. It reduced its support among agricultural labourers between 2012 and 2014 according to Table 2.12. These pictures of Congress, however, are less clear in view of the generally lower levels of statistical significance of coefficients.

SP and Congress in the 2014 and 2017 elections

As described already, in the 2017 election, the SP and Congress made an electoral alliance¹⁴ to cope with other parties, especially the BJP. Therefore, it is interesting to analyse the effects of the combination by examining the combined vote percentage of SP and Congress. Table 2.13 presents clearly that the SP and Congress

Table 2.11 Congress's support base in 2014 Lok Sabha elections

<i>Dependent Variable =</i> <i>inc2014ls</i>	<i>Coeff.</i>	<i>Robust</i> <i>Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation</i> <i>Factor (= VIF)</i>
vote2014lsp	-0.356	0.221	-1.62	0.109	1.34
muslim	0.150	0.0990	1.52	0.132	1.36
p_sc	0.472	0.225	2.09	0.039	1.51
main_cl_p	-0.0321	0.404	-0.08	0.937	2.37
main_al_p	0.826	0.558	1.48	0.141	1.97
Mdnty	1.79	0.72	2.47	0.015	2.18
constant	13.3	11.0	1.20	0.231	

Weighted least squares with robust standard error: Weight variable = vote2014ls
 Number of obs = 114, $F(6, 107) = 2.24$, Prob > $F = 0.0446$, R -squared = 0.1172
 Source: Calculated by the author.

Table 2.12 Variables explaining the change in Congress vote percentage from 2012 to 2014 elections

<i>Dependent Variable =</i> <i>inc14ls12as</i>	<i>Coeff.</i>	<i>Robust</i> <i>Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation</i> <i>Factor (= VIF)</i>
votep14ls12as	-1.06	0.651	-1.63	0.106	1.17
muslim	0.0724	0.103	0.70	0.484	1.24
p_sc	0.416	0.212	1.96	0.053	1.45
main_cl_p	-0.696	0.368	-1.89	0.061	2.02
main_al_p	-1.36	0.660	-2.06	0.042	2.23
Mdnty	-0.824	0.599	-1.38	0.172	2.14
constant	-3.52	4.94	-0.71	0.478	

Weighted least squares with robust standard error: Weight variable = vote2014ls
 Number of obs = 107, $F(6, 100) = 1.61$, Prob > $F = 0.1523$, R -squared = 0.1404
 Source: Calculated by author.

Table 2.13 SP and Congress joint support base in 2017 Legislative Assembly elections

<i>Dependent Variable =</i> <i>spinc2017</i>	<i>Coeff.</i>	<i>Robust</i> <i>Std. Err.</i>	<i>t</i>	<i>P > t</i>	<i>Variance Inflation</i> <i>Factor (= VIF)</i>
vote2017p	-0.116	0.141	-0.83	0.410	1.51
muslim	0.249	0.0670	3.72	0.000	1.60
p_sc	0.110	0.101	1.09	0.280	1.44
main_cl_p	0.355	0.211	1.68	0.096	2.33
main_al_p	-0.380	0.359	-1.06	0.292	2.11
Mdnty	-0.102	0.519	-0.20	0.845	2.76
constant	27.2	6.54	4.16	0.000	

Weighted least squares with robust standard error: Weight variable = vote2017
 Number of obs = 142, $F(6, 135) = 4.56$, Prob > $F = 0.0003$, R -squared = 0.1541
 Source: Calculated by the author.

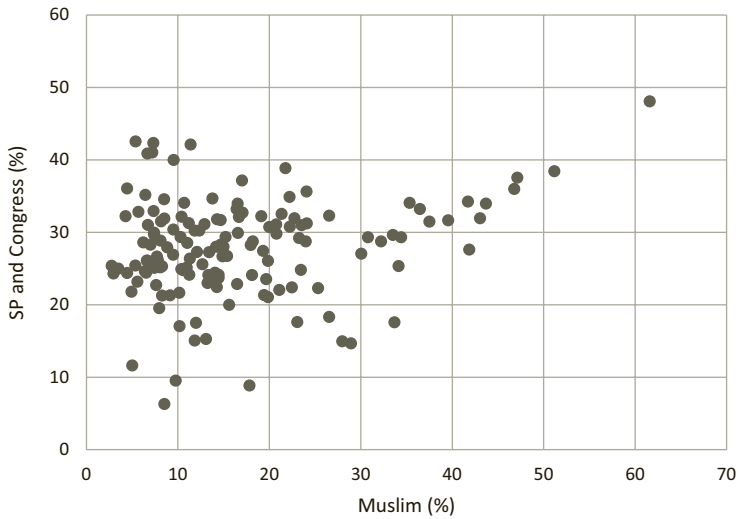


Figure 2.3 Muslim population (%) and votes polled by SP and Congress (%) in the 2017 Legislative Assembly elections.

Source: Created by the author.

Table 2.14 Variables explaining the change in SP and Congress joint vote percentage from 2014 to 2017 elections

Dependent Variable = <i>spinc17as14ls</i>	Coeff.	Robust Std. Err.	<i>t</i>	<i>P</i> > <i>t</i>	Variance Inflation Factor (= VIF)
<i>votep17as14ls</i>	0.110	0.353	0.31	0.755	1.27
<i>muslim</i>	0.0436	0.0629	0.69	0.490	1.37
<i>p_sc</i>	0.0735	0.151	0.49	0.626	1.36
<i>main_cl_p</i>	-0.546	0.225	-2.42	0.017	2.10
<i>main_al_p</i>	0.218	0.434	0.50	0.617	2.19
<i>Mdnty</i>	0.831	0.509	1.63	0.105	2.55
constant	-1.46	4.57	-0.32	0.749	

Weighted least squares with robust standard error: Weight variable = *vote2017*
 Number of obs = 142, $F(6, 135) = 3.90$, Prob > $F = 0.0013$, R -squared = 0.1322
 Source: Calculated by author.

alliance attracted Muslim in 2017, which is presented in Figure 2.3. It might be that Muslims perceived the SP and Congress combination to be the most appropriate force to cope with the BJP. However, such a positive effect of the combination is apparently reduced by the decreasing support of cultivators between 2014 and 2017 in view of Table 2.14. It is clear that many cultivators shifted their support to the BJP, if taking into account the preceding statistical analysis of the BJP's votes.

Concluding remarks

It can be said that the 2014 Lok Sabha election caused a drastic change in voters' support structure of the party system in UP, and that the 2017 election can fundamentally be viewed as a follow-up.

In the mid-2010s, support for the BJP increased in more modern or developed areas. Socio-economic modernization has certainly accelerated changes that have favoured the BJP. Additionally, it is most likely that the groups that tilted to the BJP were the relatively weaker sections among Dalits as well as cultivators consisting of OBCs other than the Yadavs. However, the traditional core castes/communities that supported the BSP, namely Jatav/Chamar, or the SP, namely Yadav, by and large, seem to have generally continued to support their respective parties, although to a lesser degree. The SP and Congress appeared to be the best combination that have elicited trust from Muslims against the BJP in the 2017 election.

Consequently, the new BJP government, led by Chief Minister Yogi Adityanath, owes its political support not only to the traditional support base of high castes but also to those people living in modernized areas, and those Hindu castes and cultivators who were marginalized by the previous BSP and SP regimes. The new BJP government owes its majoritarian support base to these heterogeneous social strata, except for Muslims. That is to say, the BJP depends on a 'heterogeneous majority', not a 'monolithic majority', in Hindu society. To maintain their support, therefore, the BJP government needs to make a few delicate policies.

First, the BJP government has to assign greater emphasis to its good governance and development agendas, as it had declared in its election manifesto. This would satisfy the heterogeneous social strata and would clarify the difference between the previous governments and the current BJP government. Chief Minister Yogi Adityanath's continued emphasis on good governance and development is a clear sign of this need. In September 2017, he released a white paper on the earlier government.¹⁵ It severely criticized the misrule of previous governments over the past 15 years, such as the mismanagement of government expenditures, delays, and corruption within government projects, namely, their poor development performance and misgovernance.

It goes without saying that the BJP government knows that its development and good governance agendas are key to maintaining a stable government and balancing various social groups because these concepts are comprehensive and appealing to heterogeneous social groups. The agendas overlap the image of the Modi government in the centre.

Second, the BJP government should conduct policies to strengthen the cohesiveness of its heterogeneous social support base, except for Muslims. Muslims are firmly behind the SP and Congress combination. For example, in April 2017, the BJP issued an order to remove the reservations in private medical colleges for candidates belonging to the SC, ST, and OBC categories. This order had already been decided by the previous SP government.¹⁶ Furthermore, the UP BJP is trying to woo Dalits and OBCs by re-creating new icons for these communities, such as Raja Suheldev, Rani Jhalkari Bai, and Lakhan Pasi, while simultaneously showing respect to icons like Ambedkar.¹⁷

In spite of the unmistakable necessity of the above policies and schemes, however, the basic trait of the Hindutva ideology of Yogi Adityanath's BJP government seems to pose some uncertainty regarding the choice of policies. Hindutva, if it is plainly biased in favour of high castes, is most likely to put a limitation on maintaining a delicate balance among heterogeneous castes/communities, or in promoting social amalgamation for the benefit of Hindutva, especially for Dalit people. An incident involving local officials insulting a section of the Dalit caste in Kushinagar district in May 2017,¹⁸ for example, elicited strong reactions from the Dalit people. This incident forced the chief minister to show a reconciliatory attitude toward Dalit communities.¹⁹ This example seems to show that the BJP cannot be in a position to impose the tyranny of a 'monolithic' majority, even on the Hindu society. However, positioning Hindutva against religious minorities, especially Muslims, could have the effect of consolidating the support of various Hindu castes or communities. This could contribute to the strengthening of the support bases among Hindus; however, it could also result in widespread law-and-order problems.

This inherent uncertainty concerning the Hindutva policy seems to have meant that the Yogi Adityanath government has been easily influenced by the policies of the central government. If Narendra Modi's government in the centre tilted toward Hindutva policies, this would accelerate the Hindutva policies of Yogi Adityanath's government.

Nevertheless, the first priority of the BJP UP government has to be socio-economic modernization through good governance and development. This is because, in view of the finding of this analysis, modernization would surely broaden the support bases of the BJP in UP. This would make it easier for the Yogi Adityanath government to adopt a stronger Hindutva policy.

Notes

- 1 "OBCs" is an administratively defined category of castes/communities that are socially and educationally backward, excluding Scheduled Castes and Scheduled Tribes (STs). The designation was created for affirmative action, such as reservation of government employments, and so on, for these peoples.
- 2 *Dalit* means "depressed class of people," which includes SCs and STs and others depending on the context. In this chapter, *Dalit* is used interchangeably with *SC*.
- 3 Although in the UP villages, Dalits were, by and large, under the pressure of dominant upper castes before the 2000s, their status seems to be improving gradually (Lieten and Srivastava 1999; Kapur et al. 2010). Some sections of Dalits, especially Chamar, were successful in raising their social status; the BSP clearly accelerated such process in the 2000s. Consequently, Chamar "*neta*" (leaders) emerged, although they were still few (Jeffrey et al. 2008).
- 4 Lokniti (2017). The survey was conducted from January 17 through January 23, 2017, among 6481 voters in 322 locations (polling stations) spread across 65 assembly constituencies.
- 5 *The Hindu*, May 26, 2009, "Why the Congress Did as Well as It Did." Original source is Centre for the Study of Developing Societies 2009, "National Election Survey 2009" (sample size: 2849).
- 6 *The Hindu*, May 28, 2014. According to the article, in January to March 2014, about 34% of people preferred Modi as the next Prime Minister, while only 15% preferred Rahul Gandhi of Congress. Regarding the campaign and strategy of the BJP and RSS, see Narayan (2014).

- 7 Ramakrishnan (2017) presents an illustrative example.
- 8 As described in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008.
- 9 For example, it is virtually impossible to apply the method of instrumental variables because of the difficulty of finding appropriate instrumental variables.
- 10 In both cases, $n = 124$ after excluding the sample units involving BJP-vacancy LACs.
- 11 Regarding this point, the informal welfare provision of BJP-related organizations to poorer people might play an important role in rural areas. In this connection, see important work by Thachil (2014).
- 12 The strategy of BJP to divide the OBCs and get support of non-Yadav OBCs can be seen much before the 2010s. See, for example, Zérinini (2009: 58–63).
- 13 Muslims do not seem to vote en bloc for a particular party to defeat the BJP. By and large, Muslims seem to be anti-BJP (Verma and Gupta 2016).
- 14 The adjustment was not complete. SP fielded 311 candidates while Congress fielded 114 candidates. There were 25 overlapping constituencies and 3 constituencies with no candidates from both parties. The coalition is not up to the expectation of both parties (Farooqui and Sridharan 2017).
- 15 “White Paper Released by Yogi Adityanath Targets ‘Misrule’ by SP, BSP Govts,” *Hindustan Times*, September 18, 2017, <http://www.hindustantimes.com/lucknow/white-paper-released-by-yogi-adityanath-targets-misrule-by-sp-bsp-govts/story-NfjFRxPaCRqZLeecgEaoMO.html>.
- 16 *India Today*, April 13, 2017, <http://indiatoday.intoday.in/education/story/yogi-adityanath/1/928050.html>.
- 17 *Hindustan Times*, June 13, 2017, “New Dalit Icons Emerging in Uttar Pradesh as BJP Tightens Its Reins,” <http://www.hindustantimes.com/india-news/new-dalit-icons-are-emerging-in-up-as-the-bjp-tightens-its-reigns-in-up/story-udbF7fXZHMhH5aWk3WzrhK.html>.
- 18 People belonging to a Scheduled Caste have alleged that they were given soap and shampoo by the local administration ahead of a visit by Chief Minister Yogi Adityanath. They were asked to take baths and clean up properly before attending a function in Kushinagar. *NDTV*, May 28, 2017, <https://www.ndtv.com/india-news/given-soap-told-to-take-bath-before-yogi-adityanath-visit-say-dalits-in-uttar-pradeshs-kushinagar-1704806>.
- 19 In a conciliatory move following caste tensions, Chief Minister Yogi Adityanath on June 14, 2017, had lunch with Dalits and unveiled a statue of B. R. Ambedkar in Gorakhpur. *Economic Times*, June 14, 2017, <https://economictimes.indiatimes.com/news/politics-and-nation/uttar-pradesh-cm-yogi-adityanath-lunches-with-dalits-after-caste-tensions/articleshow/59149342.cms>.

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3 Practicing the right to indifference

Secularism, toleration, and Islamophobia in Indian and American national subjectivities

Peter Gottschalk

In December 2017, President Donald Trump retweeted videos posted by the British white nationalist group Britain First. Widely discredited, the videos supposedly portrayed Muslims in the United Kingdom committing crimes against other Britons. His unrepentant action led Prime Minister May to tweet an admonishment of the American president that was unprecedented in the past century. Trump's retweet represents but one small expression of the populist nativism that helped win him the highest office in the nation ("Trump Hits Out" 2017).

Meanwhile, for more than four years since his election to office, Prime Minister Narendra Modi kept a studied silence in the face of myriad assaults against – and even murder of – Muslims in locations throughout India. The religious chauvinism that his political party, the Bharatiya Janata Party (BJP), and its mother organization, the Rashtriya Swayamsevak Sangh (RSS), have carefully cultivated over many decades helped propel him to power and – until his public condemnation in January 2019 of violence in the name of cow protection – he appeared prepared to silently condone discrimination in his effort to remain there.

India and the United States: two nations bound by the history of the British Empire and defined, in part, by ideals of secularism and tolerance. Yet each nation currently struggles with endemic Islamophobia and anti-Muslim sentiment that takes different expressions. Arguably, forms of discrimination have emerged in response not only to historically varying social circumstances but also to the distinctive nature of secularism, pluralism, and toleration in each country.

Drawing on the work of scholars of secularism, this chapter examines how current American and Indian nation-states seek to craft a normative nationalist subjectivity that, in principle, defines itself in part through principles of toleration yet, at times, facilitates intolerance toward Muslims and suspicion toward Islamic traditions. These notions of toleration often rely on a strategy by which many nations understand themselves, which balances the projection of a national ideal based on universal principles and the proclamation of a particularism defining the nation's citizens as collectively unique. Establishing a shared history, defining bodies of belonging, and positing certain shared values and practices all serve in the endeavor to imagine the exemplary national subject, as well as to define those who do not share their subjectivity. Although the derisiveness of discrimination appears inherent to nationalism, the assertion of a "right to indifference" from the state and fellow citizens may offer an avenue by which minority groups like

Muslims can escape the stereotypes used to justify their marginalization and side-step principles of toleration that often work against them.

Imagining nationalist universalisms and particularisms

Mayanthi Fernando, the late Saba Mahmood, and other scholars have recently outlined the dual, complementary sides of modern nationalisms. On the one side of the nationalist coin, any particular nationalism generates a set of universal ideals by which it defines the nation. This promotes the nation as exemplary in its expression and/or protection of these ideals. As Fernando points out in regard to France, this idealization centers on *Liberté, égalité, fraternité* (“liberty, egalitarianism, fraternity”). Officially instantiated as the national motto, these terms offer a touchstone for national self-definition or, put another way, as a center counteracting the centrifugal forces of national discord found in varying degrees in practically every nation. Popular sentiment – supported and promoted by the state – holds these as universally applicable ideals (Fernando 2014: 51).

Instances of such state promotion of universal ideals for formulating the Indian nation can readily be found on the government of India’s National Portal of India. Through this extensive website, the central government apparently intends to provide both Indians and foreigners information about a breadth of subjects regarding the nation. Readily accessed from the homepage, the “Community” section features subheadings with information for specific demographic groups such as “businesspersons,” “sportsperson,” “women,” and “Non-Resident Indians” [*sic*]. In contrast with this recognition of social division, an image of three white-clad men is prominently positioned in the top center of this page. Arms flung ecstatically wide, they look gleefully at one another in a seemingly shared celebration. Although the *pagari* (turban), skull cap, and *bindu* (forehead mark) each dons, respectively, identifies them as Sikh, Muslim, and Hindu, each also has the national colors of green and saffron adorning his face. Thus, on a web page inviting Indian users to pursue information pertinent to their specific demographics, an image of Indians sharing a universal and joyful *bhai-bhai* (“brotherhood”) promises to ameliorate the religious communal divides responsible for some of the country’s worst public violence since its independence from British rule in 1947. As though resisting any counterpoint to this assertion of unity – and despite a link for “Scheduled Tribes/Schedule Caste” [*sic*] that touches on a web of major social fault lines – the “Community” page’s subheadings suggest no information regarding religious groups except for one titled “minority community.” Few of the links cited in this subheading explicitly reference religious groups (National Portal of India 2020b).

On the other side of the nationalist coin, most nationalisms also create a set of *particular* characteristics that differentiate its citizens from those of all other nations. After all, a nation defined by universal ideals alone could potentially include all humanity. In the case of many French, they define themselves as different from Britons and Moroccans, among others, based on a historical narrative in which the French language, a Catholic heritage, white racial identity, and the significance of certain historical events coalesce into a vital national character.

Hence, the national subjectivity thereby fashioned can have linguistic, moral, embodied, and mnemonic dimensions (Fernando 2014: 18–19).

The National Portal of India manifests this quality as well. For instance, following the “Know India” link from the homepage and clicking on the “My India My Pride” subheading leads the user to a page declaring that “India is one of the oldest civilizations in the world, spanning a period of more than 4000 years, and witnessing the fusion of several customs and traditions, which are reflective of the rich culture and heritage of the Country” [*sic*]. The text then describes the economic success of India following an era of “colonialism” by noting “more than anything, the nationalistic fervour of the people is the contributing force behind the culmination of such a development” (“My India, My Pride” 2020c). This projects a profile of Indians as sharing a remarkably ancient civilization that has cultivated a certain *mélange* of cultures over the course of its history. The page on the National Portal that describes India’s ancient history makes a more deliberate claim. “The history of India is punctuated by constant integration of migrating people with the diverse cultures that surround India” (National Portal of India 2020a). This metanarrative establishes a continuity created by an enduring Indian civilization that absorbs and makes arriving cultures part of itself, foregoing any sense of a more disruptive process of intercultural encounter. The conclusion for the page “People & Lifestyle” sums up the particularism implied in these narrations: “The beauty of the Indian people lies in their spirit of tolerance, give-and-take and a composition of cultures that can be compared to a garden of flowers of various colours and shades of which, while maintaining their own entity, lend harmony and beauty to the garden – India!” (“People & Lifestyle” 2020). These lines emphasize the particular qualities of tolerance and pluralism as defining “the Indian people” who cumulatively comprise “India”: a theme developed by certain early pre-independence nationalist leaders such as Mohandas Gandhi.

In contrast with the official National Portal of India, the webpages of the US government’s USA.gov website – which provide a parallel introduction to the demographic and historical qualities of the country’s citizens – offer no such direct statements of national qualities yet nevertheless lead the user to intuit certain universalisms and particularities. For instance, although the “American History” section of the “U.S. History and Historical Documents” page eschews any overarching narrative, the list of nineteen significant events it provides offers a trajectory in which voting rights are more equally applied and Black Americans increasingly overcome racist obstacles. The history of the nation’s people, this implies, is defined, in part, by universal values (albeit, not uniformly realized) of democracy and equality. Simultaneously, this selection of events suggests a particularity as well. It indicates that Americans have increasingly realized these values through a redemptive teleology of successful struggle and political progress beginning with the American Revolution and ending with “the first African American to be elected president” of the country. Meanwhile, other particular qualities of Americans can be assumed from considering the two other themes – technology and war – that thread throughout the unconnected events listed on the “American History” page (US.gov, n.d.). Specific events describing the Industrial Revolution, the Wright Flyer’s milestone, the use of atomic weaponry,

and the Apollo 11 moon landing all emphasize a people seemingly successful in the development of technology. In 2017, the timeline began with the American War of Independence and ended with the operation that killed Osama bin Laden, depicting a people frequently involved in war, usually overseas, and not always successfully. By 2018, the timeline had been altered to omit the bin Laden assassination and end instead with the Obama electoral victory, demonstrating how the federal government carefully cultivates a national subjectivity (US.gov, n.d.).¹

The respective governments of India and the United States use official digital platforms to project an image of Indians and Americans that cannot be confused with that of Pakistanis, Bangladeshis, and Nepalis, or Canadians, Mexicans, and Cubans. Through the mutually reinforcing combination of universalisms and particularisms, the nation emerges as distinct and distinctive from its neighbors. Notably, neither government promotes religion as a prominent quality of the nation or its people. This silence loudly demonstrates the centrality of specific forms of secularism in Indian and American state imaginaries of their nations. These secularisms – operating within the rubric of “toleration” – allow both for the embrace of certain religious identities as part of a national subjectivity and for the exclusion of others as incompatible.

Toleration and religious liberty

An independent United States and India developed particular secularist ideologies, structures, and sentiments out of their earlier experiences as British America and British India. These secularities fostered state-developed understandings of religion that, in turn, molded acceptable forms of religion that “deserved” tolerance and liberty. They also helped establish the category of “religious minority” and created religious norms in defiance of which certain groups would appear to be threats to the secular order. These groups might not only be excluded from certain formulations of a nationalist subjectivity, they might also be used to negatively define that subjectivity.

Toleration, as a European concept, emerged as a result of the chaotic centuries following the Protestant Reformation as states with differing politically established churches convulsed the continent with myriad wars. Simultaneously, these states internally struggled with minorities – mostly Christian – who dissented from membership in the established churches. For instance, already strident Church of England distrust toward Catholics quickened with the 1605 Guy Fawkes’ conspiracy to blow up Parliament. Later, Enlightenment thinkers such as Voltaire and Thomas Jefferson speculated on how to best maintain social stability given the potential for riotous religious provocations. When he wrote *A Letter Concerning Toleration* in 1689, John Locke drew on the painful national memory of England’s seesaw travails with established churches as Queen Mary prosecuted Church of England dissenters of the Roman Catholic Church and her successor Elizabeth replied in kind toward Catholics. Meanwhile, other dissenters – Presbyterians, Baptists, Quakers – also suffered occasional oppression. Indeed, Locke wrote his *Letter* while in exile during the rule of the Catholic James II. Hence, Locke advanced “toleration” as a key concept (McKinnon 2006: 7–8).

In the British colonies of North America, this concept had particular resonance. While the original thirteen British colonies diverged from one another in regard to which church establishments they created (if any), they also differed in their religious demographics. For much of their pre-independence history (1607–1775), Puritans firmly controlled colonial Massachusetts, Quakers ruled Pennsylvania, and dissenters of all sorts made Rhode Island their home. But in all, substantial Christian minorities existed as well, and how they should be treated, what should be their tax burden, and whether they could hold public office proved nettlesome issues. Of course, all these colonies also had populations of Jews, non-Christian Native Americans, and recently enslaved Africans, but these featured little in the discourse on tolerance, which focused at first only on Christians. Indeed, even Catholics seemed beyond the pale of consideration in the eyes of most Anglicans and Protestants who often refused them consideration as “Christians.”

During the eighteenth century, a variety of social and religious changes occurred that moved increasing numbers of Anglo-American colonists away from mere toleration of Christian dissenters to, ultimately, an ideal of religious liberty for all. As ideals of individualism grew – especially influenced by Calvinist theological commitments to self-determined belief – a notion arose that all individuals had the “right of private judgment.” This divinely granted right meant that no Christian should be punished for the dictates of their own conscience in terms of their choice of belief and practice. Hence, dissenters from established churches should not be merely tolerated without punishments meted out by a disapproving state, but they should be respected for a choice that was rightful. Ultimately, this led to decreasing social acceptance for the public disparagement of specific Christian denominations. In the century before, condemnatory sermons and tracts commonly emerged from church pulpits and printing presses that targeted rival churches and condemned their divergent views. In a growing consensus about civility in public life, mid-eighteenth-century colonists embraced an acceptance of diversity beyond tolerance (Beneke 2006: 80–87).

All these dynamics coalesced most materially in the crucible of the American Revolutionary War. As men left farms and furnaces, law offices, and dockyards to take arms together against the British Empire, and as women bore the added burden of caring alone for those fields, businesses, and families the men left behind, the perceived differences dwindled along with the willingness to disparage. Even Catholics found acceptance during this period. The perceived right of private judgment and freedom from public slander eventually gave way to religious liberty, as colonial elites like Jefferson, Benjamin Franklin, and James Madison developed first the ideological justification for rebellion against King George III and, then, the constitutional guidelines for establishing a new, democratic government. Increasingly, Americans abandoned toleration as inherently intolerant since it signified a religious superiority that was growing unpopular. The first article of the Constitution’s Bill of Rights made any church establishment illegal and protected the free exercise of religion from legal restriction, while the Sixth Article guaranteed that no religious test could disqualify a candidate from public office (Beneke 2006: 136–137, 153–154, 167, 175). While toleration suggested an impermanent condition of forbearance that the state could withdraw,

American notions of natural rights made religious liberty inalienable to each citizen. Although Catholics as well as other non-Christians such as Jews and Indians still faced discrimination in many of the new states, the foundation of religious liberty had been established and gradually was exercised more firmly and equally (although not fully, even as of yet).

These developments simultaneously helped construct an ideal, nationalist subjectivity defined not only by white bodies, “Christian” values, and a shared British heritage but also by a certain *practice* of religion defined by Anglo secular and Protestant standards. To wit, as Talal Asad (2004: 190–191) has repeatedly demonstrated, secularist ideals such as those instantiated in the US Constitution were as much a product of the Protestant Reformation as Protestant sensibilities were shaped by secularism. In other words, the popular American subjectivity that emerged as a result of the revolution modeled certain religious and non-religious practices in public life that may have hewed to the notion of toleration yet, nevertheless, could lead to intolerance.

Like those of British colonial rule in America, the centuries of British imperial rule of India saw changes in how the state managed religious diversity. With its ascendance to political and judicial power in Bengal following the Battle of Buxar in 1764, the East India Company sought to emulate as many Mughal policies and laws as possible. Until English Evangelicals complained long and loud enough, this included continuing previous Mughal patterns of state patronage for Hindu, Muslim, and other religious groups’ institutions such as temples, mosques, and *dargahs* (Sufi tombs). Meanwhile, although chartered by the English crown – which also served as nominal head of the established Church of England – the company forbade missionaries from entering India until, again, Evangelicals forced the issue using political pressure in the 1830s (Carson 2012: 3–4). However, even with the termination of company patronage to religious institutions and its admittance of missionaries, Company Raj can no more be considered to have promoted an established church than the British Indian Raj that succeeded it. The governmental attitude toward religious diversity in either period had no name but was inherently governed by a tendency to avoid inviting antagonism to British rule that might imperil profits.

However, in the nineteenth century, as Indian elites began to mobilize for resistance to foreign rule and to organize for self-governance of a self-determined democracy, they first had to imagine their nation and promote a nationalist subjectivity uncongenial to overseas control. Of course, they did not do so *ex nihilo* but rather drew on both indigenous and British concepts to realize a nation and a model national subjectivity. Because Britons had since their earliest years of rule defined Indians as instinctively religious and, thus, as inherently divided – particularly between Hindus and Muslims – their imaginary was defined by religious diversity. The earliest of British knowledge projects attempting to understand the human contours of the lands they had recently acquired made religious identity one of the salient categories of interrogation, viewing “Hindu” and “Muslim” as mutually exclusive species of Indian who, for reasons explored later, were also inherently antagonistic to one another. Despite myriad changes in British Indian rule, these sentiments endured throughout most of its nearly

two centuries. Only at its end, when the furies of communalism threatened to consume South Asia, did the government desist in emphasizing religious difference, even as their censuses and other empirical studies continued to collect data on religious demographics (see Gottschalk 2012). Meanwhile, Western-educated Indian elites considered European models of democracy and secularism as they slowly attained more opportunities for self-rule and gathered increasing support for self-determination.

As C. S. Adcock has described, the nationalist movements of the early twentieth century projected two models for managing India's religious diversity in terms of secularism. While Jawaharlal Nehru proposed a Western model, Gandhi promoted what he viewed as an indigenous tradition of tolerance based on respect for all religions. Gandhi gave voice to his model during the 1920s' debate regarding the Shuddhi Campaign of the Arya Samaj that he described as an effort to convert Muslims to Hinduism. He judged proselytization as manifestly intolerant because of the presumption of religious superiority apparently motivating it. The Indian National Congress report on the 1931 eruption of Hindu-Muslim violence in Kanpur demonstrated how persuasive Gandhi's views were with its portrayal of both the "ancient" (Hindu) and "Mughul" (Muslim) periods as characterized by religious toleration and political balance. The report held the Arya Samaj's *shuddhi* ("purification") endeavours as ultimately responsible for the current conflict. But, as Adcock shows so thoroughly, these conclusions helped deflect attention from the Congress's own Hindu-oriented strategies and their alienating impact on Muslims while promoting Congress as successfully secular because of its tolerance ideal (Adcock 2014: 6–13).

Instead, Adcock insists, *shuddhi* involved caste identity far more than religious identity, while Congress's emphasis on religion helped reaffirm that – and not caste – as the principle quality among Indians. Gandhi wrestled with B. R. Ambedkar in part to assure that those viewed as low castes remained in the fold of "Hinduism" (Adcock 2014: 13–15) at a time when he and most of the Congress leadership relied on Hindu themes, symbols, and motifs to help build and attract that largest Indian constituency possible: Hindus. "Tolerance," therefore, became yet another of these Hindu characteristics. However, as in colonial America, "tolerance" required a state or (as in this case) a majority who demonstrated forbearance and a minority that required it due to their dissent from joining or mirroring the majority. In colonial America as in Europe earlier, toleration provided protection for minorities from state persecution. However, despite the endeavors of British and Hindu nationalist historians, few examples can be found in South Asia of premodern states – Muslim-led or otherwise – religiously persecuting significant populations. In this situation, then, Gandhi's promotion of "tolerance" as a Hindu trait that should be demonstrated in the political moment provided yet another example of how Congress portrayed Hindus and their supposed traditions as peaceful, accepting, and absorptive of invaders. This formulation required an x-factor. If the need for tolerance was predicated on the threat of intolerance and if tolerance was an essential Indic quality, then those requiring tolerance perforce were non-Indians who represented a threat. In other words, despite differences in their messaging and declared attitudes toward Muslims,

leaders of the Indian National Congress and of Hindu nationalist organizations like the Arya Samaj and Hindu Mahasabha formulated a normative nationalist subjectivity using “Indian qualities” that they most associated with Hindus.

Indian Islamophobia and anti-Muslim sentiment

Since India entered its first phase of nationalist self-imagination in the nineteenth century, there have been some Indians who have similarly sought to negatively define the nation relative to Muslims. Although we should not discount the possibility that some pre-independence Indians had interpreted certain social tensions as caused by differences between Hindus and Muslims, neither can we discount the impact of British Islamophobia and anti-Muslim sentiment on Indian attitudes.

From the start of their rule, the British relied on a metanarrative of Muslim invasion and Hindu subjugation that derived from European medieval encounters with Muslims. Throughout this story ran a theme of Islamic persecution and Hindu victimhood that had not existed in any pervasive manner in South Asia before the eighteenth century. Although Indian nationalists today project a very different history, Muslim sovereigns who might have had an interest in oppressing non-Muslim subjects usually faced considerable social and financial risk in doing so, as the Mughal emperor Aurangzeb discovered when protest derailed his 1679 effort to impose the *jizya* tax (Faruqi 2009: 41).

Nevertheless, British-written historiography often took Hindu–Muslim antipathy as foundational to South Asian society and politics. This narrative simply transposed long-standing European stories of Muslim incursions into the Christian Holy Land (today’s Palestine/Israel) in the seventh century and Europe (through Iberia and Byzantium) in the eighth to fifteenth centuries, drawing on similar themes of an essentially malicious “Islam”-driving fanatic heathens. In early modern publications, Christian Europeans continued medieval themes of a sex-crazed, material-mad Muhammad who acted as a prophet “imposter” to satisfy his desires. Alternatively, medieval and early modern authors viewed him as a Christian heretic, driven to split the church for his own benefit. Yet others considered him working in league with Satan.

As the subject of such extreme views of a normative threat to Christian European social and theological orders, Muslims became the obvious choice as foils for negatively defining those orders. The Britons serving in both company and, then, British Indian rule brought with them sentiments shaped by centuries of anti-Muslim animus. While published – and often fantastic – portrayals of the Ottoman sultans’ “debauchery” and “despotism” may have served as the most frequent foil for British morality and good governance in the seventeenth and eighteenth centuries, many Britons in India encountered Muslims face-to-face. The books, essays, and sermons written by some of them proved popularly influential not only among Britons and other Europeans but among many Indians as well. For some, however, their personal interactions challenged the presuppositions with which they had begun their Indian service.

Given the lessons of the British-informed historiography that coalesced in the nineteenth century regarding “Muslim invasions” and “forced conversions,”

Muslims could not but appear as foreign, intolerant, and ideologically non-Indic to many Western-educated Hindu elites. The “tolerance” theme of Gandhi – and the Arya Samaj – played into and reinforced this portrayal of Islam by bifurcating religions into those that proselytized and those that did not. According to the Samaj’s argument, the former demonstrated intolerance because of their presumed superiority while the latter reflected an acceptance of others. In the faulty logic of stereotypes, what was supposedly true of “Islam” was true of all Muslims, who necessarily could be viewed as condescending, intolerant, and, therefore, antagonistic. Hence, British and Hindu historians of the late eighteenth and nineteenth centuries often portrayed the incursions of Western and Central Asians into South Asia as “Muslim invasions” with “Islam” as a motivating ideology that led to temple despoilment, monastery sacking, and forced conversion. Despite his close associations and even alliances with Muslims in his South African and Indian campaigns, Gandhi’s (1983: 398) autobiography often rehearses the theme of implacable Hindu–Muslim conflicts common to British accounts.

The demands of the Muslim League (led by the alienated former Congress leader Muhammad Ali Jinnah), its Direct Action campaign, and the horrors of partition provided more proof for many post-independence Hindu chauvinists regarding Muslim difference and intolerance. It is true that the assassination of Gandhi by former members of the RSS led to a deep unpopularity of this, one of the foremost Hindu nationalist organizations in pre-independence India. However, persistent antagonisms with Pakistan helped to maintain certain Islamophobic and anti-Muslim sentiments until the RSS rehabilitated itself and began its slow ascent to national prominence and political dominance beginning in the 1980s. Members of the RSS and its offshoots in the Sangh Parivar (“the family of organizations” branching out of the RSS) also targeted Indian Christians. They often repeated the complaints made by Arya Samajis a century earlier regarding “Western” missionaries of intolerant religions seeking to foist their supremacy on Hindus by denigrating them before converting them.

The Constitution of India – finalized in 1949 and promulgated the next year – guaranteed that “all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion” (Parthasarathy 2015: 100). This positive freedom is complemented by a constraint established in Sections 153A and 295A of the Indian Penal Code that proscribe, respectively, “promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc.” and “deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs.” Today, Sangh Parivar members attempt to outlaw proselytization to “protect” Hindus and Hinduism (which they portray as an “Indian religion”) from predatory “foreign” Muslims and Christians.

American Islamophobia and anti-Muslim sentiment

For centuries, Muslims and Islamic traditions have represented foils by which Americans periodically have defined their nation, values, religions, and citizens. Although instances of Islamophilia and Orientalist romanticism have

occasionally appeared, since at least the revolutionary era Muslims have played a similar, occasional role in non-Muslim American² imaginations as they did in early modern British ones. British publications found eager readers in the colonies and then the new republic. Intellectual and political elites such as John Adams, John Quincy Adams, and Benjamin Franklin all negatively referenced Muhammad or Muslims in their public writing, clearly anticipating their readers to understand their references (see Spellman 2014).

During the debates in constitutional conventions for the individual states, as well as the one for the new nation, political statements favoring religious liberty often mentioned Muslims as foils for debates on religious tests. For instance, Jefferson (1853: 45) recounted in his *Autobiography* that as the Virginia legislature debated how to formulate their state constitution “a great majority” “meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and Mahometan.” Meanwhile, in 1776, Jefferson’s fellow Virginia statesman Richard Henry Lee said, “True freedom embraces the Mahomitan and the Gentoo as well as the Christian religion” (Madison 1985: 65). However, these statements evidence less an inclusive respect than a reiteration of Muslims as foils. Lee was not any more likely to anticipate that “Gentooes” (a contemporary term for “Hindus”) lived in North America than he was that Muslims did. Muslims had for so long served as foils to European and Christian values that they could serve as markers of absolute alterity. Jefferson and Lee could just as readily have said, “We intend our laws to protect *even* Muslims.” Even if only intended to include hypothetical Muslims, however, the inclusive intent is clear since few of the republic’s founders likely recognized that Muslims lived among them.

American antipathy toward Muslims was not improved with the first international war that their new republic fought. The new century soon brought conflict as President John Adams refused to pay tribute to a group of states on Africa’s Mediterranean coast. The “Barbary pirates” earned the ire of many Americans as they took hostage for ransom fellow citizens widely described in the popular press as “Christian men and women.” Although other Berbers allied with American forces and helped win some of the eventual US victories, the nation’s enemies were popularly denigrated using stereotypes of them as “Ottoman,” “infidels,” and “Muhammedans.” In later antagonistic moments between Americans and those who happen to be Muslim, many of these stereotypes have resurfaced to service new diatribes against “Arabs,” “Turks,” and other putative Muslims (see Allison 2000). By no means did these stereotypes remain the same, and by the middle of the century onward, racial inflections meant that some of the stereotypes relied less on Islamophobic than anti-Muslim sentiment as they focused less on a fear of the religion, *per se*, and more on the denigration of Muslims as a perceived race and/or ethnicity.

The demise of the Soviet Union as a Cold War nemesis and the somewhat coincidental ascent of insurgent groups utilizing violent Islamic ideologies has meant a more public resuscitation of Islamophobic and anti-Muslim sentiment than seen before 1979. In that year, Iranian students seized American embassy staff during a revolution in which Shia leaders played a prominent (but not sole) role. “Political Islam” had purportedly toppled one of the United States’ most steadfast

allies in Central Asia: one who served as a bulwark against “Soviet expansion.” Although the United States also supported the *mujahidin* against the Soviets in Afghanistan and had partnered with the Wahhabi-legitimated Kingdom of Saudi Arabia, the inability to co-opt many Islamists stoked anew American fears of Islamic traditions. Meanwhile, less than two decades earlier changes in immigration and naturalization law – culminating in the Immigration and Nationality Act (or Hart-Celler Act) of 1965 – allowed for the first time non-whites to migrate and become citizens without restriction. As the Cold War gave way to the War on Terror and as a new wave of nativism currently sweeps the country, various Islamophobic provocateurs, many Republican politicians, and some members of law enforcement have viewed the rising numbers of Muslim Americans (most of them non-white, some of them foreign-born) as potentially threatening, leading to surveillance, detention, deportation, and harassment. For many of these public actors, the demands of national security apparently have outweighed the rights of religious liberty.

Implicitly, Americans supportive of these developments have questioned the suitability of Muslims to fit the normative American nationalist subjectivity they presume to inhabit. Allegations of Islamic “intolerance” and “fanaticism” connote the suspicions cultivated over centuries that Muslims cannot be true Americans because their religious traditions interfere in the practice of secularity. Not without reason have physical markers of Muslim “difference” – such as hijabs and mosques – come under attack (literally and figuratively) with crimes justified, paradoxically, in the name of protecting a tolerant society.

The right to indifference

Given the intersections of nationalism, secularism, and pluralism, it becomes clear that the struggles against Islamophobia and anti-Muslim sentiment and for religious liberty in twenty-first-century India and the United States rely on an awareness of the history that shaped conclusions that Muslims and Islamic traditions represent an imminent threat to the nation. Today, significant populist-nationalist ideologies attempt to harness enduring yet variable Islamophobia and anti-Muslim sentiment through a divergence of approaches that reflect the varied struggles each nation has faced in fulfilling its own ideals of pluralism, toleration, and secularism. But neither Prime Minister Modi nor President Trump, nor their supporters, represent a new phenomenon with regard to intolerance and threats to religious liberty.

To properly counter the chauvinistic movements each represents, it will not be enough to simply address the ideas informing their views but also the liberal, nationalist, and secularist structures that have helped give rise to them. As one political commentator has argued, because liberal democracies value diversity and complexity they create a threat to the norms by which nations understand themselves. After all, despite the universal ideals their nations supposedly represent, nationalists also define themselves according to a set of particularities. Those within the country or attempting to enter who do not share these qualities threaten the norm and, thus, the oneness of the nation (Edsall 2017). Since their

inceptions, India and the United States have simultaneously celebrated their integration of immigrants and harbored ideas and sentiments that created “foreign” Muslims as a normative threat usefully employed as a foil to elaborate and justify the nation’s imagined values.

Meanwhile, in various Muslim-minority countries, the projected history of Muslims and the nation inflected through the ideology of “toleration” suggests that the state and/or populace accede to a Muslim presence only conditionally, perpetually maintaining the right or ability to no longer tolerate Muslims should they prove intolerable. As New England Protestants realized in the antebellum period, toleration does not necessarily imply belonging.

One approach toward undermining this notion of toleration and religiously chauvinistic definitions of national belonging might be to embrace “the right to indifference.” Coined in the 1970s by French civil rights groups such as S.O.S. Racisme, *droit à la différence* promotes not simply a right to be different but also a right (or at least the respect) to have difference viewed by the state and/or citizens without interest or concern. Initially used in support of French persons with immigrant heritage, the right to indifference was later used by French gay communities to capitalize on the repeal of homophobic legislation and assert a place in society neutral in the eyes of their neighbours (Gunther 1999: 329).

In the United States, Muslims have asserted a right to indifference in various ways without calling it such. They – and other Americans – have urged government and law enforcement to focus surveillance on perpetrators of civil violence instead of on Muslim communities. Legal endeavours to protect certain Muslim immigrants from the Trump administration’s strictures against them also asserts a demand to be treated without distinction because of their religious identity. Ideally, American secularism protects both against state restrictions on anyone’s religious exercise, as declared in the First Amendment, and against a religious test for public office holders, as established in Article Six. Yet not only is no right perfectly observed in all instances, but popular practice also erodes these strictures. For instance, candidates for political office so commonly declare their religious identities (if they have them) that not doing so might compromise their candidacy.

In contrast with the American context, Indian secularism proves more complicated. As the differences between the two national government’s websites demonstrated at this chapter’s start, Indians often assert secularism through the celebration of difference among specifically named religious groups while American secularism abstractly promotes the pretence of equality among unnamed religions. The American state ideally practices a religious know-nothing attitude as reflected in the fact that its decennial census has never asked citizens to declare their religious identity. In contrast, the Indian state has continued the practice that the British inaugurated with their first all-Indian census in 1871–1872 of asking every citizen to declare their religious identity (Gottschalk 2012: 182–224). Hence, the National Portal of India (2020d) reports that 13.4 percent of the population are Muslims while the US website offers no such statistic. Meanwhile, Indian constitutional protections for the use of Muslim personal law instead of civil law, for instance, requires that the state both recognizes Muslim difference

and protect Muslim rights that differ from those of their Hindu, Christian, and Sikh fellow citizens.

Reformulating Indian and American national subjectivities so that the practice of indifference toward Muslim identity would mean that Muslim Indians and Muslim Americans would enjoy the condition in which neither their fellow citizens nor the national state see them first as Muslims or view their primary allegiance as to “Islam.” Only when their neighbors and governments practice indifference and not “toleration” toward Muslim identities and belonging will pluralism be self-determined instead of majoritarian- and state-established.

Notes

- 1 The line removed from the website between December 2017 and August 2018 read “Operation Neptune Spear is carried out on May 2, 2011 resulting in the death of long-time al-Qaeda leader Osama bin Laden.”
- 2 While recognizing the challenge of determining exact figures, Sylvia Diouf (2013: 70) concludes “that there were hundreds of thousands of Muslims in the Americas” in the colonial period because of the enslavement of Africans and traces their few traditions that appeared to have survived their brutal conditions.

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4 State and violence in Burma/Myanmar

The Rohingya crisis and its implication for South and South-East Asia

Kazi Fahmida Farzana

The 2017 sudden explosion of nearly a million Rohingya refugees from Myanmar to its bordered neighbour Bangladesh took the world by surprise at a time when the decades-old domestic ethnic violence and instability in Myanmar were abating and a time of democratic peace was making inroads in the country through democratic reforms and a slow transition from the authoritarian military rule. The incident brought the entire world into this locality, exposing the multitude and inhuman facades of the decades-old globally and, to a large extent, even regionally, ignored ethnic conflict. As more and more regional and global powers became engaged with the issue, a new look at the dynamic of peace and conflict in the region on the same or similar issues has been warranted from the policy-makers, policy groups, and academic investigators.

Myanmar has long been known as a repressive military state. However, it, after five decades of military rule, has, since 2010, with its apparent change of government from military to civilian, benefitted from positive media, resulting in many North American and European countries lifting their sanctions. Events which have been instrumental include its election in November 2015 and the subsequent so-called ‘democratic government’ that formed in March 2016, indicating to foreign powers that it is willing to move towards democracy. Among other positive changes, some important ones were a noticeable relaxing of restrictions on freedom of expression, allowing a limited number of political groups to form, and the release of several political prisoners from jail brought hope among the international community that the country has been moving towards democracy.

However, several years on, many still argue that Myanmar is only a quasi-military, as the influence and presence of the military is still very strong within the current elected government (Bünthe 2014; Beets 2015; Stokke, Vakulchuk, and Øverland 2018). Indeed, the topmost ranked files are filled by the former military regime, and one-fourth of the seats in both the upper and lower houses of the legislative branch are appointed by the military. A partial list would include senior General Min Aung Hlaing, who is the commander-in-chief of the armed forces who has been referred to by the United Nations as a candidate of ‘war criminals’ (Fortify Rights 2014), because of the crimes he committed against the Kachin and the Shan. The second-in-command is the home minister, Lt-General Kyaw Swe, who is accused of masterminding the murder of lawyer U Ko Ni,¹ a prominent member of the Muslim minority and legal advisor to Myanmar’s ruling National League

for Democracy Party. The third-most powerful person is the minister of border affairs, Lt-General Ye Aung, who is responsible for the development of border areas and national races. And last but not least the fourth person in this group is the minister of defence, Lt-General Sein Win, who is responsible for the country's national security and the armed forces.

These facts reveal the military's continued grip on key institutions of power. Together, the four men control the most important state institutions, wielding power to manipulate the political and legal systems, to encourage and patronize xenophobic nationalism among Burmese citizens in favour of the predominant Theravada Buddhists' Burman nationalism, and mobilize ethno-religious prejudices, hatred, and violence on other ethnic and religious minorities that only confirm the repressive authoritarian nature of the state.

Hence, under the current quasi-military government political reforms appear no more than eyewash which is reflective its current human rights record, which is considered to be worse than during the past military era. The past pattern of violence and atrocities against the Shan, Karen, Karenni, and Rohingya ethnic minorities continue with similar and, in some cases, with greater intensity. Even though the apparent democratizing trend has brought Myanmar in closer relations with countries, regionally and globally, the implications of the continued repressive military policies fall primarily on the neighbouring South and South-East Asian countries.

The current chapter analyses the state of violence on the Rohingya ethnic minority group of Myanmar and its possible implications for the neighbouring countries in South and South-East Asian nations. Drawing on primary sources from partial fieldwork (in Bangladesh and Malaysia) involving interviews and focus group discussions with about 200 refugees and secondary sources, the analysis of this chapter argues that the internal ethno-religious conflicts in Myanmar have spillover effects on the neighbouring countries as the persecuted Rohingya community has largely dispersed in those countries like Bangladesh, India, Malaysia and Indonesia. The economic and social pressures of the displaced Rohingyas are likely to generate interstate diplomatic and socio-political tension between those countries and Myanmar.

Theoretical framework

The central problem of the Rohingya is that they claim their citizenship to the country as their natural right, but the state political authority continues to deny this natural right and entitlement, claiming that the Rohingya are outsiders or illegal immigrants. The question about the identity of the Rohingya of Myanmar can be discussed from the perspectives of the multiculturalism theory.

Over the past few decades, there is a changing political trend in Western democracies, strengthening cultural, minority and ethnic prominence in politics. According to Kymlicka, there are "shifts away from historic policies of assimilation or exclusion towards a more 'multicultural' approach that recognizes and accommodates diversity" (2005: 28). It focuses on the micro features and diversities in the society, giving rise to the theory of multiculturalism (Kymlicka 1995).

The multicultural theorists argue that the conventional perception of citizenship rights was originally developed and defined by white men and for white men (Marshall 1965). So, such a concept is unable to accommodate the particular feeling, perceptions and needs of non-white or minority groups.

The theory of multiculturalism visualizes social equality within a larger common identity, through differentiated recognition, rather than merging differences. Kymlicka (1995) argued that “[a] comprehensive theory of justice in a multicultural state will include both universal rights, assigned to individuals regardless of group membership. And certain group differentiated rights or ‘special status’ for minority cultures” (6). This is because, as Young (1989, 1990) argued, group differences are fundamental and natural; therefore, any attempt to develop a universal conception of citizenship overlooking the group differences would be unjust to the groups.

Kymlicka (1995) has identified four mechanisms that fall under the boundary of multiculturalism. Those are known as *assimilation*, *integration*, *accommodation* and *ethno-federalism*. *Assimilation* refers to the government policy to compel the minority groups to abandon their cultural peculiarities and adopt those of the majority group. This policy strikes on the identity of the group rather than forcing the group out of the territory. If the group’s cultural characteristics were eliminated, then their identity would be assimilated into the dominant group. For instance, the Canadian policy, in the early twentieth century, to forcefully segregate aboriginal children from their parents, forcing them to live in boarding schools, was implemented to forcefully re-socialize them out of the aboriginal cultural influences. The second mechanism is *integration*, which involves a greater amount of willingness on both majority and minority groups to recognize each other’s privileges and existence in exchange for certain compromises. Here, the minority recognizes and accepts that the majority will be culturally privileged, and will have larger control on resources and decision-making; in exchange, the majority will recognize and accept the minority’s right to practice and maintain aspects of its culture. The Malaysian experience in letting the Chinese and Indian communities continue to use their respective languages in schools or in maintaining their vernacular and culture-specific schools are examples of the integration mechanism.

The third multicultural mechanism is called *accommodation*, which prescribes a higher degree of cultural freedom for the minority. Known also as cultural autonomy or affirmative action policies or “special representation rights” (Kymlicka 1995: 7), the accommodation mechanism ensures extensive rights and privileges reserved for members of minority ethnic groups. The policy may offer a range of greater rights such as the right to attend schools where the curriculum is designed in the minority language, special treatment in hiring, quotas for certain government positions and preference to minority members. The affirmative action policies of the United States exemplify the mechanism of accommodation. A much improved and institutional version of accommodation is known as “consociational democracy” (Ahmen 2005: 27) practised in the Netherlands. And finally, the *ethno-federalism* policy, which confers, on the minority groups, territorial autonomy with a high degree of, but not complete control over, resources

and decision-making. Only specific powers are delegated to the groups to manage regional governance specific to the region and the groups; an entire country could be a federation of ethnic autonomous territories. In this case, the ethnic minorities must be geographically concentrated in particular regions in ways that the regions can be clearly distinguishable from each other. Known also as “self-government rights” (Kymlicka 1995: 7), such as the reservation system of the American Indians, the demand for group rights is not seen as a temporary measure; rather, such rights are natural. Aboriginal peoples and other national minorities such as the Quebecois or Scots claim permanent and inherent rights, grounded in a principle of self-determination. These groups occupy a particular homeland or territory and share a distinct language, culture, heritage and history. Such cultural nations are usually located within the territories of a larger and different political community but claim, due to their distinctiveness, the right to self-autonomy to maintain their distinct culture and otherness. What these national minorities want is not primarily better representation in the central government but, rather, the transfer of power and legislative jurisdictions from the central government to their own communities. The Belgian, Canadian and the autonomous regions of China are examples of ethno-federalism.

The theory of multiculturalism and the various mechanisms are based on recognizing differences; hence, known also as “differentiated citizenship” and “multicultural citizenship” in contrast to the universal citizenship. Although the theory is West-centric, we have seen some Asian countries such as China and Malaysia adopted various forms of multiculturalism. It apparently looks more attractive for multi-ethnic nations, in situations where integration, or common culture theory of citizenship, was found to be inadequate in resolving issues of sub-national identities.

The facts about the state of violence on the Rohingya

The Rohingya are a historical ethnic minority Muslim population in the state of Rakhain in Myanmar. Historically, Rakhain is known as Arakan, which was an independent kingdom during the Mughal Empire and until the advance of the British colonialism in the region. Once Burma became a part of the British India border, re-organization placed Arakan in the Burmese administrative region, but it maintained certain autonomous status. However, upon the Burmese independence in 1948, the Burmese government adopted a fierce nationalist agenda of unification and homogenization which caused ethno-nationalist separatist movements in a number of regions among which Arakan was one. However, compared with other ethnic groups in Myanmar, the Arakani Muslims experienced more systematic and sustained forms of persecution apparently on three grounds: that they collaborated with the British Army to fight against the Burmese, that some of them were Indian labourers who were brought to Arakan during the British period and therefore were not deemed as ethnic to the land and that they were Muslims. To maintain an absolute grip on the region, the Burmese government applied systematic exclusion methods such as denying citizenship to the Rohingyas, imposing social, economic, political and religious restrictions, and forceful eviction and

expulsion. Simultaneously, the government adopted human transplantation in the region by the local Buddhist in an attempt to create severe population imbalance against the Muslims to the point of their extinction.

A classical method of persecution that any military or authoritarian regime employs in wartime or ethnic cleansing cases, such as what happened during the Japanese occupation of China and South Korea during World War II and the Serbian ethnic cleansing of the Bosnian Muslims in the Balkans in the 1990s (Chang 1997; Tanaka 2001; Skjelsbæk 2011; Hirschauer 2014) is sexual violence in the form of rape and mutilation. The Myanmar military regime applied the same method of sexual violence on the Rohingya women systematically for decades. My fieldwork and personal interviews in February 2018 with survivors who had fled to Bangladesh and Malaysia revealed numerous instances of gang rape and cruel violence by Myanmar's military and security forces. Reports by various rights groups and aid organizations also shed light on rape being used as a key component of the military's persecution of the Rohingya to force them out of the country (Bennett 2017). Pramila Patten, United Nations' special rapporteur on sexual violence in conflict, has been noted as saying, "Sexual violence is being commanded, orchestrated and perpetrated by the Armed Forces of Myanmar" (Quadir 2017: 89). The 2017 Human Rights Watch report interviewed 52 women from 19 different villages of the Rakhine state and found that 29 had been raped. Skye Wheeler, a Human Rights Watch researcher, said:

Rape has been used by the armed forces of Myanmar as one of the ways to carry out ethnic cleansing. It worked out so effective to attack someone, because rape often has lasting traumatic memories that make it even harder for women to go back to Myanmar and feel safe in places where they have been assaulted.

(Hancock 2017)

The available numerous authentic documents testify that for decades the Rohingya have undergone systematic denial to legitimate rights, and persecution of arson, torture, arbitrary killing, gang rape, being burnt alive, forceful detention and other grave human rights violations by Myanmar military and state security as well as civilian forces (Selth 2018). The United Nations has termed this a "textbook example of ethnic cleansing" (UN News 2017) while others have called this a "slow genocide" (Ibrahim 2016; Klug 2018). As a consequence of these multiple forms of perpetrated violence nearly 2 million Rohingya Muslims have fled Myanmar since the late 1970s (Farzana 2017). Many took shelter in neighbouring South Asian countries (Bangladesh, India), South-East Asian countries (Malaysia, Thailand, Indonesia) and beyond.

Of these countries, Bangladesh being the bordering state with Rakhain, it bears the heaviest burden of the fleeing Rohingya population. Bangladesh is currently a host to over a million Rohingya refugees. According to a United Nations High Commissioner for Refugees (UNHCR 2018) report, following an escalation in violence in Rakhine, between August 2017 and 31 July 2018, approximately 723,527 Rohingya population were forced to leave the Rakhine state of Myanmar

and entered into Bangladesh. This makes it the third-largest recorded exodus of the Rohingya; the first and second forced migrations were in 1978 during Operation Nagamin (Dragon King) and in 1991 during the Pyi Thaya (Prosperous Country) Operation. Other than Bangladesh, India also has sizeable number of Rohingya refugees. Indian prime minister's plan to send an estimated 56,500 Rohingya refugees currently in India to Bangladesh caused tensions between the countries.

Among the South-East Asian countries, Thailand and Indonesia have been used as a transit point by the refugees to enter into Malaysia. Perhaps that is why the number of Rohingya refugees in Thailand is small, which is about 5,000, and Indonesia has about 1,750 Rohingya refugees mostly concentrated in various camps in Banda Aceh. Malaysia hosts the highest number of Rohingya refugees. As of February 2020, there are 101,010 stateless Rohingya registered with the UNHCR, and an estimated 30,000-plus remain undocumented. Rohingya refugees in Thailand, Indonesia and Malaysia are a very underprivileged, marginalized social group facing constant challenges, and their marginal status has been exacerbated by various local socio-political factors/circumstances. During our interviews with the Rohingya refugees in Malaysia, most of them mentioned 'fear of detention' by saying things like "sufferings greet us all the time", "no respect for Rohingya" and "police and immigration officers search for us". This situation is connected to the state attitude and policies towards the refugees. None of these countries is a signatory to the 1951 UN Refugee Convention or its Protocol and, therefore, are not bound to have any legal framework or protection mechanism for refugees. Registered refugees are not documented migrants and all are considered 'illegal', 'prohibited' immigrants and 'security threat' under the law.

Forceful internal and cross-border displacement and expulsion of a large number of people as refugees being an obvious consequence of the state repression, there are also unintended inhuman consequences for countries like Bangladesh, India, Indonesia and Malaysia, Thailand and other parts of the world as many of the persecuted people would take illegal routes for escape, therefore leading to human trafficking, social insecurity and further new challenges to human security in those countries.

The case of Rohingya can be explained from the perspective of 'Structural Violence', a situation purportedly created by an authority through state institutions and policies targeting a particular group of people with an intention to inflict a predesigned consequence on them. Obviously, the most direct of that structural violence is the Rohingya people being 'stateless' despite their having a legitimate state. This statelessness is something that is produced by their own state and not created by the people or the community itself. It is an imposed condition by the state with stated intention. Once a community is made stateless, it becomes legally and structurally subject to all and any form of depravation and violence. The depriving state in such a situation institutionalizes its acts through legal regimes and political socialization of its people that its acts and policies are legitimate. According to Maung Zarni (2017), stateless is structural violence, and structural inequality and structural violence are connected. He further argues that statelessness is structural violence which is linked to political socialization or domestic societal tendency and an illiberal regime miseducates its citizens

about the concept of what people or communities are. The state may mobilize ethno-religious prejudices and, in some cases, hatred to advance its political agenda (Zarni 2017). Desmond Tutu has rightly commented that such “discrimination doesn’t come naturally; it is taught” (quoted in Zhou and Safi 2017).

The Myanmar state narratives: politics of labelling

Like every state that practices such policies, Myanmar has its own narrative of justification of its acts and policies towards the Rohingya people which is based on puritanical nationalism. This form of nationalism is inclusive of its ethno-religious and cultural-linguistic homogeneity, on one hand, and simultaneously exclusive of non-conforming others, on the other hand. As such, the dominant narrative of the Myanmar government has been focused on rejecting the Rohingya by denying them their legality, personalities, and citizenship. The dominant narratives of the state and state-centred history claim that in the post-independent Rakhine state, all Rohingya Muslims are illegal immigrants. It has constructed and framed the Rohingya minority as “Other”, hence justifying the state’s actions in eliminating “the existential threat” to the Burmese population and its way of life (Holt 2019).

In constructing as well as maintaining its grand narrative, the Myanmar government has always rejected all accusations against its military and government of the ethnic cleansing that has been taking place in the Rakhine state. Although Aung Sun Suu Kyi promised that “Myanmar will ensure secure environment for all communities” (Ranjan 2017: 2), there are clear indications that the nationalist, quasi-military government views the Rohingya as an “illegal insurgent group,” not as citizens.

The grand narrative is constructed carefully by playing with the historical records through a combination of distortion, rewriting and omitting of the historical facts with regard to Arakan and its people. This process started mainly after the conquest of Arakan by the Burman in 1784. Between 1784 and 1948, Arakan witnessed a long tussle between the British Indian and the Burmese kingdom over its territory as the British Indian authority wanted to use it as a buffer zone to prevent the Burmese threat, and the Burmese authority wanted to take complete control over the land to push the British threat farther west. Thus, the official grand narrative claims that the people in the land were artificially planted by the British authority for its advantage and those people came from the British Bengal. Therefore, the Arakani Muslims are not native to the land, and they do not naturally form a part of the Burmese nationhood. Since, according to the Burmese claim, this is the historical facts about the people of Arakan, they are outsiders and therefore do not qualify for citizenship. So the policies of exclusion are not discriminatory; rather, these are legally justified.

While this grand narrative has some merits, it hides many other historical realities and facts that suggest an otherwise narrative. Other available authentic historical sources suggest that the politics over the land, locality, people and their identity of the region is much more complicated than its simplified version presented by the Burmese authority. A cursory look at the major historical facts present with the following scenario.

First, the area between modern Burma and Bangladesh, where today's Rakhine state is located, has a long history of people travelling or moving back and forth across the boundary. Rakhine was once an independent Maruk-U (the ancient name of Arakan) kingdom, separated from the two Burmese kingdoms in Central Burma and the Irrawaddy Delta, as well as Bengal and the Mogul Empires in India (Charney 2016). In 1459 CE, the Arakani kingdom conquered the adjacent Chittagong region on its western frontier (today's south-eastern part of Bangladesh) and ruled it until 1666 CE. Evidence from Arakan genealogy demonstrates that during this time, the Muslims' relationship with the Maruk-U kingdom became stronger, which also explains the Bengali influence in Arakan. Some of the Arakanese kings even adopted Muslim names (Phayre 1967; Jilani 1999), and "became somewhat Mahomedanised in their ideas" (Bhattacharya 1927: 141). During this time, "an attitude of tolerance prevailed, with Theravada and Mahayana Buddhism, together with Brahmanism, Hinduism, animism and other beliefs" (Blackburn 2000: 14). Thus, it was an inclusive and heterogeneous society that tolerated each other.

Second, historically, it appears that the ethnic tensions were deeply rooted even before modern Burma as a nation came into being. Conflict in Arakan can be traced to the late fourteenth and early fifteenth centuries, when various invasions came from the Irrawaddy Valley, from the Kingdom of Ava and the Kingdom of Pegu, which, at the time, were engaged in a massive war with each other (Charney 2016). Subsequently, in 1784, the Burmese king Bodawpaya conquered and incorporated the Arakan region into his kingdom, Ava, in Central Burma. During this incorporation process, the king replaced the Arakan throne with their own kings and brought in administrators, soldiers and settlers. This transformation of integration with the Irrawaddy Valley brought about in this region the Irrawaddy Valley culture, the Burmese language, Burmese script, Theravada Buddhist monks and Theravada Buddhism that first appeared as a royal cult in Arakan (Charney 2016).

During this period a systematic socio-political and economic oppression was inflicted on the people of Arakan by the Burman king. The most common form of oppression was heavy taxation imposed on the people. G. E. Harvey (1967: 280) mentioned that those who were not able to pay taxes were summoned to various garrison headquarters, and "when they arrived the Burmese would round them up and massacre them." Many similar incidents were reported with thousands of people (both Muslim and Buddhist Rakhines) killed between 1790 and 1797, compelling thousands more to flee from this area to the then adjoining British colonial territory of Bengal (Harvey 1967: 282). The local Arakanese began to rebel against the Burmese oppression. Thus, it can be argued that Arakan was deeply affected by the invasion of the Irrawaddy Valley. Since then, the relationship between the state of Arakan and the Burmese king was marked by animosity and deep mistrust.

Third, another murky episode that deepened the enmity between the local people and the Burmese kings was when the British imperial power colonized Burma (1824–1886). Their first step was to annex Arakan and use it as a buffer zone to invade mainland Burma. Faced with severe oppression by the Burmese

king, the Arakanese supported the British when the colonizers offered their support. During this time, as part of the British dual administration policy, the ethnic minority-based frontier areas and other ethnic and religious groups were able to move to the top levels of the colonial services (Smith 1999), and the peripheral states were allowed to govern their area under the control of traditional rulers. During this time, Arakanese Muslims, Karen, Shan and many other minority groups collaborated with the British colonial power against the Burmese state.

This policy of divide and rule of the British authority comprising ethnic minorities to suppress Burmese resistance (Moscotti 1977) created more a tense and conflictual relationship between the Burmese and ethnic minorities. This was a significant factor in solidifying the boundaries between the Burmese and ethnic minorities. This evolving nature of borderlands' geography has played an important role in constructing, reshaping and complicating the Rohingya identity in the post-independence era.

It is due to these historical facts that the post-independence Burmese government has perceived the Rohingya as collaborators with the British enemy, and since it was the British who brought a large number of Indian labourers to Arakan, the Rohingya were not deemed compatible with the push to promote a sense of national solidarity. Moreover, because their religion, Islam, differed from the dominant practice of Theravada Buddhism, it was easy for the government officials to view and represent them as 'others'. As part of its nation-building process, Burma/Myanmar, under its five decades of military rule until today, has been trying to establish an imaginary nation that is 'homogeneous and exclusivist' so that the majority Theravada Buddhist, Burmese-speaking, Burman culture remain unchallenged.

It is this process of nation building and Burmanization of the land that the politics of 'remaking of Rakhine' (Charney 2016) as part of a greater Myanmar that continues today. By changing its name from Arakan to Rakhine state (named for the majority Buddhist community), militarizing the state, patronizing the in-migration of Rakhine population from various areas to the Rakhine state, making Rakhine look increasingly like the majority culture, language and religion the process of exclusion continues. The process has involved a distortion of the historical facts that the "archaeological sites, texts, and other sources are being remade or expunged to develop a historical record that emphasizes an unchallenged culture and religious homogeneity to the region" (Charney 2016: 4). A recent example of such distortion is that the Myanmar government even officially banned the term *Rohingya*, claiming that it is a recent invention by Muslim separatists. Aung Sun Suu Kye in her defence of Myanmar at The Hague International Court of Justice did not use the term *Rohingya* at all. While apart from eight hundred years of the claims of the people, some documents by the Western authors suggest that at least three hundred years earlier, the people used to call themselves Rohingya. Francis Buchanan's diary, published in 1799, mentioned "the Mohammedans, who have long settled in Arakan . . . call themselves Rooinga, or natives of Arakan" (Buchanan 1799: 220). Any attempt to dismiss this kind of evidence will only obscure the truth. The government's denial of history has positively eased Rakhine's integration into the Myanmar nation-state

but has simultaneously undermined the true Rakhine past, its unique culture and history based on tolerance, inclusion and diversity.

Implications for South and South-East Asian countries

It is argued in this chapter that in the context of normalizing relations between Myanmar and its South and South-East Asian nations, the conflict between Myanmar authority and the Rohingya ethnic minority community has a spillover effect on Myanmar's neighbours. This is obvious due to voluntary, forceful, or otherwise, refugee flow to the neighbouring countries, the induced diplomatic tensions, and socio-economic and human security-related pressures caused in those countries. The most likely enduring implication could be that the conflict might take a perpetuating tendency due to Myanmar's deliberate state policy of denial of citizenship to the Rohingya minority group considering them as illegal immigrants. The resultant chain implication of this on the neighbouring countries could be that they might carry the burden of the refugees forever. This will likely compromise with peace in the entire two regions due to socio-economic pressures and human security issues caused by the refugees, cross-border human trafficking, and intentional terrorism and crimes. This a serious contextual analysis.

Bangladesh

Bangladesh, being the immediate bordering state with Rakhain, faces the horrible nightmare of the refugee pressure. Since Bangladesh had been burdened with a huge number of refugees since the 1978 influx, its initial reaction to the 2017 new influx was to 'push back', yet it failed to control and eventually opened its border due to the gravity of the situation and on humanitarian context. Unwillingly, Bangladesh is now hosting at least 1 million documented Rohingya refugees. The Bangladeshi government maintains that the Rohingyas were not originally from Bangladesh and were not officially known until 1978 when they first crossed the border from Myanmar in huge numbers because of political upheaval in their land of origin.

Hence, the Bangladeshi government views the issue as created by the Myanmar state and reiterates that it is not the ultimate responsibility of Bangladesh to take care of these people and that since the Rohingyas originated from Myanmar, they must return to Myanmar and cannot be allowed to stay in Bangladesh permanently. Under such a resolute denial, the Rohingya refugees in Bangladesh live a miserable life, especially the newcomers. It is a serious humanitarian situation in the Cox's Bazar district of Bangladesh where the refugees have been placed, with some human rights organizations warning that an epidemic may break out at any time, due to the serious lack of food and medical care (Banerjee 2019).

More than a million unwanted refugees have already caused social antagonism in the locality in Bangladesh as the local poor feel that they are deprived of the lucrative foreign food aid handed to the refugees, the local labour market is illegally encroached by the refugees and the inadequate health care facilities for

the locals are being overpopulated by the refugees. The refugees also cause local political tension as well since political parties and their local interest groups take illegal advantage of the refugees as potential vote bank in exchange of monetary benefits extended to the latter. There is a possibility that this situation may escalate to even more conflicts between refugees and the locals.

To avoid any local or inter-state conflict the Bangladesh government has always maintained its position to solve the crisis through peaceful means of negotiation and full repatriation of the refugees. However, due to deliberate negligence and procrastination on the part of Myanmar, the issue remained unresolved for decades. As late as 23 November 2017, Bangladesh signed a memorandum of understanding (MOU) with Myanmar government (Reuters 2017) on repatriation. The MOU carefully avoided identifying the refugees as ‘refugees’ or ‘Rohingya’, instead calling them as ‘displaced persons from Rakhine State’. Furthermore, it is fairly obvious that the MOU itself is quite ineffective since it resulted from a hurried expectation on the Bangladesh side of stopping further refugee flow and quickly returning the refugees and, on Myanmar’s side, from a tendency to abate the international pressure and criticism.

This fact is very much clear from the terms and conditions of this new agreement of repatriation that these are the same as those of the 1990s repatriation deal (Abrar 1994) – which was mostly a failed attempt – under which refugees had to prove, through documentation, that they were from the Rakhine state and that they had to agree to repatriation on “temporary resident” status. Because both countries do not seem to take the agreements seriously, it is not surprising that refugees continued to rush into Bangladesh until today, although in lesser numbers.

From the refugees’ perspective, the repatriation deal is also impractical and seriously objectionable. The refugees in the new settlement sites are still very traumatized by the violence and atrocities they experienced in Myanmar. More than 60 per cent of the new arrivals are women and children (UN Children’s Fund 2017). Apparently, the recent violence created many households to be headed by single mothers with lots of orphans. Our fieldwork data from the interviewees in Cox’s Bazar in February 2018 documented testimonies that although they had been in Bangladesh for more than six months, the spiralling smoke from their burning villages and the smell of burnt dead bodies still remained painfully fresh in their subconscious minds, creating sleeplessness and a distaste for food.

A more serious concern of any voluntary repatriation on behalf of the refugees is safety and dignity.² The refugees claim that returning to Myanmar without proper assurance of safety and dignity is tantamount to jumping from the frying pan into the fire. This is because the past experience of the refugees who returned earlier faced even more harsh torture and persecution which made many to flee again. This is substantiated by the Amnesty International (2018) report that Myanmar was further militarizing Rohingya villages and eradicating the evidence of their crimes against humanity by bulldozing Rohingya villages and replacing with newly constructed military bases. Furthermore, about five thousand Rohingya remain trapped at no-man’s land between Bangladesh and Myanmar (Alsaafin 2018). Several media report also stated that the sound of open

gunfire and announcements by the Myanmar military were in place to frighten the Rohingya to flee Myanmar (Myint 2019).

Under such a militarized and militant atmosphere in Rakhain, it is inconceivable for the refugees to even think of returning. From their practical experience and observation, the refugees started coming out to be recognized as a party to any repatriation agreement as they on 19 January 2018 submitted a thirteen-point demand to Ms. Yanghee Lee, UN special rapporteur on the human rights situation in Myanmar who visited refugee camps and settlements in Cox's Bazar. The demands included the following seven major points:

1. "citizenship" and equal rights are granted to the Rohingya;
2. a nationality card is issued to them prior to repatriation;
3. the Myanmar government ensures improved law and order for all Rohingya;
4. the UN and ICC are involved in this repatriation process;
5. their original land in the Arakan (Rakhaine) state is returned to them;
6. ICC ensures justice against crimes of gang rape, killing, and destruction of properties; and,
7. the UN fact-finding missions and the investigation teams are allowed to investigate the details arising from the August 2017 incidents.

Not being a signatory to the 1951 Refugee Convention and its 1967 protocol, Bangladesh can officially proceed with the repatriation process. However, any repatriation under the current situation is likely to be a violation of the principle of *non-refoulement* policy of those relevant conventions that state that refugees should not be forced to return to their home country. This makes the situation even more precarious for Bangladesh in terms of looking after the survival and welfare of the refugees and maintaining local law and order and economic and social stability in the region.

Rivalry between regional powers

The Rohingya crisis is more than just about Myanmar's religious and ethnic tensions. It has crossed that threshold and has become an international issue. In this connection, it is important to consider major power politics, particularly the two rising powers – China and India. The Arakan/Rakhain issue can potentially cause further regional conflict involving those great as well as regional powers. Myanmar is resource-rich, and it is strategically located near major Indian Ocean shipping lanes. Myanmar has a 2,129-km border with China on the north-east and a 1,468-km border with India on the north-west. Because of its geostrategic importance along with being economically important to both China and India, these countries want to protect and defend their respective interest in Myanmar, with which they have long-established economic and military relations. Both countries have concluded major trade agreements (Zhao 2008; Solanki 2018; Peng 2019). And furthermore, Arakan/Rakhain, being a resourceful region and located on the Indian Ocean shore, has the strategic importance of the region is more lucrative to both China and India. According to many reports, China wants

to build an Asian highway with a new seaport through Rakhine state in the Bay of Bengal (Kamal 2017). This highway will connect China to the Indian Ocean securing a number of advantages for the country. First, China is unlikely to be comfortable with an increasing American influence in Myanmar as it progresses towards democracy. So a highway directly connecting to the Indian Ocean can substantially counter the strategic influence of the US on Myanmar. Second, with American influence in the South China Sea, China would like to find an alternative route on the proposed Asian highway for its trade and import of oil, bypassing the South China Sea. The highway can also offer China an easy short-cut access to the Indian Ocean to trade with Africa and Europe. Therefore, it is quite logical for China to see the Rakhain region remain free of conflict and security threats from any separatist or insurgent or 'Islamic' terrorist group. Even if this can be ensured by forceful eviction of the entire suspect population, China may maintain no reservation on that. Indeed, this was reflected in the UN Security Council's first meeting on the Rohingya issue on 28 September 2017, when China and Russia supported the Myanmar government. It is to be noted here that both China and Russia are major suppliers of military arms and gadgets to Myanmar.

With regard to India's interest in Myanmar, it maintains a similar perspective like that of China. This is clearly indicated in its official position in support of Myanmar during Prime Minister Narendra Modi's visit in 2018 at a time when the entire world was still horrified by the 2017 Rohingya refugee explosion and Myanmar was heavily criticized for its brutal military atrocities in Rakhain. This opens two opportunities for India. On one hand, it can improve its economic relations with China by joining the Asian highway project to create an economic 'industrial zone' in Myanmar, particularly in the Rakhine state, to exploit its natural resources. On the other, it legitimizes India's plan to send an estimated 56,500 Rohingya refugees currently in India to Bangladesh arguing that they are in fact Bangladeshis. Furthermore, Indian support for Myanmar's expulsion of Rohingyas allegedly being Bangladeshis extends legitimacy to India to expel in a similar fashion the alleged Bengalis from Bangladesh who have been staying illegally in the north-eastern states of India. Such a move has later actually been taken through several censuses in the eastern provinces of India which classified a few million people as non-citizens. On the same issue, India–Bangladesh relations have been tense during 2018–2019.

Clearly, if such a situation persists involving great and regional powers' contestation over the strategic importance of the Rakhain region, then it is likely that their support would make Myanmar invincible in continuing its repression of the Rohingya people and in shrugging off international pressure to accept any responsibility and liability to the expelled millions.

Militancy, extremism and terrorism

It is a worldwide trend in the contemporary world to label anti-government groups, more specifically separatist groups or movement for independence, as terrorists. Terrorism as a blanket term has effectively criminalized any legitimate activities or movements for self-independence. This is more conveniently used

against any Muslim group. Countries, where there are large Muslim minority communities concentrated in a specific land area and are active for their autonomy or independence, are subject to such terrorist label. Examples include China (Uighur), India (Kashmir), Myanmar (Rohingyas), Moros (Mindanao, the Philippines), and Turkey (Kurds). Myanmar, in its 2017 large-scale operation against the Rohingya Muslims, officially used the rhetoric of Muslim terrorism. Concurrently, Bangladesh and India also directly stated their official position on concerns of ‘national security threat’, ‘extremism’ and ‘terrorism’ emanating from the 2017 Rohingya expulsion case. On this, Bangladesh sided with the extreme communal Hindu Indian and extremist Buddhist Myanmar governments in identifying the Rohingya as a common ‘national security threat’.

The official narratives of labelling the Rohingya refugees as terrorists and extremists are also reinforced by government-linked or even independent think tanks, policy experts and security analysts and experts whose voluminous works over the past few decades, and especially after 9/11, have turned ‘Islamic terrorism’ a growth industry (Jackson 2007). The international media coverage in support of such views, as well as opinion-making, has also aided in the growth of this industry (El-Aswad 2013).

The downside of this labelling politics is an exoneration of governments and institutions that perpetrate unjust violence, cruelty, oppression, ethnic cleansing and religio-cultural genocide from liability and accountability. The labelling politics rather works as an easy excuse for some countries and leaders to become more oppressive with a free hand. Such indiscriminate and purported labelling can also potentially turn a peaceful community or movement into militancy out of anger, frustration, and desperateness. Many argue that such is the case with the Rohingya community who have been largely peaceful in their approach and claim to political rights, human rights, and natural justice. There are some negligible groups of people who have called for independence of the region, but they remained peaceful until 2017 systematic military atrocities on the Rohingya people to evacuate them and apparently to clear the land for foreign investors. This is arguably true because the Myanmar government claimed that its large-scale operation in 2017 was a follow-up response to the Arakan Rohingya Salvation Army (ARSA) assault on its soldiers. This means ARSA might not have been a militant group earlier until it felt the government atrocities unbearable.

A second and more dangerous implication of Rakhain instability is the refugee flow to other nearby and safer destinations, such as Thailand, Indonesia and Malaysia, and its resultant socio-political consequences. The Indian government and people have shown an intolerant and hostile attitude towards the Rohingya living in the country, with the threat of pushing them back to Bangladesh and labelling them as Bengalis. Such an attitude easily gets mixed with the communal and violent local political trends raising inter-state and regional tension. Following the 2017 mass eviction, Malaysia became the strongest political critic of Myanmar (both Malaysia and Myanmar are Association of South-East Asian Nations [ASEAN] members) going beyond the ASEAN charter of non-interference. Mammoth political rallies headed by the then prime minister and other high-ranking government and political leaders strongly condemned Myanmar’s government and the civilian leader Aung Sun Suu Kyi. The Muslim population of

Malaysia became highly charged and emotional calling for boycotting Myanmar politically and economically (Naidu 2017). In response, the extremist Buddhist people in Myanmar reacted strongly through street demonstrations and burning the national flag of Malaysia (The Bangkok Post 2017). A similar reaction was recorded from the Indonesian side where an increasing number of Rohingya were arriving on a daily basis and many more were floating on the nearby seas. The implication of the incident of Rohingya eviction in 2017 even seriously affected the subsequent ASEAN summit that failed to bring the issue on its agenda displeasing Malaysia. The ASEAN members were seriously divided, and some of them were highly angered. ASEAN, the most cooperative, peaceful, and well-functioning regional organization, became nearly dysfunctional.

A third serious implication for the refugee-hosting countries is socio-economic tension that the refugees create locally as illegal migrants. Because they are considered illegal, they enjoy no legitimate and legal rights to work or education and health care facilities. And yet they need to maintain their daily subsistence. Other than Bangladesh, Rohingya refugees in India, Malaysia, and Indonesia remain largely dispersed in the open society. These people immediately start invading the labour and illegal petty business sectors as a substitute shadow economy. This creates tension among the local population. It is alleged that in Bangladesh and Malaysia, the illegal migrants are often employed by the exploitative production and business sectors with low and sometimes no wages. The corrupt police administration runs a profitable arrest-and-release business in exchange for bribes, and the refugees become a regular issue of electoral politics in those countries.

And the most enduring and inhuman implication for those neighbouring and other distant countries is illegal human trafficking (Human Rights Watch 2015; Menon 2015; *Hindustan Times* 2017). Due to military and civilian atrocities in Rakhine, the Rohingya people have been taking every possible opportunity to escape to a safer destination out of desperateness. Because legal means of travel is impossible for them, they fall prey to the cruel underground local and international human trafficking networks. It is reported that even the Myanmar Buddhist monks are involved in such trafficking businesses to reap economic benefits from the oppressed and evicting in the process. A clear chain of networks of such underground traffickers was evident when 139 mass graves of Rohingya were uncovered along the Thai–Malaysia border (Yi 2015). On either side of the border, the discovery of a number of mass graves shocked the nations in the region and created a serious political sensation. Indeed, the fieldwork data testify that most of the Rohingya migrants in Malaysia had arrived in the country through underground trafficking. The collateral torture, suffering, and abuse that the moving illegal migrants experience are incredible, particularly the women and children who frequently become victims of rape and end working in prostitution run by criminal rackets.

Conclusion

As mentioned in the theoretical framework, a democratic nation today is multinational, multi-ethnic, multireligious, multicultural, and multi-linguistic. Such a nation is, by default, a tolerating and coexisting nation with its diversity

and heterogeneity. The underlying principle is equality and universal citizenship. Such a civic state comes fully in terms with the democratic principles. Since Myanmar is moving towards democracy and is committed to peace it is imperative that the country reverse its ambitious homogeneity in favour of its officially natural 135 ethnic and religious heterogeneity. In this regard a number of initiatives are important. First, Myanmar's civilian leader, Aung Sun Suu Kyi, is a globally recognized respected leader considered as a symbol and icon of democratic rights and democracy in the country. Since she is part of the government and a highly instrumental figure in democratic transition, she has a particular role to play in favour of multi-ethnic and multiculturalism. She can take the nation going beyond the narrow state narrative of pure Burmese nationalism. Second, the international community has a particular role to play as human rights and democratic principles are universal. Like the practice earlier foreign major powers and international organizations such as the United Nations, Human Rights Watch, and the International Criminal Court can keep Myanmar under pressure of legal implications in cases of violation of human rights and democratic norms. Third, ASEAN can rethink its traditional non-interference policy and remodel its operating framework along with international human rights regimes and democratic principles. In the face of gross violation of human rights of millions of people in a next-door country, ASEAN's silence and turning of a blind eye can only make it morally complicit to the crime. South Asian and South-East Asian nations are naturally heterogeneous in terms of ethnicity, religion, language, and culture. A denial of such reality or intervention into such natural intermix in an attempt to create an artificial manufactured new social and political structure can trigger widespread conflict and tension and be irreparably fatal for peace.

Notes

- 1 U Ko Ni was the son of Sultan Mahmud, who was one of three Rohingya representatives in Burma's legislative assembly.
- 2 A version of this sub-section appeared in *E-International Relations*. See Farzana (2018).

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Part II

Democratization and social movements



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5 Manifestation of Dalit rights, justice and Dalit-ness in the post-Mandal era

Maya Suzuki

Diluted Dalit rights and justice

The long debates about Dalits and Dalit movements have centered on the ideas and ideologies of equality, dignity, justice, and rights, all mutually linked and each a set of irreplaceable values underlying universal fundamental rights. In the context of Dalit movements, the intense argument on rights and justice was sparked after the post-Mandal when reservation policy was gradually extended to lower-caste communities (Other Backward Classes, OBCs) in an administrative term. It led to widespread anti-reservation protests by upper castes. What is worse, it led to nationwide caste-driven violence in the 1990s.

Assertions of Dalit rights have been met with persistent oppression and violence including atrocities. The numbers of crime cases have included honor killings of Dalit youth for marrying a girl/boy from a higher caste, lynching Dalits tasked with disposing of dead cows and leather processing in the name of 'holy cow protectors', and forced labor and humiliating jobs related to death, filth, and human waste. All these cases are violations of existing law. As one instance, the government has banned the practice of manually removing human waste from dry latrines or open sewers by enacting a central legislation known as the 'Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993'.¹ However, dry latrines and manual scavengers exist today in many states (Darokar 2018; Ramaswamy 2005; Singh [2012] 2014; Thekaekara 1999). According to Socio Economic and Caste Census 2011 data, 182,505 manual scavengers exist in the rural areas. Despite this, not a single case of violation of the law has been punished and convicted, at least between 2014 and 2016.²

A recent Supreme Court judgment (known as the 'Mahajan Judgement') on 20 March 2018 related to the Scheduled Castes (SCs) and Scheduled Tribes (STs) (Prevention of Atrocities) Act of 1989 has drawn stringent criticism from SC/ST activists. The judgment expresses the view that a preliminary inquiry conducted by the appointing authority or senior superintendent of police is required before registration of a first information report (FIR). However, strong distrust of police exists among Dalits. In fact, such cases have quite a low rate of conviction. With regard to the disposal of cases by courts in 2014, only 3.9% cases of all cases for trial during 2014 (including pending cases from the prior year) for crimes committed against SC led to conviction; 85.3% were pending. The conviction rate of

28.8% was reported among all cases in which trials were completed during the year (Government of India, Ministry of Home Affairs, National Crime Records, 2015: 109 and Table 7.4). The National Commission for the Scheduled Castes Commission (NCSC) has noted this delay in judicial processes and has expressed concern that instances of procedural lapses are frequent while dealing with atrocity cases by both police and civil administrators (NCSC Annual 2015–16: 285). Given this unfavorable condition of Dalits, is it fair to say the Mahajan judgment by the Supreme Court would enforce prompt and effective registration of FIRs and consequently assure the rights and justice of Dalits and Adivasis?

In contemporary Indian society, the notions of equality, dignity, justice, and rights are not merely symbolic. They are understood as a substantial and realizable entitlement through collective action (Mangubhai 2014). It is noteworthy that a new manifestation of inequality and injustice among Dalits has been observed. For instance, public litigation activities have been observed increasingly among Dalits since the 1990s in the judicial sphere (Suzuki 2017). This article represents an attempt to highlight the awareness of justice, rights, and “Dalit-ness” (Narayan 2005) from interviews with the Balmiki community (known as the sweeper caste and economically and politically vulnerable and socially long-marginalized groups, among the lowest castes in the caste hierarchy). The interview research conducted by the author will shed light on a particular way in which upwardly mobile Dalits, including activists/non-activists, experience their Dalit-ness and how they regard tension between their caste identity and new status.

Situating Dalit movements in the post-Mandal era

In the post-Mandal era, national and regional Dalit organizations have emerged and emphasized the articulation of an autonomous identity for Dalit and the formation of their leadership potential. They seem to evolve with common aims to overcome caste hierarchy and abolish the practice of untouchability in pursuit of dignity and equality. Nevertheless, the situation is complicated by the existence of various movements embracing different visions and strategies (Gorringe 2005; Pai 2010; Shah 2004). The Dalit are not a homogeneous group: they are differentiated in terms of sub-caste and region.

One feature of contemporary Dalit movements is that their aims have been to empower Dalits to assert their rights. For instance, the Navsarjan Trust, a non-governmental organization working among Dalits in Gujarat since 1989, trained several hundred youth activists as lawyers. The founder, Martin Macwan, says, “The Dalit response to caste realities has been twofold: economic and educational development on the one hand and the effective use of law to challenge the discrimination (on the other).”³ Similar Dalit organizations attempt to motivate members of the younger generation to learn law. Most highly educated Dalits acknowledge admiration for B.R. Ambedkar’s pioneering legal work in drafting the Constitution, with underlying Dalit entitlement of fundamental rights and other protective measures including reservation policies.

During the last decade, a considerable number of state, national, and global networks and organizations have emerged among Balmiki activists in Delhi.

It is noteworthy that they are organized mostly by educated Balmikis who have attained white-collar jobs through the SC reservation policy. Particularly, lawyers in the community have taken the lead in raising questions related to the ongoing SC quota. They seek to secure an equal share through policy review through judiciary action, known as public interest litigation (PIL) to the Supreme Court (Suzuki 2017). How have the upwardly mobile Balmikis perceived themselves and started to manifest a sense of Dalit-ness? Can we say it is sort of an automatically spontaneous phenomenon that is apparent in common with other educated Dalits? These questions are examined in the next section. I explore the perceptions of upwardly mobile Balmikis including activists and non-activists. The following sections specifically examine the difficulties experienced by Dalits because of their caste and the internal conflict that arises as they struggle to overcome these difficulties.

Manifestation of Dalit-ness

In what ways do caste-origin difficulties manifest themselves in the lifeworld of Dalits who live in cities? I argue that new signs of changes are evident in the experiences of people who have been “liberated” from discriminated occupations, particularly sweeping jobs in the context of the Balmiki caste.

What is interesting about the manifestation is that people do not necessarily show explicit resistance to the discrimination they must confront although they are placed under similar discriminatory circumstances. People make different “choices” depending on the situation while dealing with conflict in ways such as by developing an aversion to cleaning work and concealing their identity as SC/Balmiki from others (sometimes including one’s own children). This article reveals that these “choices” manifest themselves during major life events, for example, when they move up in life to the next stage such as in education, marriage, and finding a job. This study identifies forms of resistance and repulsion that cannot be captured by visible collective action, from interviews. In doing so, one can describe the conflict Balmikis face and the response they choose to present vis-à-vis the discrimination they encounter.

Dalit literature is important for exploring Dalits’ internal world, revealing the stigma they face and their identity. Publication by Dalits has been on the rise since the 2000s. Topics include Dalits’ caste awareness, their discrimination-related experiences, and their “success stories” of overcoming adversity, all of which have remained unknown to the public, but which are now being discussed (Khandekar 2013; Moon 2002; Shyamlal 2001; Valmiki 2003). Among the Dalit writers whose works have been translated into languages other than Indian languages, some have attracted global attention. The autobiography of Omprakash Valmiki (2003), *Joothan (Leftover)*, has been translated from Hindi to English. It has gained readership even outside India.⁴

The active publication scene is supported by the Dalit Panther Movement, which began in Bombay (present-day Mumbai) during the 1960s and 1970s to demand social change. Raja Dahle (1940–), a devoted follower of Ambedkar, and Namdeo Dhasal (1949–2014), produced literary works criticizing the caste

hierarchy. Because the movement was centered in the state of Maharashtra, much of the early writing was in Marathi. Today, their works are published in various languages of India. The majority of writers are Dalit men.⁵ They describe in their work the discrimination they have experienced during the process of attaining their positions and the questions about their identities they had to face in relation to their caste community.

The discrimination and oppression against Dalits, as described in Dalit literature, are unique and peculiar to them. In this regard, Narayan (2005) makes an important point. He argues that awareness and consciousness of the oppressive situation, which can be called “Dalit-ness,” is not attributable to nature. He states it as follows:

[W]e must not think that dalit-ness is the natural outcome of the historic injustices meted out to the dalits. The academic study of marginalized or subaltern groups often suffer from this lacuna: one simply assumes that victimhood would lead to protest. . . . I have shown in my earlier works how dalitness is *constructed* and *produced* through mobilizations and discourses. There is nothing ‘natural’ about it.

(Narayan 2005: 126, emphasis in the original)

The perspective of non-spontaneous awareness of being discriminated against and its (re-)constitution is a theme found in research into long-oppressed communities other than Dalits.⁶ In interviews conducted for the present study, when asked, “Have you ever experienced discrimination because of your Balmiki caste?” many respondents would respond, “Yes, I have.” Asked how they dealt with discrimination, various responses were received: some would “laugh it off,” saying, “I cannot help it if I am Balmiki.”⁷ Others described details of how they were unable to attend school when they were children. Some others shared their painful experiences of being harassed and bullied by the teacher and students because of which they started private English lessons for the community at their home.⁸ Some said they started movements against discrimination in recruitment and at the workplace. Not all members of the community share a homogeneous awareness of being a target of discrimination merely because they belong to the same community. Moreover, although they might have experienced similar discrimination, not everyone was willing to join a resistance movement. The author continued to mull over these questions during extensive conversations with several Balmikis in Delhi.

The next section presents details about the ways in which Dalit-ness manifests itself at various major life events (moving onto the next stage in education, finding a job, marriage). It is noteworthy that “role model awareness,” which appears sharply in narratives of highly educated Balmikis, is the force driving the movement.

Embarrassment about stigmatized labor

The relation between caste and occupation is very deep in the case of the Balmikis. Particularly, the scavenging work attributed to them readily reminds one of the

discriminatory aspects of the caste hierarchy. When talking to Balmikis, the author initially became aware of their eagerness to convey that they, their family, and their relatives had all strived to cut all of their associations with scavenging labor.

From my observations, a hierarchical order exists in the community according to occupation. Particularly “whether they are engaged in scavenging occupation or not” serves as the first major criterion. In fact, this is a salient issue considered when highly educated Balmikis seek to marry. The criterion is applied not only to the prospective spouse but also to the whole family and all relatives. Discrimination against sweeping work is prevalent in the community. Most avoid it because it leads to humiliation. M.K. Gandhi’s “ideal Bhangis,” the idea that the sweeper caste should be the experts in cleaning, is clearly a concept rejected by the Bhangis themselves.

Those engaged in scavenging jobs are further divided into the “organized sector” and the “unorganized sector” at the place of work. In evaluating the organized sector, indices such as “permanent/casual laborer,” “sanitary inspectors/general sweepers,” “road sweepers/building cleaners/working at the refuse dump/train/public latrines,” and “positions in the trade union” are regarded as important. Even if one is a casual laborer, working in the governmental sector is regarded as superior. By contrast, scavengers in the unorganized sector are engaged in doing various tasks (cleaning private homes/cleaning sewage/cleaning dry latrines), some of which involves human excrement (manual scavenging, often designated as MS): the most despised type of work.

When the purpose of the research was explained, my request for an interview was sometimes turned down, perhaps because of MS: “Do you want to research those people who are doing that work? We are completely different.” Alternatively, a respondent stopped cooperating by saying, “Do you want to know if any of my relatives do cleaning work? Why do you ask about cleaning only? Do not you have any other questions?”

These experiences underscored that talking about scavenging is an extremely unpleasant topic for Balmikis because it associates them with their discriminated caste. Here, we see the awareness of being labeled as the “sweeper caste” and the strong sense of offense it creates.

Kumar, a social activist in his mid-fifties, retired early from a civil servant post (a senior post in the state government). He denies a relation exists between the caste and occupation as follows (the quote is omitted):

You should not confuse the occupation and *samaj* (caste community) because not all sweepers are Valmikis.¹⁰ Other castes are also working in sanitary departments. I strongly request that you not conflate Valmikis and scavengers. You can change your occupation as many times as you like, but you can not change your *samaj* from birth until death. The reason I am Valmiki is simply because my father was Valmiki. Religion is exactly the same. If you see Valmikis as sweepers, you can not understand things correctly.¹¹

In his words, one can sense the offense he feels and his rejection of being labeled as one of the “sweeper caste.” At the same time, it is interesting to observe how

he talks about the Balmiki caste in a positive manner, having severed the linkage to cleaning work. Kumar argues that “for our *samaji*, to develop further, we have to be proud of being descendants of the legendary saint Valmiki. Then we have to acquire jobs that command people’s respect by working hard.” His story is a typical one among the elite Dalits who have “achieved wealth and social status through self-help and hard work.” He argues that negative images embedded in the caste must be wiped out.

Initially, Kumar was rather suspicious of me and wanted to know complete details of the people I had interviewed to date and the Balmiki events in which I had participated. He talked about his work and current situation fluently in English, but when I asked about his personal history and home village, he became suddenly quiet, merely saying, “My story? Just a line. I was born in a poor and downtrodden family,” which left a deep impression on me (I have not managed to confirm his year of birth, family composition, or name of the village and school).

Based on the limited information I received, I was able to infer that Kumar was born in a rural area in the western part of Uttar Pradesh near Delhi. His parents, who were landless peasants, worked in the field for a landlord and cleaned houses in the area to make ends meet. When he was young, Kumar helped his parents in their work. He talked about his parents:

My father and mom were uneducated. Both of them were uninterested in their children’s education. Only I among our siblings had become educated and had attended graduate school. My father never knew about how prestigious a school I had studied in. One day, an upper caste *sadhu* (Hindu ascetic) asked my father, “what is your son’s qualification?” Then he answered with arms spread, “*bahut parha!* (studied a lot)!” (Laughing) You know, my father didn’t know about my education that much.¹²

Kumar’s narrative describes his family leading a life in which education had little role or meaning. At the same time, it conveys his “toughness” in surviving by making light of the past about his father, who was uninterested in his son’s education and even “ridiculed the possibility.”

When asked about life in the village, while saying “there is nothing special to talk about,” he described his life.

KUMAR: Our only happy time was when we received leftovers from big marriage parties and ceremonies in our native village. If we took the leftovers, upper caste people were also happy. We respect them . . . can you understand our feeling? In the village I used to wash cars owned by others. But what happens now? I hire people to come to clean my car and house. Isn’t it miracle?

AUTHOR: Have you told your son about your past life?

KUMAR: No! Never! If I tell him, it might negatively affect him.¹³

The practice in which Dalits are given leftover food from higher castes is often described as a symbol of discrimination against the untouchables (Valmiki 2003). Kumar’s narrative suggests that Dalits live in such poverty-stricken conditions that

they must rely on leftover food. Then they are aware of the fact that by receiving leftover food, the discriminating–discriminated relationship between the higher castes and Dalits is reinforced. B.R. Ambedkar is said to have called for boycotting the practice of receiving leftover food as part of the liberation movement, but it was a form of resistance that could put one’s life at risk because it could invite violent reprisal.

Kumar organizes regular meetings to celebrate the tradition of Saint Valmiki. In 2008, he organized a three-day International Valmiki Workshop in Delhi. In addition to Balmiki politicians, researchers, and activists from across India, several Balmikis who had migrated abroad were invited. He says he is concentrating on building a global network. While saying “there is nothing special to talk about,” his reluctance to talk about his past reflects his wish that his son not know about it. This reluctance is the driving force behind Kumar’s activities. One glimpses his internal conflict related to his inability to escape from a discriminatory “sweeper caste” category despite severing his links to a cleaning past.

Next, we examine the case of Vijay, who, while emphasizing his escape from cleaning work like Kumar described earlier and keeping his distance from scavenging as a lawyer, tries to maintain his link to the caste of his community by engaging with a movement to improve the life of sweepers. Vijay (in his early seventies) was born in Ludhiana, a city in the state of Punjab. After graduating from the governmental college, he moved to Delhi on finding employment. Having retired from his civil servant position (middle-ranking clerical position in the central administration), he works as a barrister at the Delhi High Court and is engaged in social activities. Similar to Kumar’s statements, Vijay emphasizes severance of the link to cleaning work:

My father worked as a sweeper in Indian Railways. My mother also worked as a sweeper in the British cantonment area in my childhood. When I started to go to school, she quit her job because my father did not allow her to continue. I have seven sisters. No one does the job. It is the same with my wife and two sons. I will never let them do it!¹⁴

Vijay used to live in a sweeper colony for New Delhi municipal government employees. At the time of my fieldwork, he owned two apartments in public housing in South Delhi, which he had purchased before his retirement. When he first moved to Delhi in 1962, he was unable to find a place in the government accommodations and lived for a while in a flat that belonged to his wife’s relative who lived in a sweeper colony. In contrast to Kumar, who is mostly engaged in religious activities of the community and who keeps his distance from scavenging labor, Vijay lives in an area where sweepers are concentrated. He is aware of the pressing problems in their working environment, such as irregular employment and bribery. Consequently, his position is that we should prioritize practical improvement in life support, such as by establishing a car repair workshop as a vocational school for youngsters, helping them resolve legal matters, and voicing demands to revise the SC reservation policy. Therefore, he is involved in a movement to recover ownership of a colony of residents. He helps with document production and in negotiating with the authorities.

What left a deep impression on me after fieldwork in sweeper colonies was the attitude of the Balmiki residents in trying to “find a compromise.” Frankly, they want to leave their scavenging work, which engenders discrimination. If they have a permanent job, they can live in governmental accommodations in the city center, send their children to school, and support the family. To my question, “Are you satisfied with the work you do now?” many briefly replied, “[*K*]arnā hae” (Cannot be helped), and continued working as a sweeper for two or three generations.¹⁵

Sanjay, a college student in his early twenties, has been brought up by his grandfather and father, both government sweepers, and by his mother, who commutes to a nearby residential area for her cleaning job. When I asked, “When you graduate, what kind of job do you want to have?” he immediately answered, “[*S*]arkari naukri ” (Government job). When asked a difficult question, “If you get only a cleaning job like your father, what will you do? He answered, “I cannot answer immediately . . . but if it is the only available job, it cannot be helped.” This was followed by, “In the past, in my grandfather and father’s time, it was easy to obtain a sweeper job, but now there is so much competition. It is not easy because we have to pay a bribe.”¹⁶ Sanjay’s narrative suggests that although he has studied up to college level, his opportunities for finding employment are restricted. It was also confirmed that he has not experienced discrimination because of his caste at the college because many of his friends are from the same sweeper colony. The next section presents an examination of narratives about schools and education as a place where Dalits are first made aware of their caste.

Schooling experience: learning about one’s caste ancestry and reservation policies

Persons belonging to the lower castes, such as Balmikis, often find it “awkward and troublesome” to reveal their caste. Fieldwork has also revealed that people do not refer to their caste by name but instead refer to it as “*yeh samāj*” (this community). This tendency is apparent even during indoor conversations with people. During the course of a conversation between the previously described Vijay and me, when our conversation became excited, his wife would come in from the next room to say, “Hey, please be quiet. People can hear you from outside.”

Another interesting incident occurred. One day, when I was having lunch at Vijay’s home, a neighbor dropped in. On seeing me, a stranger and a Japanese person, he asked me, “What relationship do you have with Vijay ji?” As I was about to introduce myself, Vijay’s wife interrupted and replied quickly, “She has come to help my husband with his computer.” Later, it turned out that Vijay’s caste was not known to the neighbors (more precisely, although it is known that he is from the SC, his exact caste is not known). She was worried: “As soon as they learn we are Balmikis, their respect for us will immediately disappear. They will try to hide it, but I will know.”

This concern is shared by many informants, not just Vijay’s wife, who has told me about similar experiences. The worry about one’s caste is most likely experienced for the first time when one leaves one’s familiar sweeper colony to start

schooling with others. How they deal with the situation that arises there and how they overcome it to establish their identity differs among individuals.

Rajesh (in his early forties) is a former member of the Legislative Assembly of Delhi. He was active in politics while studying at the University of Delhi. He served as the representative of the Delhi Pradesh Youth Congress, consisting mainly of young Congress activists. He was first elected as a member of the Legislative Assembly of Delhi (in the constituency reserved for SCs) at the age of thirty-four. He served two terms (2003 and 2008 elections), but he was defeated in the 2015 election by a candidate of the Aam Aadmi Party who gained popular support on the promise of eliminating corruption.

Rajesh's family is in the trade business. He was brought up in a financially comfortable environment. His parents did not attend school but understood the importance of education. All their five sons and two daughters received an education. Of them, only Rajesh became a politician. Rajesh's family members were all of strong build; his father practiced wrestling. His grandfather served as a bodyguard to Mahatma Gandhi. At an early age itself, Rajesh was noted for being good at academic work and sports. He was elected as a class representative. The first turning point in his life occurred when he was an adolescent:

It happened in the tenth grade. Until then, I had no idea about my caste, Balmiki. My parents didn't tell me. I used to go to private English medium school where no one cared about caste. One day in the tenth grade, a teacher gave a small piece of paper only to SC students. I didn't know what to do, and wrote "NA" on the paper and submitted it. After that, the principal called my father and told [him,] "Your son doesn't know he is SC." On that day, my father explained to me about my caste, Balmiki. I was so upset and cried all night. I clearly remembered how I felt in my classroom the next day. I could not stop feeling all the stares from a girl sitting next to me. Now I can understand she was just looking at me as usual, but at that time, I couldn't help thinking that she was watching me because I was from SC.¹⁷

He was shocked. His view of life changed completely. He was deeply hurt when he was informed of his caste, but his father encouraged him, saying, "Although your caste cannot be changed, you can still go on to become a great person. To put the others to shame, make efforts to be the best in studies and everything else." It is not rare for Balmikis from financially comfortable families to be brought up without being ever told by their parents about their caste. However, when carrying out the formalities for admission to a school or applying for scholarships, various certificates are required. They come to know that they are Balmikis, SC.

At college, Rajesh was absorbed in politics. When he was elected as the president of the Delhi Pradesh Youth Congress, he decided to become a politician supporting the Congress Party. He says that later he had to face a situation in which a recommendation for his promotion was withdrawn because he was a Balmiki, but each time he motivated himself by recalling his father's words.

Arun (in his late forties), the chief doctor of the medical department of a governmental institution, says he is proud not only of his current occupation but also his leading role in resident welfare association:

The condominium where I live had 260 flats. I was first in the president election. Everyone respects me so much that I am very happy.¹⁸

Arun's father moved to Delhi from a rural village in the state of Uttar Pradesh. His grandfather was a supporter of education. Therefore, Arun's father and his two older brothers received education up to the tenth grade. Arun's father wanted to continue his studies, but because the family did not have the financial resources to fund further education, he found a clerical post in the central government in Delhi. Supported by his father, who was a firm believer in the importance of education and the opportunities it would bring, Arun and his two younger brothers were educated. Each found a job of their choice: One is an engineer with a private airline. The other is a sanitary inspector of New Delhi Municipal Council. Arun's first son is studying at the famed Indian Institute of Technology, Delhi, to become a computer engineer. His wife is a devout Hindu (a devotee of the peer Sai Baba) and a Balmiki. Arun does not make any effort to conceal his caste. In fact, when using the SC reservation to study, get a scholarship, or find a job, one must prove one's caste by submitting the relevant certificates. Nevertheless, he also does not actively publicize it. He rarely participates in any Balmiki meeting or function. Arun emphasizes that for Balmikis to be respected in Indian society, it is essential that they be educated. Then they must improve their standing through their own efforts.

The narrative that "education is the only way to improve the community" is shared by all people from the educated Balmiki background, such as Arun, who have achieved upward social mobility. They pay the utmost tribute to Ambedkar, who played a leading role in incorporating affirmative action policies in the Constitution. Arun explains his own success:

I am deeply obliged to Babasaheb (Ambedkar) for what I am now. I couldn't go to medical school without the SC reservation. I was a top student, but not a first ranker. General students (without reservation) were so brilliant that I always felt inferior to them. But I had good senior friends who were SC; they helped my study and reading lists with "*mantra*" (secret methods) to have confidence. I faced discrimination at school. It happens everywhere, so I have learned to be prepared for any difficult situation. I tried doing my best to be equal to general students or above them.¹⁹

In his own narrative, Arun's success is attributed to (a) the reservation policy, (b) Ambedkar who devised it, and (c) his own efforts.

Ram, a former Indian Administrative Service (IAS)²⁰ officer in his mid-seventies, is well known in the community as the first Balmiki IAS officer. Ram's elder brother is also a former IAS officer. He is a cautious man who declined my request for an interview three times before finally accepting it. Ram originally

hailed from the Pakistani part of the state of Punjab before the partition. His father moved to Delhi after the partition. The family was not wealthy, but almost all the five brothers and five sisters became senior or general civil servants with the IAS and other agencies. Ram married a woman from a higher caste. He has two children. His son is working for an information technology company in Bangalore, having graduated from the renowned Indian Institute of Technology. His daughter is preparing to study in the US after graduating from the National Institute of Fashion Technology. When describing his children's achievement in education, Ram emphasized that they chose not to use the SC quota. Ram talked about SC in general but did not provide much detail about the Balmiki in particular. Referring to how the standing of the SC can be improved, like Arun, he emphasizes the importance of education:

Getting education is the only way for SC to improve themselves. If you get high education, other things should follow naturally. In my office, I never experienced discrimination. Once you become an IAS officer, the promotion simply depends on individual performance. Because I held a high post, nobody openly mentioned my caste background, but it was obvious to assume that they had in mind my lower caste status.²¹

There is an SC quota in recruiting for the IAS. However, competition within the SC quota is fierce. It is extremely difficult to pass this exam when compared to other civil service exams. As in the case of Arun, even when one becomes an IAS officer after successfully completing the competitive exams, caste awareness will linger. When I asked Ram, "When will caste awareness disappear?" his answer was "[I]t will take another four to five generations."

One oft-used phrase by Balmikis when discussing caste awareness and awareness of being discriminated against is "deeply rooted." The awareness is deep and embedded as a stigma for multiple generations irrespective of their upward status or profession. While accepting such awareness, can Balmikis simply be viewed as those who are trying to invest in hope for a future in the long term by acquiring academic achievement and serving in respectable occupations?

Solidarity or exclusion? Rising awareness of the "role model" and "moral imperative"

Earlier studies have identified the following two points as features of Dalits who have achieved upward social mobility. One is "assimilation" with the new group while concealing their caste and making efforts to move away from the past of discrimination. These people are designated as the "harijan elite" (Mendelsohn 1986; Mendelsohn & Vicziany 1998; Sacchidananda 1976). The term *harijan elite* is often used critically. For instance, they are often accused of a strong tendency to monopolize political/social/economic privileges acquired for their community through affirmative action. Criticism of this kind forms the position of those opposing affirmative action including the SC reservation policy. Current policies designed to uplift the Dalits benefit only some Dalits and do

not engender improvement of Dalits overall. However, the census shows gaps between the SCs and other social groups. Reservation policies can be regarded as effective in “securing representativeness.” Therefore, the policies must continue for the time being.

A second feature that contrasts with the “harijan elite” is the active commitment to the cause of education among caste members and social and political activities by those who have achieved upward mobility and who continue to maintain relations with their caste members. In this regard, Naudet (2008), who conducted interviews of SCs with white-collar jobs in the public and private sectors, makes an interesting point. His work describes the strong influence of “moral imperative” on the inner worlds of those who strengthen their relationship with their caste ancestry after achieving upward social mobility.²² Furthermore, it has been pointed out that this awareness is conditioned by a situation that is unique to the Dalits: even if they have managed to emerge from material poverty, it has not brought about any fundamental change in their status. In other words, in Indian society, caste never disappears: no one can ever escape from the caste either by trying to conceal their caste to the very end or by positively transforming it with a sense of “pride” by making it public.

A similar expression of “moral imperative” is advocated by Kanshi Ram, who founded the All India Backward and Minority Communities Employees Federation (BAMCEF). The phrase “to pay back to society” is commonly used by activists and participants in Balmiki caste groups and by the BAMCEF. It is the key phrase in arguing for the activities of caste organizations. However, it is assumed that the “society” described here does not refer to Indian society as a whole but to the “*samaj*” of their affiliated caste.

Additionally, we should devote attention to the term *role model*. Among the Balmikis who have achieved upward social mobility by studying at the university and by joining professions such as law and medicine, which would have been impossible to even dream about in the past, many are engaged in community activities self-identifying themselves as “role models” for community youngsters. They argue with confidence and pride that only the practice of a “proper” lifestyle will bring about a positive influence on the community. This role model narrative is accepted widely irrespective of whether people are involved or not with the collective actions of the caste group. For instance, Ramesh (in his early sixties), who had just retired from his post of the assistant commissioner of Police, Delhi, described his life in his interview:

I was born in a village of Bulandshahr district, Uttar Pradesh. I went to a village school until fifth grade. The village life was so hard that I have only bad memories. Our community had to serve upper caste landlords as slaves. I could not wear good clothes because my family was poor. I was always worried about how I was looked upon by my classmates. After a while, when my father got a central government job in Delhi, I requested that he take me to Delhi. With admission to sixth grade, I could continue my education in Delhi. I did not experience discrimination there and was able to concentrate on my study. It was my great honor to get admission to a famous school:

Shri Ram College of Delhi University. After graduation, since I passed a Delhi police examination, I kept doing my best to pass promotion exams and obtain my present post: the Assistant Commissioner of Police. Now I am thinking that the hard time in my village made me strong and competent for future success.²³

Ramesh says he is not involved in political/social activities of his caste community. From his narrative, it is clear that while his relatives continue to live in his home village, he seldom goes there; he deliberately maintains some distance from his community. When the interview touches on his children's wedding, he says, "I did not invite people from my village. If I had invited them, they would have come and behaved badly by getting drunk and becoming unruly at the wedding venue, which would make a poor impression on my neighbors in Delhi." He continues to criticize the community's lifestyle:

I am polite, do not drink and smoke. Moreover, I am a pure vegetarian. For these reasons, I receive respect from everyone in society. But most poor Balmikis are not (respected). I think there are three reasons why Balmikis have been left far behind in development. Firstly, they are uneducated. Most of them don't send their children to school. Secondly, it's a harmful habit. They habitually drink and eat meat, often pork, which prevents their mental development. Thirdly, it's a bad custom. For instance, while they spend more, they borrow for marriage and other ritual occasions; they can't afford to invest in their children's education. Education is most important for development. If they get good education, they will definitely have a good job and mind like I have.²⁴

The awareness of being a role model is commonly apparent among those who have achieved upward social mobility. Members of caste groups become aware of this because of the repeated talk of a "role model," "moral imperative," and "pay back to society." This is regarded as a motivating factor for them to commit actively to such activities.

At the same time, aside from having to commit to such activities for strengthening the members' motivation and their sense of unity, they realize that the scope of their activities is restricted to members of their caste of origin. This fact implies that they tend to suppress their sense of solidarity with people from other Dalit castes. This motivation is regarded as positive within the same caste, but it excludes other castes. Moreover, it can engender fragmentation of Dalit communities and overall movements. The problem with this exclusive element is apparently justified by the so-called moral imperative. Given this situation, we must examine whether awareness of this type can have universality.

Acknowledgments

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Notes

- 1 This act was revised as a new act to “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” by reviewing the inadequate performance of the previous act.
- 2 Government of India. 2015. National Commission for the Scheduled Castes (NCSC), *8th Annual Report 2014–15* (New Delhi: Government of India).
Government of India. 2016. National Commission for the Scheduled Castes (NCSC), *9th Annual Report 2015–16* (New Delhi: Government of India).
- 3 Lyla Bavadam, “Of Dalit Awakening, Upper-Caste Jealousy,” *Front Line*, June 17, 2018, <https://www.frontline.in/social-issues/of-dalit-awakening-uppercaste-jealousy/article10108744.ece>, accessed on July 15, 2018.
- 4 Some Western universities have designated Dalit writing as prescribed text for their classes (Valmiki, interviewed on August 30, 2011, Dehradun).
- 5 Dalit women’s writings about autobiography and Dalit feminism have been on the rise since 1990s (Pawar 2009; Rege 1998).
- 6 With regard to the awareness of discriminated minorities, generating their self-esteem is also important. At the seminar with Prof. Tsutomu Tomotsune, a historian of modern and contemporary buraku community, he pointed out that “one cannot declare the low-status origin without self-esteem,” and I share the same understanding based on my research; Tomotsune, “The Politics of ‘Liberation’: The Dynamics of the Dalit Movement” (presentation at the Second Seminar for Young Researchers, Contemporary India Area Studies Center, Tokyo University of Foreign Studies, June 30, 2013).
- 7 I have seen Balmikis “laughing off” their caste several times. When spending time with the family of an informant, all the family members burst into laughter, saying, “I am a Bhangi?” when they spotted the title of the book *Mein Bhangi hun (I am a Bhangi)* in Hindi I happened to carry around. Children made fun of the author of the book by asking, “Maya madam (the author), please say ‘I am a Bhangi’ in Hindi!” and laughed. What this episode taught me was that Balmikis regularly downplayed the attention to their caste. We can see some efforts to transform a negative label.
- 8 In reference to the statement “I could not attend school due to discrimination,” Uehara (2014: 109–110) has identified four meanings in the context of *buraku* discrimination: (1) It was difficult to feel welcome in the classroom, (2) could not attend school because of discrimination by the teacher and other students, (3) could not attend school because of poverty, arising from discrimination, and (4) could not go to school because parents believed that education is unnecessary and causes dependency due to discrimination. These seem to be equally applicable to the situation in which Dalits find themselves.
- 9 Balmiki, Bhangi, and Chohra are sub-castes of the sweeper caste and registered in the SC list of Delhi. The chapter’s purpose is to focus on a problem that exists in society. The caste names of Bhangi and Chohra are not used herein to derogate the feelings of any person or community.
- 10 In this chapter, the terms *Balmiki* and *Valmiki* are used almost interchangeably as community names. The names are derived from worshipping the Sanskrit “Bhagwan Valmik,” known as a legendary saint and composer of the *Ramayana*. Kumar is a devoted follower of Valmik saint and prefers to identify himself as Valmiki.
- 11 Kumar, interviewed on December 26, 2013.
- 12 Kumar, interviewed on January 4, 2014.
- 13 Kumar, interviewed on January 4, 2014.
- 14 Vijay, interviewed on July 6, 2008.
- 15 A major consideration in choosing scavenging work is the benefit in the form of governmental accommodation. This is shared even by highly educated (college-level) Balmikis, who have trouble finding jobs in sectors other than scavenging. Menaka Rao, “Trapped in the Gutter: The Street Cleaner with Four Degrees,” *BBC News*, August 18, 2015, <http://www.bbc.com/news/world-asia-india-33859315>, accessed on August 25, 2015.
Narratives the author collected from sweeper colony residents in Delhi confirmed that security is another reason that they continue to live in the area: “it is *shanti* (peace

- and quiet) here and everyone helps one another”; “atrocities happen in the village and many places in Delhi everyday but here it is very safe.” Because they share a degree of family composition, have experience of cleaning work, and largely have the same educational and economic standards, a sense of unity apparently emerges in the community.
- 16 Sanjay, interviewed on March 30, 2008.
 - 17 Rajesh, interviewed on February 24, 2010.
 - 18 Arun, interviewed on March 18, 2010.
 - 19 Arun, interviewed on March 18, 2010.
 - 20 The Indian Administrative Service (IAS) is a profession that constitutes the All India Services (AIS), which plays a central role in the Indian bureaucracy. It is a highly selective group: about sixty to eighty persons are selected from more than five hundred thousand candidates annually. The All India Services include, in addition to the IAS, the Indian Police Service and the Indian Forest Service.
 - 21 Ram, interviewed on March 17, 2010.
 - 22 It has been pointed out that a difference exists in the behavior of workers from the SCs in public and private sectors. In contrast to the public sector in which the reservation policy is introduced and information about those from the lower-caste background is made public, in the private sector, where the reservation is not fully implemented, there are many cases in which the caste is concealed (Naudet 2008).
 - 23 Ramesh, interviewed on February 22, 2010.
 - 24 Ramesh, interviewed on February 22, 2010.

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6 Homogenization of social movement dynamics under a “clever” Nepali state, 2007–2012

Lokranjan Parajuli

Following the success of the 2006 popular movement (*janaandolan two*) in Nepal, there was a sudden upsurge in the number of “successful” protest movements—it was successful, in that they were able to force the state to respond as well as agree to their principal demands. Starting with the Janajati movement in August 2007, the Nepali state reached agreements (or understandings) with 18 agitating groups by May 2012.¹ This chapter focuses on those movements, the agreements/understandings that were reached, and the subsequent adherence or lack thereof to the agreements. Through this focus, this chapter attempts to provide commentary on the particularities of both the protest movements and the Nepali state during those five years.

First, I very briefly describe the historico-political context under which the movements experienced an upsurge and the deals that were reached, as well as examine their contents by grouping them into three broad categories—the Janajatis, the Madhesis, and the “Others.” In the subsequent section, I endeavour to make sense of the protest movements and the agreements by linking them with the broader social movement literature. I argue that these protest movements should be viewed as new social movements (NSMs) and their sudden upsurge can be attributed to (a) the “volatility” of the state, owing to the political transition (political opportunity structure; see Tarrow 1989; Kriesi 1995) and (b) the discourse that was generated around the writing of the new constitution.

While describing the movements, I show that they have largely followed a similar trajectory before concluding with an agreement with the Nepali state. In so doing, I argue that they have entrenched a specific template of a “successful” movement (i.e., demonstration effect; cf. Kongkirati 2006), thus contributing to the homogenization of the movement dynamics in Nepal.

Meanwhile, I will appraise the deals, the negotiation processes, and the “achievements” (or consequences; cf. Giugni 1999, 2008; Amenta et al. 2010) of the movements. I will also show that some points contained in these agreements were not clearly worded and were even mutually exclusive. That is to say, if the government of Nepal (GoN)² were to honour the agreement with one group in its entirety then it would definitely be obliged to renege on the deal it had reached with other groups. I argue that both parties (that of the state and those of the agitating groups) deliberately opted for vague wording to achieve a “win-win” situation, contrary to the charges of treachery levelled against the state by movement activists.

It would be tempting to show that by even agreeing to mutually exclusive demands, the Nepali state was particularly “weak” (cf. Migdal 1988; Kriesi 1995) during this period. Instead, I argue that the agreements into which it entered and the subsequent implementation of the deals show that, during these five years, the Nepali state was neither weak nor strong but was instead particularly “clever.”

The primary data for this study comprised the press clippings of the various protest movements during the period from 2007 to 2012. For the official versions of the “agreements,” the publications of the Ministry of Peace and Reconstruction (e.g., MoPR 2068v.s., 2069 v.s.) and its website (www.peace.gov.np) were consulted. Many interviews were also conducted and particularly targeted the movement’s activists/signatories.

The historico-political context and social movements

After the political change in 1990 (the first *janaandolan*), Nepal experienced a plethora of campaigns and movements. Social groups that have been historically oppressed, marginalized, or excluded, organized themselves and launched movements using their newfound civil liberties. Some of these movements that gained momentum after 1990 were successful, in part because they were gradually able to persuade the state to address some of their concerns.

After the 2006 *janaandolan*, which eventually led to the abolition of the monarchy from Nepal, these, and additional movements—some of which were very nascent—came to the fore. During this period, various social groups—the Janajatis, the Madhesis, the Muslims, the Dalits, women, people with disabilities, and others launched movements that were sometimes solitary efforts and other times took the form of coalitions with other social groups. They managed to “extract” more concessions from the otherwise insular state in a very short span of time. In the period following 2006, these social movements seem to have three principal agendas: (1) identity, (2) rights, and (3) participation in the governance system or access to the state that is proportionate to their population size. We could call these movements successful in that they forced the state (governments of various hues and colours) to listen to their demands, eventually reach an agreement or understanding, or sign pacts with them. The GoN is found to have honoured some aspects of those deals while ignoring others.

The “rapid successes” of the movements following the 2006 *janaandolan* were achieved in a particular historico-political context: The post-2006 state was in flux—the “old regime” was in a state of decline but had not completely lost power and there was no single leader/party in the “new regime” that could call the shots. The elections held for the Constituent Assembly (CA) were intended to provide much-needed leadership, and it was hoped that a new direction would emerge from the state of flux, but the elections themselves were uncertain. On the one hand, they included the Maoist Party (Communist Party of Nepal–Maoist or CPNM), with a large contingent of armed combatants (now overground with one-third of the representation in the reinstated parliament via the peace accord) who threatened to take over the state. On the other hand, there were many groups (from bureaucrats, teachers, or so-called professional bodies, to traders or

social groups) who sought to maximize their own gains by exploiting the volatile situation.

Without reaching agreements with the protesting groups, the CA elections did not seem possible. The CA elections, however, were necessary for the political transition to reach a new stage. Therefore, the GoN held a series of talks with the agitating groups (including the Janajatis, the Madhesis, and the Chure Bhavar) and signed pacts. Subsequently, the Interim Constitution was amended and other legal/policy changes were introduced. This created a kind of “demonstration effect” and similar sorts of “movements” became the norm. The movements followed the same modality and similar trajectories.³

Only after reaching the agreements with the protest movements, the chances of holding the CA elections increased and the elections were eventually held. When the CA elections were held in April 2008, the Maoist party (CPN-M) became the largest with about 40 per cent of the seats in the 601-member CA and its chief, Prachanda, became the prime minister of Nepal, leading a coalition government. However, there was no end to the movements, even after the transition moved to a new stage and had newly elected leadership. After the formation of the Maoist-led coalition government, the state signed further deals with other social groups (some of which were Maoist-affiliated fronts). Towards the end of the first CA tenure (in April/May 2012), Nepal witnessed a rise in the protest movements once again; all major groups held strikes or bandhs to emphasize the fulfilment of their demands. The GoN once again signed deals with these groups to restore peace and tranquillity (see Annex 1 for details). The sudden demise of the first CA in May 2012, which occurred before the delivery of the constitution it promised to Nepali citizens, also seemed to have an impact on the aggressiveness of the social groups, perhaps due to the absence of the “political opportunity structure” (see the following discussion). Let me now describe the movements of these groups and the agreements they reached with the GoN by dividing them into three broad categories, namely, the Janajatis, the Madhesis, and the Others.

Janajati movements

Of all the social movements of Nepal, the Janajati movement is the most active, persistent, prominent, and successful. This social group, which was initially called the Janajatis and later the Adivasi Janajatis, has recently been fighting for the recognition of their identity (*pahichan* in Nepali), their rights (“special” as well), and for access to resources, as well as representation in the state organs that is proportionate to their population strength. The movement has been largely successful, as the state has gradually fulfilled the group’s demands.

In February 2005, when the then king Gyandendra took control by violating the 1990 constitution, Nepali society saw an intense political polarization. Most of the political parties eventually resisted the royal takeover and the groups that were successful in expanding their activism in the open environment also became part of the political protest movement. When the political movement against the royal regime achieved success, the reinstated parliament/state fulfilled one major demand of the Janajatis by declaring Nepal a secular state rather than one

espousing the Hindu religion. The interim constitution further legitimized this change. Furthermore, it was avowed by the political parties and clearly stated in the constitution that the country was to be restructured and made inclusive. It was also allowed, in principle, for the local languages to be used in the respective local governments, which had previously been restricted after the Supreme Court interjection on June 1, 1999.

All these changes were also demands of the Janajatis. However, their demands were not limited to these changes alone. One of their main concerns has been to increase their access to the apex bodies of the state to achieve representation that is proportionate to their population strength. When the CA elections were to be held, per the provisions in the 2007 Interim Constitution, they sought to increase their level of participation in crafting the main law of the land. In the heretofore practised electoral system (i.e., first past the post [FPTP]) their participation was limited; as such, they wanted to change the electoral system. The Janajatis launched their protest programs in various stages, demanding changes in the electoral system (from the FPTP to a system that was fully proportional to population strength) as well as other demands. The government at that time perceived that the possibility of holding CA elections without reaching a compromise was slim, so talks were held in various stages; eventually, a 20-point agreement was reached on August 7, 2007. The major points of the deal included the following aspects: elections held on a proportional basis, representation for all ethnic communities in the CA, the formation of a state restructuring commission, a commission for the Adivasi Janajatis, language rights, education in mother tongues, inclusiveness in the state organs, implementation of the ILO-169, and others.

As the agreement between the GoN and the Janajatis was reached before the CA elections were held, therefore, some of the points of the deal were related to the elections themselves. Per the agreement, a third amendment was made to the Constitution and a mixed electoral system was adopted, thereby guaranteeing that a specific percentage of the CA members would hail from the Janajati groups. The other point of the agreement—to ensure the representation of almost all Janajati groups in the CA—did not reach the point of full adherence, as the first CA lacked sufficient representatives from smaller Janajati groups. However, bigger Janajati groups, such as the Newar, the Gurung, the Sherpa, the Thakali, the Limbu, and the Rai, had higher representation than that warranted by their respective population strength. The two biggest Janajati groups, the Tamang and the Tharu, had lower representation than warranted by their population strength.

Per the agreement reached with the Janajati group, the GoN ratified the ILO-169 convention and also passed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The deal related to local and mother tongues in local governments was also addressed by the third amendment to the Interim Constitution, which permitted the use of local/mother tongues in the local governments. Likewise, the GoN reserved 45 per cent of the seats in public services for various social groups. The agreement regarding the formation of a Janajati commission was not fulfilled until the demise of the first CA.⁴

Just three weeks prior to the holding of the elections for the CA, a pact with another ethnic group, the Federal Limbuwan Autonomous Council, was signed.

The five-point deal signed on March 19, 2008, by the representatives of the seven-party alliance (the ruling coalition) included the following main points: commitment to the federal governance system, along with a Limbuwan province, and representation of the council in the yet-to-be formed state restructuring commission. While one main point of the deal reached between the GoN and the Federal Limbuwan State Council before the CA elections was related to Limbuwan province, the GoN did not commit in clear terms to the Limbu province; the language used was vague and ambiguous. The deal related to the Limbus' demand to have their representative in the state restructuring commission was also eventually renegeed on.

After the completion of the CA elections and the formation of a new government under the leadership of Maoist chair Prachanda, another Janajati group launched protest programs with the aim of persuading the state to fulfil their demands. The grand coalition of various Tamang organizations, the Tamsaling Joint Struggle Committee, which had made a number of political and socio-cultural demands, reached a 19-point understanding with the state on April 11, 2009, after following a similar trajectory to that of other "successful" movements.⁵ Of the 26-point demands, those falling under the jurisdictions of the CA were left undecided, but the remaining demands were settled via the signed agreement. Some of the points in the agreement overlapped (e.g., with the Janajatis) and had been agreed on or met, for example, related to ILO-169/UNDRIP or mother tongue.⁶

Upon approaching the final deadline of the first CA (May 2012), the Janajatis once again took to the streets to force the state to fulfil their demands (some new and some old, as they felt that the pact they had reached had not been honoured). This protest movement was also a reaction to the agreement that the GoN reached with the Bahun-Chhetris. The GoN had agreed to the Bahun-Chhetris' demands after two days of a nationwide strike (see the following discussion). This time around, racial slurs were also hurled, threatening the communal harmony. Afterwards, the GoN held talks with the Janajatis and signed another pact. Since many of the demands would fall under the ambit of the CA, the GoN agreed to table the Janajatis' demands, such as federal structure based on ethnicity, proportionate representation in every organ of the state, and granting full autonomy to the provinces with first rights (*agradhikar*, of Janajatis), among others. One point related to the GoN was the statement on the Janajatis' opposition to the GoN's agreement to grant an Adivasi status to the Khas-Arya group.

Madhesi movements

The people of Nepal's southern plain have long complained that the state has been discriminatory towards the Madhesis, treating them as second-class citizens and restricting their representation and access to the state organs. Grievances and agitations have been raised against what they perceived as unjust practices and polity since the 1950s, but the Madhes-centred movements of the past were not very successful. However, that began changing after the popular movement of 2006. After the promulgation of the Interim Constitution of 2007, the Madhes-based

political party, Sadbhavana, called for a nationwide strike (*bandh*) to protest the decision to keep the old electoral constituencies intact for the purpose of the CA elections. The strike turned violent and led to a communal riot in Nepalganj, dividing the society in the Madhesi and Pahadi folds. The riot that began in Nepalganj subsequently spread to other areas of the southern plain.

After the promulgation of the Interim Constitution (IC), 2007, the Madhesi Janadhikar Forum (MJF, an NGO as well as a loose network also launched protest programs. Security forces arrested the MJF's chair, Upendra Yadav, as well as 28 other members in Kathmandu when they were setting the IC, 2007 alight. The police arrested them under the public security act. This led to further agitations, mainly in the Tarai, which included bandhs. As the movement was gaining momentum, the Maoists disregarded the strike called by the MJF, which led to scuffles and eventually killings. This further increased the polarization between the Pahades and the Madhesis, and subsequently, the Madhes movement swelled enormously and engulfed the whole southern plain. The GoN was forced to hold talks with the agitating groups and finally reached an agreement (*samjhauta*, not understanding) with the MJF. After holding eight different stages of talks over the course of three months, both parties reached a 22-point agreement on August 30, 2007. The agreed-on points included proportional representation, state restructuring commission, federal governance system, recognition of the dress, language, and culture of Madhes, trilingual policy (mother tongue, Nepali, and English), citizenship distribution teams in the villages, just distribution of the revenue generated from the Madhesh, formation of an industrial security force, and the implementation of laws for inclusiveness, among others.

The first three points of the deal related to the victims of the protest movements; the release of arrested activists, treatment for those injured, compensation packages for victims and honouring the dead were all addressed, to a large extent. The state restructuring commission was also a concern for both the Madhesis and the Janajatis. Per the agreement, the state sent out citizenship distribution committees and distributed 2.6 million citizenship certificates. Likewise, in 2065 v.s. an ordinance was issued to make the civil service inclusive by reserving 45 percent of seats to various social groups. The ordinance was later approved by the legislative body.

Even after the agreement was reached with the MJF, some quarters of the Madhesis have been protesting against the constituency-boundaries delineating representation in the CA for the Madhes-based groups; parliamentarians thought it unjust that the Madhes, which hosted about half the country's population, was sending a smaller number of legislators to the parliament. They wanted the constituencies to be redrawn based on the population distribution per the most recent census, which had been conducted in 2001. However, since the other political parties did not show much interest in addressing their demands, several Madhesi members of parliament, who were part of the interparty Madhesi network, resigned from the respective parties to form new party(ies). They then formed the United Democratic Madhesi Front (UDMF) and organized various protest programs, including bandhs. Six weeks prior to the elections for the CA, the GoN and the agitating front of the Madhes-based parties, the UDMF, reached

an eight-point agreement on February 28, 2008. Per the agreement, the constitution was amended to proclaim Nepal a federal country. Likewise, the electoral law, as well as the public service act, were amended to honour the agreement. Only after reaching agreements with the Madhes-based groups did the holding of the CA elections seem possible. The most important point of the agreement was related to Madhes province, but the wording of the agreement was vague. It spoke of honouring the “Madhesi people’s wishes of autonomous Madhes province including the desire of the people of other regions to have autonomous provinces in the federal structure” and agreed that the “provinces would be fully autonomous with full rights.”

The state was also required to make the state structures inclusive in proportion to the population strength of the major social groups, per the agreement. However, the provision of the electoral law that required that parties filing candidates for more than 20 per cent of seats in the CA elections be inclusive themselves was changed and the threshold was increased to 30 per cent. This meant that only the bigger parties had to be “inclusive” and the requirement did not extend to the smaller parties that filed candidacies for less than one-third of the constituencies. This was somewhat paradoxical, in that the agitating Madhesi parties wanted the state and other so-called national parties to be inclusive, but they themselves did not want to meet this requirement. Another agreed-on point was to ensure the inclusiveness of the state organs, including the Nepali army. The deal on this issue, particularly as it related to the army, was also not worded clearly despite its inclusion of the term *group entry*, which the Madhesis demanded.

After the GoN signed deals with the two major groups/fronts of the Madhes, deals were also signed with other social groups and the armed outfits of the Tarai. The GoN and the federation of the Backward Society (Pichhada Varga Samaj) reached a five-point deal on March 24, 2009. Agreed-on points in the deal included the following: the backward community development board created through the ordinance was to become fully functional with appointments of all members, and to broadcast news in the Magahi language, among others.

Other movements

Apart from these two broad social groups, the GoN also held talks with various other social groups during the period between 2007 and 2012. The pattern, however, was similar—first, these groups organized various sorts of protest programs, and when they called strikes or *bandhs*, which brought daily life to a halt, the state invited these groups to talks. These groups included the Badis, the Haliyas, Muslim organizations, the Tharu resistance committee, the Chure Bhavar Rastriya Ekata Samaj, the Bahun-Chhetris, and the like. Among these, the Badis and the Haliyas had demands that were more related to economic and social or social rehabilitation issues rather than “political” ones, whereas the others also had “political” demands. Three of these protest movements, namely, the Chure Bhavar, the Tharu, and the Bahun-Chhetri emerged in reaction to the Madhes and Janajati movements to a large extent. The Muslim movement was also partially a reaction to the Madhes movement, although it was not in direct contradiction

with the Madhes movement—the Muslims also wanted to carve a distinct identity of their own, and did not wish to be subsumed within the Madhesi fold.

The newest of these movements, that is, those of the Bahuns and the Chhetris, and especially the latter, was a reaction to both the Janajatis and the Madhesis, and especially to the former. In later stages, we also saw regional movements whose sole interest was to shape a federal unit based on certain region/ethnicity. Especially in western Nepal, the Tharus and particularly the Bahun-Chhetris launched protest programs which were specifically aimed against the claims of the other group.

The Tharus have been situated into the Tarai Janajati fold, in the “official” ethnic categorization. However, the Tharus were also an integral part of the revolt in the Tarai—which hardened the Madhesi identity—this was also a reaction against the hegemony of the Pahades/state. Meanwhile, a group of the Tharus felt that their own identity had been subsumed by the newly recognized Madhes identity. In addition, the pan-Madhes single-autonomous province (the most contentious demand of the Madhes movement) also subsumed the territory that the Tharus had been claiming as their own. This made a group of Tharus angry. They not only protested the Madhes province but also claimed that although there were Madhesis in the country, there was no Madhes. They would call the southern plain Tarai instead of Madhes, the latter of which was the name championed by the Madhesis.

After the completion of the CA elections, the GoN issued an ordinance to amend the act related to public/state services on February 3, 2009, to honour the agreements reached with the Madhesis and the Janajatis. It reserved 45 per cent of the seats for various underrepresented social groups. A schedule listing 92 caste/ethnic groups in the Madhesi category was prepared. In the scheme through which the distribution of the quotas was provided, the Tharus were placed into the Madhesi category. On February 26, 2009, the *Kantipur Daily* published a news article with the title “Who are Madhesis?” which made Tharu activists angry, particularly those who had been part of the Janajati movement. They thought that this would not only subsume their identity but also feared that most of these quotas would also be taken away by the high and medium caste groups of the Madhes.

Against this backdrop, the Tharus launched protest movements against, in their own words, Madhesization, and formed a resistance committee that was also supported by the federation of Janajatis.⁷ Eventually, the government agreed to address the Tharus’ demands by signing a six-point pact on March 14, 2009, in which the representatives of the federation of the Janajatis were also signatories. In the first point of the deal, the following was stated: “recognizing the fact that the Tharus, and the Adivasi Janajatis, Madhesis, Dalits, Muslims, and the minority groups have their own distinct identities and any legal constitutional provisions that would cloud such identities would be amended.” This also led to the constitutional amendment, in which Madhes was replaced by Tarai Madhes, in an attempt to please both the groups. The GoN had also agreed to amend the act related to inclusion in public service.

The other group with which the state reached a deal is called the Chure Bhavar Rastriya Ekata Samaj, which was basically a loose coalition of the Pahades or

people from what is usually referenced as the “hill origin.” The Madhes movement had witnessed increased polarization between the Madhesi and Pahade populations. In some places in the Tarai, the Pahades bore the brunt of the anger from Madhesi activists during the Madhes movement. Fearing the worst, many Pahades even fled north, to the Pahade-dominated areas along the Chure hills. When the Madhes movement gained momentum (and also turned violent), the Pahades, who were mostly residing along the Chure hills, formed an organization to counter the Madhesi agitation. This organization had a 27-point list of demands, such as the formation of the Chure Bhavar province. After two weeks of the agreement with the MJF, the GoN signed a nine-point pact with the Chure Bhavar group on September 13, 2007.⁸

Likewise, after similar protest movements from the Badis and the Haliyas, the GoN reached deals with the agitating groups. Most of their demands were related to economic and cultural rights, which the government agreed to fulfil to a large extent. The GoN also reached agreements with the Muslim groups (signed on March 16, 2009); however, some of their demands were already part of the agreement with the Madhesis.⁹ Apart from these, the GoN had also signed pacts with a front called the Federal Republic National Front. This front thought of itself as more radical than the Janajati federation, with whom there was already an agreement. One important distinction was that this front also had members from the Dalits and Madhesi communities, who were participating in the leadership. This front signed a five-point deal on March 1, 2008, with a seven-party alliance, including the Maoists.¹⁰

Demands were made for ethnicity-based federal structures from the Janajati fold, whereas the Madhesis wanted a single Madhes province in the southern plain. Shaping a federal structure had become one of the most contentious issues in the drafting of the constitution. Every group wanted a province of its own. The GoN had failed to form a state restructuring commission, which was also mentioned in the IC 2007,¹¹ and the CA committee had also failed to come up with an agreeable proposal regarding the issue of proposing a federal structure. Following the draft concept paper of the CA regarding the state restructuring and especially following the report on the state restructuring commission, Nepali society became divided into two broad camps—those who supported ethnicity/identity-based federalism and those who opposed it. The proposals of the draft concept paper and the commission, as well as the special privileges, irked the Bahuns and the Chhetris, as they felt insecure. The proposal to reserve the apex post of the province for the “ethnic” majority group of the province made by one of the eleven committees formed by the first CA added insult to injury. Moreover, the demand of the Janajatis (being Adivasis) to have privileged access to natural resources in their areas was equally problematic for the Bahun-Chhetri collective.

The Bahuns and the Chhetris (individually and collectively, had also built coalitions with the Sanyasis and the Dalits) then took to the streets and resorted to strikes/bandhs to ensure their demands would be fulfilled, which were in opposition to those of the Janajatis and the Madhesis. One of the demands of the Chhetri group was to recognize the Chhetris as Adivasis. The GoN and the Chhetris agreed to form a task force to undertake a study regarding this demand, that is,

the Adivasi-ness of the collective. Interestingly, the GoN formed the task force under the leadership of Dil Bahadur Chhetri, an organizer of the Chhetri struggle committee; the task force submitted its report, which has not yet been made public. The deal the GoN reached with the Bahun-Chhetri–Dalit–Sanyasi–Thakuri joint struggle committee had no specific points—except the statement that the GoN would address “justifiable” demands within one month. Likewise, while restructuring the state, it was agreed to recommend and request that the CA also consider the “national indivisibility, communal harmony, geographical proximity, administrative feasibility (*anukulata*), availability of resources, economic viability, and lingual and cultural similarity.”¹² Later, upon approaching the final deadline of the first CA tenure (May 2012), the same group called on strikes to ensure that its demands would be fulfilled. One point within the pact that was reached was the removal of the “Other” category from the constitution and its subsequent renaming in legal documents as the Khas-Arya group. The second point of the deal was to grant them the Adivasi status. The GoN also agreed to give the final authority of naming the provinces to the provincial legislature.

The other movement—the counter movement, if you will—that temporarily paralysed the country was the movement of the Akhanda Sudur Paschim (Undivided Far West) group. When the GoN agreed, in principle, to the demands of the Tharu movement for a Tharuhat province, people from the existing far-west region, but mostly those from the hilly areas, demanded that their region be kept intact in the federal structure. They called for strikes, which continued for 21 days, and finally, the GoN (the three main ruling parties, namely, the Nepali Congress, the Communist Party of Nepal Unified Marxist-Leninist [CPN UML], and the CPN-M) held dialogues with them. The three-party leaders agreed not to divide the far west, and if required, a referendum was to be conducted to make a final decision on the issue. This then irked the Tharus, who had been demanding the formation of Tharuhat, which included the two southern districts in the far west, namely, Kailali and Kanchanpur. After a series of bandhs, the GoN agreed to accept the proposal to make three provinces in the Tarai into one Tharuhat in west Nepal, which included the two disputed districts.¹³

Making sense of the movements and the agreements

How do we then understand this sudden upsurge in various social formations launching *andolans*, their “successes” in extracting various concessions from the state, and the state’s agreement to even mutually exclusive demands? To make sense of these *andolans* with which the GoN reached deals, we must examine them holistically. There are at least three phenomena that seem to be occurring, and they are as follows.

First, several social formations, both new and old, became organized at a particular historical juncture (quite suddenly, in a few cases) and launched protest movements. One way to approach these contentious collective actions (see Tilly 1978) is to view them as (new) social movements. Social movements broadly consist of “collective challenges by people with common purposes and solidarity in sustained interaction with elites, opponents, and authorities” (Tarrow 1994: 3–4).

The contemporary social movements are also often called new social movements (NSMs) given their emphasis on being different from those which preceded them (see Buechler 1995). The NSMs are said to emphasize quality of life, lifestyle concerns, and call into question, for example, the representative democracy, and the like (Pichardo 1997). Identity claims are said to be the most distinctive feature of NSMs (Kauffman 1990). According to Tarrow (1994), NSMs prefer to remain outside of normal political channels, employ disruptive tactics, and mobilize public opinion to gain political leverage.¹⁴ Furthermore, some NSMs are also said to have become integrated into the party system (Pichardo 1997)—this is the case in Nepal (see the following discussion).

Particularly when their political significance is higher, the NSMs usually also become a precursor to what some scholars call “counter movements” (see, e.g., Mottl 1980; Meyer and Staggenborg 1996; Kongkirati 2006). According to Meyer and Staggenborg (1996: 1642), “[w]hen a movement succeeds in posing a real threat to a powerful interest, some elites may conclude that the social movement form is a highly effective political tool and so they try to foster a counter movement.”¹⁵ In our case, too, it is tempting to brand a number of social movements post-2006 as “counter-movements,” for they follow earlier movement(s) and make direct or indirect references to those which preceded them. For example, the movement of the Bahun-Chhetris or that of the Tharus, the Chure Bhavar, or the Akhanda Sudur Paschim can be categorized as such, in a sense. However, other movements have taken place that were not “counter” but were what I would call “parallel” movements, as they borrowed largely from the playbooks of the earlier movements but are not necessarily in conflict with the gains the other movements had made. Therefore, rather than branding certain movements at the outset as “counter,” it would be much more useful to examine the process, the actions they take, and how they are implemented.

While a number of theories attempt to explain the emergence of social movements, for example, political crisis (Skocpol 1979)¹⁶ political opportunity structure (Tilly 1978; Tarrow 1983, 1989; Kriesi 1995; Goldstone 2004),¹⁷ resource mobilization (McCarthy and Zald 1977),¹⁸ or relative deprivation (Gurney and Tierney 1982), our case is slightly different here; we are mostly discussing the “sudden upsurge” and are focused less on the emergence of the movements themselves. Two factors are particularly important for understanding the “upsurge” (i.e., of the movements): (a) the “volatility” of the state owing to the political transition and (b) the discourse that was generated around the writing of the constitution.

If we examine history as well, we see that political transitions usually provide certain types of traction or “opportunity structures” (cf. Meyer and Staggenborg 1996; Goldstone 2004) during which a plethora of organized interest groups try to apply pressure on the state, and even extract resources/concessions. Whether the focus is placed on the political movement of 1951, 1990, or, most recently, 2006, this trend is clearly observable; various unions—those of teachers or civil servants, doctors, and even traders—have all seized the moment. In addition, the distinctive element this time around was the context in which the writing of the constitution took place.¹⁹ It is not that the same context was not present in the

previous political transitions, but the discourse generated was different. During the 2006 transition, the constitution writing through the CA was presented as a lifetime opportunity, particularly for the historically marginalized communities to “settle the scores” of centuries of oppression/exploitation and the injustices that had been meted out by the ruling groups. This opportunity was first seized by the Janajati movement, which was no surprise, given its position as the foremost social movement with a long protest/mobilization history and powerful intellectual backing. The Madhesis, who were also no less resourceful, also jumped into the fray and made their mark. Subsequently, other social groups also joined in to safeguard the interests of their respective groups in the new, yet-to-be written main law of the land.

The second fact that becomes apparent is the following: Almost all these agreements or understandings have protest movements in their background. These agreements suggest that the Nepali state does not simply listen to people’s demands, concerns raised through memorandums or petitions, or even peaceful unobtrusive protest programs; it wakes up and agrees only when the movements bring aspects of the public life to a halt or turn violent. Furthermore, the movements have all followed a particular trajectory; regardless of whether they have been initiated by the Madhesis, the Janajatis, the Chure Bhavar group, or the Bahun-Chhetris, all went on strike or threatened to strikes or call for bandhs—some may have called for strikes in particular regions, whereas others may have pursued a nation-wide strike. Regarding the movement modalities and the deal-making processes, one could hardly observe any distinction between, for example, the Janajati and the Bahun-Chhetri movements, or the Madhes movement, despite the fact that their demands were very different. In some instances, they were outright contradictory. In fact, the political movements (of 1990, 2005–2006) seem to have had “demonstration effects” (cf. Kongkirati 2006) on these social movements. These protest movements have subsequently entrenched a particular template of a “successful” movement, contributing to the homogenization of movement dynamics in Nepal. Here, “success” may be “debatable,” as a number of movement activists were unhappy with the “achievements” despite some tangible impacts that one could observe in the form of immediate relief packages, constitutional/legal provisions, and policy documents (see Giugni 1999, 2008; Amenta et al. 2010).²⁰

One aspect of these movements, which made deals with the GoN, is that many built intra-group coalitions or united fronts and launched various protest programs, which increased their strength and collective bargaining power. For example, the Janajati activists united under the banner of the Adivasi Janajati Struggle Committee; the Madhesis came together and formed their own united front, that is, the UDMF; the Tharus created the Tharuhat Struggle Committee; the Muslims had the United National Muslim Front; the Tamangs had the Tamsaling United Struggle Committee; and so on. Despite these fronts/coalitions of various social groups, serious inter-social group coalitions were not formed.²¹

However, the coalitions, or fronts, that were formed during the study period did not last long. Within five to seven years, most of the coalitions—from that of the Madhesis to those of the Tharus, Muslims, and Chure Bhavar—were all divided. While the Janajati front, particularly the Federation, still seems intact, its stability

was undermined when another Janajati front was formed in which a significant number of leaders from the Federation's early days participated. The split caused a weakening in the movements' collective bargaining power.²² Another important feature of these movements is that prior to the division of the movements, a majority had joined the political process by converting into political parties—another feature of the NSMs, as discussed earlier.²³ Furthermore, some of the leaders of the movements also found other ways to participate in the political spectrum—through their nomination by one or the other political parties in the CA.²⁴ This also begs a serious study of not only the consequences or impacts of the movements but also the transformations that take place within the movements themselves, or their life cycle.

The third important phenomenon is related to the “deals” themselves—their lack of mutual compatibility and the issue of the type of language used. If we examine the wordings of the deals, the parties seem to prefer cryptic language in the sense that more than one interpretation could be made from the same text. This preference is particularly evident in some of the more contentious issues. While the agitating groups usually level blame at the state (represented by seasoned politicians and backed by bureaucrats) for such unclear sentences, this unclear language is typically consciously selected to create a “win-win” situation and “save face” for both groups. For example, let us examine the issue of one autonomous Madhes province—one of the most contentious points of the deals made in the post-2006 period. The controversial point speaks of honouring the “Madhesi people’s wishes for an autonomous Madhes province, *including* the desire of the people of other regions to have autonomous provinces in the federal structure.” According to the Madhesi participants/signatories, the agreement was to establish a single autonomous Madhes province covering the entire southern plain, but those who represented the GoN in the talk disagree with this interpretation. The opponents of the movement argue that a “single province” was not mentioned anywhere in the deal and refer to the addendum “including” in the same sentence.

Apart from the language used in the deals, the other striking observation is that some were reached with movements that were “not compatible,” if not outright contradictory. This was so because the two protest movements had diverging aims/objectives and were sometimes fighting for the same constituencies—or were in a sense, “counter-movements”—and the state reached an agreement with both groups and agreed to fulfil even the apparently contradictory demands. For example, the GoN agreed to the demands of the Janajatis and to those of the Khas Aryas; it also agreed to the demands Madhesis and those of the Tharus and the Chure Bhavars. Likewise, the GoN agreed to the demands of the Tharus and those of the Akhanda Sudur Pashchim. These groups’ demands, however, contradicted each other; therefore, the state could not honour one group’s demands without dishonouring those of the other.

The state’s signing of the mutually exclusive pacts with two or more social movements may be seen as a characteristic of a “weak state,” succumbing to the pressure applied by “strong” society/ies or organized groups. In the strong/weak state and strong/weak society matrix (Migdal 1988; cf. Kriesi 1995), Nepal may seem to be a textbook example of a weak state that is forced to agree to all

demands made by an organized, strong society. Nepal's portrayal of a "fragile" or "failing/failed" state or a crisis-ridden, doomed state from various quarters also gives this impression (see, e.g., Riaz and Basu 2007; Blaikie, Cameron and Seddon 1980; cf. Tamang 2012). While the Nepali state may seem to have been overwhelmed by societal forces and protest movements at particular junctures, it was never "very weak," not even during this period of uncertainty. According to Kriesi (1995), a weak state may be forced to give in to a movement's demands, but it is not likely to have the capacity to implement the required policy changes. If the Nepali state was very weak, as has been claimed, it would not have had the capacity to introduce all the constitutional/legal and policy changes mentioned herein.

While the Nepali state has acted upon certain points of the agreements, it has also not followed through in many cases. Its "cleverness" becomes apparent when we examine the way it reached deals, particularly with the so-called "counter"-movements. While it is true that it signed pacts with these "counter"-movements only after they mobilized a large section of the masses and brought public life to a halt (as did other previous social movements), it also is true that the state gave in relatively easily (some even blame the state for instigating the "counter"-movements). With clear knowledge of the demands and agreements of certain protest movements, and not because of "historical amnesia," as some would argue, the state agreed to the "counter"-movements' demands. These contradictory pacts should therefore be viewed as an attempt on the part of the Nepali state to pit one movement against the other, and nullify and redress the pacts that had been made previously when it "unwillingly" signed under "duress." Therefore, rather than perceiving the Nepali state as weak, it is more appropriate for us to view it as "clever," performing its job in accordance with current demands.

Notes

- 1 While the Nepali state reached *sahamati* and *samajhdari* (an understanding) with the various groups, it did *samjhauta* with the Madhesis. Although both *sahamati* and *samjhauta* could be loosely translated as "agreement" in English, the Madhesi agitating groups consider the latter more important—that is, the contract between two "equal" forces. The list of agreements maintained on the website of the Ministry of Peace shows 45 such agreements/understandings, which also includes talks and pacts reached with a number of armed outfits of the Tarai (see <http://www.peace.gov.np/content.php?id=167>). However, I do not discuss the pacts with the armed groups in this chapter. Annex 1 provides a brief summary of the agreements reached with the various protest groups, which I do address herein.
- 2 While there is difference between a state and government, both the Nepali media and the public often use the two interchangeably. Throughout this chapter, I also use *government of Nepal* or *GoN*, *government*, *Nepali state*, or *state* interchangeably.
- 3 It is noteworthy here that the trajectories of these movements themselves are modeled after the successful popular movement of 2006.
- 4 This point has been addressed in the new constitution, which was promulgated in November 2015.
- 5 The Tamang front and the leaders that spearheaded the movement were aligned with the Maoist party itself.

- 6 Some of the points included are as follows: making the army inclusive by abolishing discriminatory practices against the Tamangs, among others, as well as a number of cultural rights and recognition issues, for example, changing the national animal, education in the mother tongue, the ending of cultural discrimination, and so on.
- 7 When the situation became tense and violence erupted in some places, the GoN claimed that it was simply a suggestion of the research committee and no decision has been taken.
- 8 The agreed-on points in the GoN–Chure Bhavar deal included the following: compensation for the victims, securing, safeguarding, and advancing national unity, indivisibility and sovereignty while shaping the federal structure; and consultation with local people while exporting resources from the Chure area.
- 9 The following were major points: amendment of the legal constitutional provisions that affected their distinct identity, formation of a Madarsa board, a national Muslim commission, a public holiday during Muslim religious festivals, and so on.
- 10 The agreement that was reached contained the following points: the proclamation of Nepal as a federal country, federal provinces, and proportional representation in the state organs, among others.
- 11 The commission was eventually formed in the final months of the fourth year (on November 22, 2011) of the first CA, but it failed to produce a unanimous report.
- 12 The other points were as follows: to also consider “economic-class” in the reservation system.
- 13 Some of the demands that the various social movements had put forth were essentially to be decided by the CA. When the constitution was finally prepared and promulgated by the second CA in 2015, the demands of the dominating group, that is, the Bahun-Chhetris, seemed to have more or less fulfilled. The demands of the other social groups, particularly those related to federal units, were not met, which led to violent protests in the eastern and western plains, mainly by the Madhesis and the Tharus, respectively.
- 14 “Actors and organizations seeking to alter power deficits and to effect social transformations through the state by mobilizing regular citizens for sustained political action” are also called political social movements (see Amenta et al. 2010: 288).
- 15 There seem to be three conditions that promote the rise of counter-movements: first, a social movement shows signs of success; second, the interests of some people are threatened by the movement’s goals; and third, political allies opposing the social movement are available to aid in oppositional Mobilization (Meyer and Staggenborg 1996). However, these are, according to Kongkirati (2006), necessary but not sufficient conditions. Furthermore, a counter-movement might not necessarily be a “reactionary” one.
- 16 According to Skocpol, social revolutions are typically triggered by a political crisis that weakens the control exercised by the political system over the population.
- 17 According to Tilly (1978, see also Tilly 2004), the rhythm of the collective violence was directly linked to shifts in the struggle for political power rather than to the structural transformations of society. Per Tarrow (1983, 1989), the concept has the following dimensions: the degree of openness of formal political access; the degree of stability or instability of political alignments; the availability and strategic posture of potential alliance partners; and political conflicts within and among the elites.
- 18 According to McCarthy and Zald (1977: 1213), “[t]he resource mobilization approach emphasizes both societal support and constraint of social movement phenomena. It examines the variety of resources that must be mobilized, the linkages of social movements to other groups, the dependence of movements upon external support for success, and the tactics used by authorities to control or incorporate movements.”
- 19 Even before the GoN reached agreements with the Janajatis or the Madhesis, it had signed pacts with the agitating civil servants (trade unions of all hues and colours) and drivers’ association and agreed to increase their pay and benefits.
- 20 There is disagreement among scholars on the issue of whether social movements are generally effective and can account for important political changes (see Amenta et al. 2010).

- 21 However, there were a few exceptions: the United Federal Democratic Republic front had representatives from among the Dalits, the Janajatis, the Madhesis, and the Tharus; meanwhile, the Bahun Chhetris had the Thakruis, the Dashnamis, and even the Dalits on board. While building alliances, the partners seem to have accommodated each other's (also sometimes contradictory) demands, but they do not seem to have fully owned them.
- 22 A number of these movements have since then disbanded. Those involved in these movements, that is, activists, say that the root causes for the split among the group are both internal and external. On the external side, they blame the state's divide and rule policy. The internal cause is the "suspicious" roles played by members of the "talk teams." They blame the team members for the sellout (for "posts" and money). Not only in the coalitions, but also within a single group, group members are suspicious. Each one would desire to take credit for the good deals and blame the others for bad ones. After the deal was made, some members of the movement called it an act of deception and then either distanced themselves from the group or even took action against their team members by dismissing them from the movement/talk team.
- 23 The chief protagonist of the Madhes movement, MJF, became a political party and eventually became the fourth largest force in the first CA. All members of the UDMF were also in the first CA, through either MJF or another political outfit, the Tarai Madhes Democratic Party (TMDP). The group that called itself a non-political entity, Chure Bhavar, converted itself into a political party and was also represented in the CA. Likewise, the United Federal National Front was also in the CA.
- 24 Apart from these movement-turned parties, the Janajati activists, who were involved in the Janajati movement, were also part of the first CA: Pasang Sherpa, chair of the Janajati federation; Suryaman Dong of Tamsaling; and others. The movements' or leadership's participation in the political process have important consequences. Earlier, those in civil society or who were outside of the political spectrum became part of political society and part of the state (cf. Chatterjee 2004). This provided them with the opportunity to: first, directly engage in producing the constitution, and second, resolve the conflicts within the constitutional framework.

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Annex 1: Summary of agreements between government of Nepal (GoN) and various movements (2007–2012)

#	Agreement between	Date	Main Points of the Agreements	Remarks
1	GoN and Adivasi Janajati Mahasangh and Janajati Samyukta Sangharsha Samiti	August 7, 2007	Fully proportional electoral system, representation of all ethnic groups, state restructuring commission, adivasi janajati commission, language rights, mother tongue, inclusion in all the state organs, ILO-169, Harka Gurung honour	20-point deal; after series of talks held in April-July 2006; Om Gurung, KB Gurung and Ramchandra Paudel
2	GoN and Madhesi Janadhikar Forum	August 30, 2007	Proportional representation, state restructuring commission, federal system of governance, recognizing Madhesi dress, language and culture, state holidays during Muslim festivals, tri-lingual policy, citizenship certificate distribution groups, laws for inclusiveness	22-point pact; dialogues in six phases that began on June 1, 2007; Upendra Yadav and Ramchandra Paudel
3	GoN and Chure Bhavar Pradesh Ekata Samaj	September 13, 2007	Autonomous federal system of governance, development works and export of local goods with permission only from the local bodies	9-point pact; after dialogues held on October 2 and 14; Keshav Mainali and Ramchandra Paudel
4	GoN and Badi Adhikar Sangharsha Samiti	October 15, 2007	Prohibition in the use of words such as Bhand, Badini, Patar etc., providing citizenship certificates, formation of task force, agreement fulfillment after the completion of the study within 6 months	2-point pact; Umadevi Badi and Ramchandra Paudel
5	GoN and Samyukta Loktantrik Madhesi Morcha	February 28, 2008	Autonomous Madhes province, federal democratic republic, proportional representation in state organs including security forces, making army inclusive and group entry	8-point pact (samjhauta); Rajendra Mahato, Upendra Yadav, Mahanta Thakur, and Girija Prasad Koirala
6	GoN task team comprising 7 parties and Sanghiya Ganatantrik Rastriya Morcha	March 1, 2008	Declaring Nepal a federal state, proportional representation in the state organs	5-point pact; DK Buddhist, Laxman Tharu, Biswendra Paswan, Sidman Tamang and Ramchandra Paudel, Shankar Pokharel, Dev Gurung, Ghanasyam Paudel, Keshav Nepal

Annex 1: (Continued)

#	Agreement between	Date	Main Points of the Agreements	Remarks
7	GoN task team comprising 7 parties and Sanghiya Limbuwan Rajya Parishad	March 19, 2008	Federal system of governance, including Limbuwan, representation in state restructuring commission	5-point pact; Sanjuhang Palungwa and Ramchandra Paudel
8	GoN and Rastriya Haliya Mukti Samaj Mahasangh	September 5, 2008	Scrapping of loans, emancipation of haliyas, formation of taskforce regarding implementation of 11-point demands	5-point pact; Rajuram Bhoor, Hari Shripaili, Chakra BK, Bhakta BK and Janardan Sharma
9	GoN and Kirat Janavadi Workers Party	January 18, 2009	Mainly related to peaceful participation in politics; adherence of the constitution; and consideration of the party's demands as well as release of the workers	4 understandings at different point; last one 5-point pact; Suman Bantawa and Satya Pahadi
10	GoN and Tharu Sangharsha Samiti and Janajati Mahasangh	March 14, 2009	Amendment of constitutional and legal provisions that hinder distinct identity, amendment of special service act in accordance with the principle of inclusiveness	6-point pact, in presence of PM; Janardan Sharma, Rajkumar Lekhi, Laxman Tharu, Baburam Chaudhari, Pasang Sherpa, Indrajit Tharu
11	GoN and Samyukta Muslim Rastriya Sangharsha Samiti	March 16, 2009	Amendment of constitutional and legal provisions that hinder distinct identity, formation of Madarsa board and national Muslim commission, census, and public holidays in Muslim festivals	Janardan Sharma, Atahar Husain Faruki, Taj Mohammad Miya
12	GoN and Nepal Pichada Varga Mahasangh	March 24, 2009	Ensuring full membership in the committee to empower the backward society, recommendation committee to recommend the special committee, news in Magahi language	5-point pact; Janardan Sharma, Bharat Mahato; follow-up meetings later

Annex 1: (Continued)

#	Agreement between	Date	Main Points of the Agreements	Remarks
13	GoN and Tamsaling Samyukta Sangharsha Samiti	April 11, 2009	Common cultural policy to end cultural discrimination, issue related to Pipas in army, naming of ethnic historically important places in local ethnic languages, ownership in natural resources, representation in state restructuring commission, etc.	19-point pact; Janardan Sharma, Suryaman Dong, Dilman Pakhrin, Parashuram Tamang, and others
14	GoN and Chhetri Rastriya Andolan Samiti	May 22, 2011	Timely promulgation of acceptable (hamro ra ramro) constitution; also taking nation's indivisibility, geographical proximity, and communal harmony into consideration in the constitution; also taking "class" into consideration in the reservation system; formation of task team to look into the "adivasiness" of the Chhetris; etc.	6-point pact; Dilbahadur Chhetri, and Vishwanath Shah
15	GoN and Brahman, Khas Chhetri, Dashnami, Thakuri and Dalits' Sangharsha Samiti	November 25, 2011	Result-oriented focus on the Samiti's demands within a month; demands related to legal/ constitutional issues to be referred to the respective institutions	3-point pact; Narayan Prasad Adhikari, Kumar Thapa, and Satya Pahadi
16	GoN and Samyukta Rajnitik Dalit Sangharsha Samiti and Dalit Sabhasad Manch	December 29, 2011	Punishing the culprits involved in the killings of Manbir Sunuwar; compensating Sunuwar's family; effective implementation of acts related to caste discrimination; etc.	5-point pact; representatives from 8 Dalit orgs and 4 Dalit MPs and Satya Pahadi
17	GoN and Brahman, Khas Chhetri, etc. Sangharsha Samiti	May 17, 2012	Removal of the "Other" category from the constitution, and renaming the group as Khas-Arya; granting them the Adivasi status, etc	Kumar Thapa et al. and Krishna Sitaula
18	GoN and Janajatis	May 2012	Tabling the Janajatis' demands in the CA, such as federal structure based on ethnicity, proportionate representation in every organ of the state, and granting full autonomy to the provinces, etc.	

7 Abul Sattar Edhi

The modern incarnation of a Pacifist Sufi

Tahir Kamran

Abdul Sattar Edhi, “a truly selfless spiritual sage” (Osborne 2011), embraced simplicity typical of a *dervish* who, while sitting in his *dargah* (hospice) cares for humanity without provincializing it. In that hospice, all are welcome irrespective of religion, caste or creed and in many instances gender too.¹ “From the cradle to the Grave” is the motto of Edhi’s mission which caters to the needs of “a suffering humanity.” Edhi and his wife Bilquis Edhi embraced the newborn and the old who have been abandoned, the girl who has run away from home, the drug addict who is trying to recover, the handicapped and terminally ill (Raponi and Zanzucchi 2013: 35). According to Hussain Ahmad Khan (2015: 24–25), a historian of Sufism, hospices in the pre-colonial era, provided refuge to the marginalized and outcaste which at times incurred the ire of those in power. Thus, Edhi can at best be explained as a dervish, devoted to the service of humanity who instead of renouncing modernity, embraced it. His motivation and lifelong goal, however, transcended the man-made boundary splitting medieval and the modern, the human welfare. It was, of course, among the very few constants and universals.

Hailing from the state of Gujrat in India, a region known for nestling and nurturing personalities such as Muhammad Ali Jinnah, Mohandas Karamchand Gandhi and Sardar Vallabhbhai Patel, to quote a few, Abdul Sattar Edhi epitomized a multicultural ethos in which he was reared up. Edhi also influenced people markedly different from the rest. He attained the status of an icon in service to humanity without resorting to high politics. Unlike Imran Khan, he steered clear of using high politics to be the messiah of the deprived and dispossessed. Like many South Asian *dervish*, he also gave a wide berth to a high lifestyle. It is important to assert here that Edhi himself never indicated about his any adherence with any Sufi or *dargah*. As it will be noted in the pages that follow, all those having inspired him to choose a life that of a *dervish* were all modern people. However, the austere and simple life of Edhi appears to have a profound rub of medieval Sufis. In the medieval period, among several functions of the Sufi *dargah*, one was that of a charity organization. That is the only possible context that may help us to make sense of Edhi’s gargantuan undertaking to ameliorate the lot of the poor and the dispossessed.

It was in the 1950s that Edhi established the Edhi Foundation, which is the largest social welfare network in Pakistan. The dynamic nature and the range of

social services provided by the Edhi Foundation make it starkly different from other organizations, operating in and outside Pakistan. It claims the credit of becoming the most active welfare organization in the country at the grassroots level. The Foundation is a home for over 6,000 destitute, runaways and mentally ill people, and it provides free dispensary and hospital services to over 1,000,000 persons annually in addition to 45 other wide-ranging services (Durrani 1996: 23). The Foundation “rescued over twenty thousand infants, rehabilitated over fifty thousand orphans and has trained over forty thousand nurses—operating more than 330 welfare centres” in Pakistan. In 1991, “the Foundation provided aid to victims of the Gulf war and earthquake sufferers in Egypt and Iran. The organization has held the Guinness record, 2010, for the world’s *largest volunteer ambulance organization*” (Khan 2017). That fleet of ambulances maintains an enviable record of quick response for the affectees of any disaster. Its nation-wide network equipped with the latest communication system now covers the remotest areas of Pakistan. A fleet of over four hundred ambulances, field mobile units and rescue units, which compose this network, are maintained in a state of readiness to meet any emergency in the shortest possible time anywhere in Pakistan.

My contention in this study is that despite his persona like a *dervish* in a *dargah* Edhi was influenced by socialist ideologies, too, and he used modern tools and institutions to advance his cause, but he lived like a *dervish* who had risen above material gains. He explained to his friends, “[M]uch as my palm turns up to take, it simultaneously turns down to give” (Durrani 1996: 262). That, in fact, was the true essence of Edhi, a *dervish*, who earned respect worldwide, but more important, he was the most trusted man around. His style of praying was reminiscent of the *dargah*. Women prayed with him. Women played an important role in *dargah* culture. He has been shown praying along with girls in *Apna Ghar* is a clear elucidation of indiscrimination among the male and the female (Durrani 1996: 262). His ultimate wish was to be buried in the clothes he wore when he died and for any of his usable organs to be donated. His eyes were donated after his death (Khan 2016). Having only two pairs of *shalwarkameez*, most of the donations for the Edhi Foundation came from middle-class people. Like a *dervish*, Edhi selected a place for his grave on the outskirts of the Edhi village in Karachi:

When I die, I will be buried here. There will be a sign on my grave saying: ‘Those who do not give a donation to Edhi will have an accident on the Super Highway’! Since accidents on the Super Highway are common and people are superstitious, they will donate. In this way I will continue collecting funds for the foundation even after my death.

(Jaffer 2016)

To assess the role and contribution of Edhi and his philanthropic endeavour, it is pertinent to cast a close look at his early life which may enable us to ascertain the source of inspiration for Edhi to choose such a challenging career path. It will not be out of place to mention that in this study the writer has benefitted from Tehmina Durrani’s (1996) book on Abdul Sattar Edhi or K. H. Awan’s (1987) work which is quite insightful. A major part of this chapter is based on newspaper

reports and features. Unfortunately, despite Edhi's status that his contribution to the poor and dispossessed warrants, very little scholarly work has so far been carried out.

Early life: influences of socialism, corporate world and Islam

Abdul Sattar Edhi was born in 1928 in Dhobiwar quarters of a small village of Bantva near Junagarh, Gujarat (India). He was number three among four brothers and a sister (Awan 1987:13). His father was Abdul Shakoor, a small-scale cloth trader who belonged to the Edhi tribe of the Memon community.² About the history of Memon community, it is noted in his biography that “[t]hree centuries ago, a religious leader in Thatta converted them from the Hindu faith to Islam and named them, *Momins*, meaning true believers. This was later distorted to Memons”(Durrani 1996: 23) That account goes ahead to say,

The Memons moved from Hala in Sindh, through the Thar desert or via the Rann of Kutch and migrated to Kathiawar in Gujrat. Wherever they settled became their future identity. The Viravel Memons, the Dorajee Memons and Kotyana Memons and the Bantva Memons.

(Durrani 1996: 23)

Abdul Sattar Edhi hailed from Bantva Memons. As described earlier Bantva was a village of Edhi's birthplace which stuck with him as a part of his identity.

Edhi in Gujrati language means “lazy,” but contrariwise the tribe was known for its vigilance, hard work, commitment, and humanism (Durrani 1996: 23). His father was widowed twice before marrying Ghurba—a daughter of the Diwan family, renowned for its business. Ghurba, Edhi's mother, was divorced and had a son and a daughter before marrying Abdul Shakoor. Edhi got his primary education in a local Islamic *madrassa*, where the medium of instruction was Gujrati. His lack of interest in studies forced his parents to abandon the dream of their child getting further education. Edhi started doing menial jobs at the age of 11. He worked as a salesperson at a local cloth store. He also used to sell betel leaves. He was endowed with the zeal to help the poor right from his childhood. He worked as a compounder in the village and wished to go to Bombay or Allahabad to earn money to help the poor. His friends used to make fun of him.

At the age of 11, Edhi became inclined towards philanthropic work while looking after his mother who was suffering from paralysis. For the next eight years until her death, young Abdul Sattar devoted all his energies to look after her and took it on himself responsibilities of personal care that a physically handicapped person requires. This experience had a profound influence on Edhi, which also distracted him further from his studies. For him, the world of suffering became his tutor and source of wisdom. He would recount many years later how his mother was the first person to inspire him to practice charity. According to Edhi, his mother would give him two paisas, of which she would instruct him to spend half on himself and half in charity on some other person. She also advised him, “Always find out if the person is really in need. It is poisonous to give charity to

useless people, or to embarrass those who do not need it” (Durrani 1996: 26). It will not be out of place of mention that the suffering his mother endured when she contracted cancer had been the principal motivation for Imran Khan to a build cancer hospital in her name. Thus, the role of the “mother” is quite decisive in galvanizing both the philanthropists onto an altruistic path.

Edhi began to think of the millions, suffering like his mother, with nobody to look after them. He thought that he had a call to help these people. He had a vision of chains of welfare centres and hospitals that could be opened to alleviate the pain of those suffering from illness and neglect. He also became aware of the fact that the mentally ill, the insane and the disabled persons had not been treated well as the country lacked an effective and fully functional system and the institutional support by the state to take proper care of the mentally retarded and physically incapacitated members of the society.

Apart from his personal experiences, socialist ideas also influenced Edhi’s world view at the young age of 13. He became acquainted with Marxist ideology through a number of local newspapers and magazines that had been published in Gujrat in the late 1930s and the early 1940s. Some of them included *The Muslim Gujrat Gazette*, *Bombay Samachar* and *Sandes* (a Hindi word that means “message”) (Tahir, n.d). He also read works on Karl Marx and Maxim Gorky’s novel *Mother*, which left an indelible impression on him. He was particularly impressed by the perseverance Karl Marx (1818–1883) had demonstrated while pursuing his mission. He began to believe that people’s nature was shaped by their circumstances.

Edhi began to take interest in Islam and drew its similarities with socialism by studying the life of the Prophet of Islam, the tragedy of Karbala and Lenin’s implementation of Marxist philosophy. For him, rebels and reformers addressed the same issues related to humanity. This understanding enabled him to approach the history of Islam from the perspective of the struggle between the haves and the have-nots. The life of the Prophet’s poor companion, Abū Dharr al-Ghifari (d. 652 BC),³ fascinated him in considerable measure who criticized Muslim rulers for accumulating wealth and not bringing in any social reform. According to him, “every reformer renounces his own comfort, he doesn’t even need to build a house. When you think of others you stop thinking of yourself. There is no space for that small character” (Durrani 1996: 263) He viewed Yazid,⁴ the villain of Karbala, as a class enemy who represented wealth and repression. To him,

the tragedy of Karbala was not a mere event, it is a living example. It confirms the extent of commitment required when man becomes aware of an injustice done to another human being. It highlights God’s demand for humanitarianism above all us, especially your own self.

(Durrani 1996: 140)

It is important to note that Edhi did not embrace any ideology without critically analysing it. He possessed a unique ability to scrutinize every concept or a notion before coming to terms with it. That exactly was the reason he viewed

communism as a system which “quashed personal uplift and killed individual initiative altogether.” In its stead, he considered Islam that “aroused human energy” (Durrani 1996: 304) which opens possibilities not only for the common good and welfare but for uplifting of the individual as well. He was quite categorical in saying that his system was not “confined to individual help or charity, it was collective work conducted by personal motivation” (Durrani 1996: 304). That, in fact, was the secret of Edhi’s phenomenal success. He believed in the decisiveness of the role of the individual as well as the collective, not privileging one over the other.

Study of the lives of reformers and revolutionaries made him more rebellious and he began to detest big investors. Various nationalist and anti-imperialist movements in India led by M. K. Gandhi, Inayatullah Khan Mashriqui⁵ and M. A. Jinnah (1876–1948) deeply influenced him. Jinnah was elected president of a leading trade union of British India, the All India Postal Staff Union in 1925 (Wolpert 1984). He was moved by Khan Abdul Ghaffar Khan’s (1890–1988) Khudai Khidmatgar Party,⁶ which was reaching out to the common man in villages and striving hard to solve their problems. He was appreciative of Gandhi’s decision to remain in Calcutta (in 1946) until the Hindu–Muslims riots ceased. He was cognizant of the seething anger that people felt against colonialism, which aroused his interest in the struggle of Muhammad Ali Jinnah for Pakistan.

All these personalities were a source of inspiration for him, but he had his own philosophy of life which had a Sufi ring to it. That is what made him distinct. He assumed “the responsibility of the elevated human position of *Ashraful Mukhlu-kaat*, (best of God’s creatures) where God is one and each man encloses His spirit” (Durrani 1996: 305). That seems to me that the kernel of his philosophy which draws him very close to the ideology of *Wahdat-ul Wujud*, propounded originally by Ibne Arabi.⁷ Hence, Edhi was a Sufi and a dervish. That spirit that he partook from God, his “own judgements and decisions had become instrument[s] of success.”⁸ His humanism essentially was predicated on this postulate, which I reckon was embedded in Sufi ethos.

The egalitarian principles which Edhi embraced during his childhood and adolescence fed into the progressive agenda of the institutions he came to subsequently establish. Of these principles, he gave top-most priority to humanism. He openly proclaimed the faith that was “[his] religion is humanitarianism which is the basis of every religion in the world.”⁹ For him, “three evils: mullahs (clergy), politicians, and social workers/NGOs [non-governmental organizations]” are at the heart of the social malaise that Pakistan is plagued with (Jaffer 2016). He kept on following the creed which prioritized humanism over everything else throughout his life and was able to earn the respect of all sections of society (Jaffer 2016). Edhi and his family migrated to Pakistan in 1947. Initially, he was forced to eke out his living as a vendor, but later, he became a local agent for the cloth wholesalers (Durrani 1996).

Beginning of charity work

Immediately after Indian partition, Edhi, along with his family, migrated to Karachi and settled in a Memon neighbourhood called Mithadar. In 1948,

Edhi became deeply involved in the charity work, as a rich businessman had established a dispensary in the neighbourhood. He started collecting medicines from that dispensary and distributed them among the poor and needy. Later on, he decided to establish a free dispensary; some of the members of the Memon community supported him in the endeavour. Edhi also established an “Adult Literacy Center” [presumably] in the late 1940s.¹⁰ Like the other projects that Edhi had launched, the latter had humble origins. He enlisted the support of some of his friends to start the initiative. The centre was established in a single room, where only one teacher taught the adults in the evening. Edhi also allowed the Young Muslims Association, a local charity organization, to organize religious sermons.

The prominent feature of the services that the Foundation offers, is that they are provided on a regular basis. For instance, the Edhi Foundation offers round the clock emergency services across the country through its 250 centres. The foundation runs on a voluntary basis. It does not rely on the grant-in-aid by the government. Significantly enough, the Edhi centres provide the services regardless of creed, race, colour, language, religion or politics (Tahir, n.d).

In 1951 he purchased a van which he named as the *Gharib* van (van for poor).¹¹ He bought it for Rs. 2,400. At that time, he had the total amount of Rs. 3,000 in his bank account. He allocated the rest of the money for paying the salary of the driver. Edhi used the van for collecting/finding unclaimed and decaying dead bodies/corpses. He used to give them the *ghusal* (the Islamic ritual of bathing the dead bodies before burial) before giving them Islamic burial. In a Muslim state, that is a responsibility of the government to arrange for the *ghusal* and burial of the unclaimed bodies. In the 1990s, when the law and order in Karachi had considerably deteriorated, the gunplay and internecine crossfire among various factions could not deter him to collect the corpses and bury them honourably. Reverting to his other philanthropic ventures, Edhi founded a free dispensary in 1954 in the Bolton market area. Later, he expanded the service by purchasing a plot adjoining the dispensary for rupees 14,000.

The year 1957 was of critical significance in Edhi’s philanthropic career. That year Hong Kong was badly afflicted by a deadly epidemic. Edhi headed the team of relief workers and because of his zeal to ameliorate the lot of those hit by the epidemic, Edhi not only won plaudits but also worldwide recognition. His service towards the suffering of humanity in Hong Kong contributed significantly in building the public trust in his philanthropic work. Edhi’s biography offers us clear hints that he had earned respect as a renowned social worker, and it was then that he came to be known as “angel of mercy” (*The Guardian* 2016). Now, more generous funding from various donors started pouring in for his philanthropic work.

In 1958, Edhi set up a maternity clinic that was attached to the dispensary which he had established in 1954. The clinic provided maternity care free of charge, even the mothers had not to pay for the vaccination of their children. The maternity clinic had humble origins. In the initial years Edhi found it difficult to attract the attention of women of other communities towards the nursing profession, as most of the women were reluctant to get training in nursing care. However, Edhi initially could only manage to persuade the girls from Memon families, the community which he belonged, to training in nursing services.

Similarly, in the beginning, only a female doctor used to examine the patients. But with the passage of time attitudes and perceptions changed and sharp-edged gender distinction was blunted over time. Edhi understood that the social norms and practices take time to evolve; therefore, he did not hasten things. The perseverance and patience are needed to make such an evolution possible, in Edhi these attribute had been in abundance.

The year 1965 holds considerable significance in Edhi's life and his humanitarian mission. That year, he got married to Bilquis.¹² In fact, seven women in rapid succession refused his offers for marriage (Oborne 2011). Bilquis worked as a nurse in his maternity clinic. Although the choice of a marriage partner is regarded as essentially a personal affair of an individual, in the case of Edhi, his marriage was much more than merely a personal and private affair. His marriage with Bilquis proved to be a turning point in his life. Bilquis Edhi, herself a selfless philanthropic worker, turned out to be a great asset for Edhi philanthropic mission. She stuck by Edhi through thick and thin. The couple devoted their entire lives to the humanitarian work. Her active involvement in the philanthropic work shows that she possessed an extraordinary talent for managing and supervising philanthropic projects. Edhi, later, handed over the responsibilities of maternity clinics and such affairs relating to women to his wife. He appointed Bilquis, as the head of one of the affiliates to the Edhi Foundation, and named the organization after her.¹³ The couple had three sons, Faisal Edhi, Kutub Edhi, Almas Edhi, and a daughter, Kubra.

A very important task that Edhi assigned to Bilquis was managing of the *jhola* (baby cradles) service for the neglected/abandoned children, which also triggered controversy. Religious clerics raised serious objection to such a service, which according to them was encouraging people to bear children out of the wedlock.

"Jhoolas" are installed at most of the emergency Edhi centres, where unwanted infants can be left. These abandoned babies are then taken into custody and given shelter in Edhi Homes. Although initially, Edhi was subject to a lot of pressure from several quarters on initiating Jhoola service, gradually the idea caught on. He faced trenchant criticism from the clergy; some of them incriminated him of encouraging the "sinful" act of producing illegitimate children.¹⁴ Now people even come forward to hand over the babies themselves to officials at the Edhi centres. Such infants are thereafter given in the care of suitable deserving families not having children of their own, for adoption. Mrs. Bilquis Edhi, the head of this service, through a centralized system, checks the credentials of the adopting parents and conducts a regular follow-up. Babies left over in garbage dumps outside Karachi are air-lifted to the central nursery located in Karachi, where medical and nursing care is provided before adoption. All documentation of this service is kept confidential to save the child from facing social problems afterwards. That initiative draws our attention back to dargah where abandon children were accepted. We do find references to abandoned children, fatherless children or orphans, being sheltered in shrines. We can conjecture that since shrines were spaces for the marginalized, the Sufis protected such children as it was also their religious obligation. The Sufis probably did not reveal identities of such children to protect their honour and future. Even at the state level, Ottomans protected

such children, who later become part of janissaries. Janissaries were always connected with local Sufi Silsila (Order). It was the Ottomans' strategy for making them valuable citizen (see Bhaduri 2001: 125; Dhauil and Kamath 2006: 38; Valdinoci 2012: 34).

Another manifestation of Edhi's progressive outlook was that he continued to encourage greater participation of women in economic activities. About woman, Edhi thought that she is "a natural social worker, child bearer and child rearer. She has greater social guts, stronger nerves and superior sensitivity towards injustice than the male" (Durrani 1996: 114). That is why one is not surprised to find out that women constituted a substantial part of the paid employees of the Edhi Foundation. A report that was published in *Pakistan Times* quoted that

Of the 2,000 paid workers of the Edhi Foundation around 500 are women. They work in various capacities, in-charges of Edhi centers, heads of maternity homes and dispensaries and office workers. Moreover, several women volunteers help Edhi Foundation in fundraising. Edhi encourages women to do all sorts of work without differentiation.¹⁵

Pakistan and India were entangled in another armed conflict in 1971.¹⁶ Edhi played a proactive role during the war in helping the people, who suffered, despite his meagre financial resources. He visited the places affected by bombardment of Indian artillery and air force and brought a fleet of three ambulances that transported the wounded to hospitals. He also provided mats/terpolain bamboo poles for shelter, food grains (rice and pulses), quilts, clothes and the other articles of daily use to the Behari-speaking refugees who came to Karachi in large numbers from East Pakistan.¹⁷ When Swat was hit by a severe earthquake in 1974, Edhi and his wife stayed there for eight days and distributed Rs. 16,000 worth of medicines besides some other relief goods like blankets.

The establishment of the Edhi Foundation (1974): a brief overview of its activities between 1974 to date

Till 1974, Edhi's philanthropic network had expanded to such a scale that he decided to get the organization registered under the name of the "Edhi Trust." The organization grew over time into the most vibrant social welfare institution of the country. Edhi made an appeal to the public for funds, which triggered an enthusiastic response. Edhi managed to collect donations of Rs. 200,000.

K. H. Awan's work provides us useful insights about the expansion of Edhi's philanthropic network till 1987. The dispensary from which Edhi had launched his humanitarian mission in the early 1950s had developed into a large building with three stories. The emergency centre and office occupied the ground floor, whereas dispensary and maternity homes were on the upper floors. The trust owned 80 ambulances. The numbers of vans had increased to 175. The number of Edhi centres had risen to 24. The annual funding of the Edhi Trust had increased to 50 million rupees (Awan 1987: 24–25). The free dispensaries had been providing treatment services to 500 patients per day on average. The Maternity Home

(Clinic) had provided maternity care to 21,000 cases since 1958 (Jaffer 2016). We can add that the Apna Ghar, a community project for the shelter of homeless persons, which the Edhi Trust had launched in Sohrab Goth, had been providing shelter to 41,000 people. The Edhi centres also started providing free meals to indigent patients in the tuberculosis and civils hospitals in Karachi. Edhi Home, also called as “Apna Ghar” (Our Home), is a home for the mentally ill destitute, for orphans and for runaways. There are 13 such homes in the country, of which seven are in Karachi. About 6,000 persons live in Edhi Homes. A destitute or homeless person becomes a member of Edhi’s family once he enters its premises. All boarding, lodging, clothing, and logistic arrangements are entirely free. If a person dies within these homes, the burial arrangements are made by the foundation according to the religious rites of the deceased (Muslim, Hindu, Sikh, Christian, or any other religion).¹⁸

The provision of blood to save human lives remains an essential element of emergency services. In major accidents, natural calamities and bomb blasts, among other emergencies, blood is supplied to the needy on an emergency basis. All welfare centres of major cities in Pakistan regularly keep an updated list of donors of all blood groups and conduct campaigns for enlisting more donors for the collection of blood. Blood is pooled in hospitals from the volunteer donors and is provided free of cost in cases of heart surgeries and other major operations to poor patients. Two blood banks, one at Karachi and the other at Mirpur, have proper facilities for storing and screening blood, from where hundreds of pints of screened blood are being regularly dispensed to the government hospitals.

The Edhi Foundation was a pioneer in starting its marine services. Thus, qualified divers were recruited, and other amenities were acquired. Rescue teams had been organized at all rivers, lakes and dams, who “relayed advanced signals in hazardous areas. Air dropping of provisions for the entrapped ships and fishermen in the ocean, as well as recovering bodies from the sea” (Durrani 1996: 267).

Another excerpt of K. H. Awan’s work provides us insights about the effective role that the Edhi Trust had been playing in the country. He wrote about Edhi that:

[h]e is not narrow-minded, makes no distinction between this man and that man on the basis of color or creed. He is out to serve all suffering humanity. His ideological bent led to opposition from a vocal section of his community but he ignored it and founded institutions under the name of EdhiTrust, small though it was in the beginning, it is now a large organization well known not only in Karachi but throughout Pakistan and beyond and calamity, natural or otherwise be it an earthquake, a cyclone and epidemic or a bomb blast by terrorist or any other man made tragedy, Edhi arrives there with his men and materials for rescue and relief operations.

(Awan 1987: 9)

The existing centres provide first aid to accident victims and arrange for their speedy transfer to the nearby hospitals. Moreover, these centres are being used for providing medical facilities in rural and semi-urban areas. Also, they provide

ambulance service at nominal charges, a facility for vaccinating newborn babies and children against diseases, and other welfare services. The dispensary and mobile dispensary at each centre cater for medical assistance to approximately 250 patients daily. Edhi divided Pakistan into 16 zones, and each zone was responsible for raising its own funds and meeting its own expenditure, which was quite like the commune system in socialist countries, particularly in People's Republic of China. More so, it also demonstrated extraordinary organizational skills of Edhi. His organizational skills came to him naturally despite lack of apparently sophisticated education. He was compassionate but extremely meticulous and led others by example. Despite the vastness of Edhi Foundation, it never seemed wanting in the efficiency or management. He at times acted like a corporate head. The Edhi management style was to assign a task to a person you trust completely and then get out of his way (Jaffer 2016). That is yet another trait that Edhi shared with Imran Khan.

One of the blog posts of the foundations contains the profile of its founder Abdul Sattar Edhi, which is a vivid reflection of his humane and austere nature. The post reads:

He involves himself in every activity at Edhi Foundation from raising funds to bathing corpses. Round the clock, he keeps with him an ambulance, which he drives himself and makes rounds of the city regularly. On finding a destitute or an injured person anywhere on the way, he escorts him to the Relief Centre where immediate attention is given to the needy person. In spite of his busy work schedule with the Foundation, Edhi finds enough time to spare with the residents of the orphanages called "Edhi Homes." He is very fond of playing and laughing with the children. A short strongly built man in his early seventies with a flowing beard and a ready smile, Edhi is popularly called "Nana" (Grandfather) by the residents of "Edhi Homes."¹⁹

He still rests or sleeps at night on a wooden bench of his breakfast, and eats his breakfast, which is a leftover loaf of bread baked a day earlier. He neither chews betel leaves nor smokes doesn't like to view T.V. programs or listen to radio broadcasts. His heart throbs with the desire to do as much good as possible for his country for his people and for the humanity at large. (Osborne 2011)

The last paragraph is a vivid testament of Edhi as a genuine and authentic being. Sleeping on a wooden bench, eating leftovers and abstaining from such frivolities like smoking and chewing betels, among others, prove him to be a dervish who effortlessly defied all worldly enticements. In this day and age, when materiality reigns supreme, a person of so little wants and needs cannot be defined other than the dervish. He is said to be on the guard in the face of flattery and praise by the media and other sources and kept reminding himself that he was an ordinary man. About the eulogizing newspaper articles, he once said, "Do not let them exaggerate your position. Many have fallen flat by forgetting their ordinariness. You (Edhi himself) are a small man trying to prove that the extraordinary is ordinary" (Durrani 1996: 107–108).

For the meritorious services that Edhi rendered to the suffering humanity, he was acknowledged both nationally as well as internationally. His profile indicates that he got 12 national and 14 international awards. He received the Philippines' national award for social service, Ramon Magsaysay, in 1986. But the awards like Lenin Peace Prize (in 1988) and Ahmadiyya Peace Prize were contentious as the religious impulse of Pakistan's public takes strong exception to anything associated with communist ideology or the Ahmadiyya community. Among the choices he made in his life, one inference can easily be drawn that Edhi lived his life on his own terms. He was never intimidated by anyone nor was he overawed in any situation. Until he breathed his last on July 2016, Abdul Sattar Edhi lived as brave man who was answerable only to his own conscious.

Conclusion

An individual will practically be recognized as a citizen of Pakistan if he is Muslim, and in many cases, he has to be a Sunni Muslim. Human as a category does not exist in Pakistan's national discourse. However, Edhi, despite all odds, remained engaged with humans, which makes him what he eventually became: a social icon; some called him the richest poor man whereas for some, he was beloved of all but a very few. He was well conversant with Karl Marx and Lenin, and he might have drawn inspiration from their works. But by embarking on a philanthropic path and subsequently establishing *Apna Ghar* and the Edhi centres, he seemed to have drawn much of his inspiration from medieval institution of dargah. Dargah catered to the human, irrespective of the attendee's religious identity. *Langar* (free kitchen) was its hallmark where everyone was welcome. That, in fact, was a unique symbol of rebellion against the entrenched hierarchy imposed through the caste system.

Edhi, too, was an advocate par excellence of social equality. His own persona was no different from that of a dervish with his simple attire and unpretentious lifestyle and mannerism. The biggest attribute of a dervish is his indifference to the material gain. In the South Asian culture, only dervish can wield the trust of the masses—and Edhi not only wielded that trust but also honoured it.

“Edhi placed a little cradle outside every Edhi Centre, beneath a placard imploring: *Do not commit another sin: leave your baby in our care*” (Osborne, 2011, italics added) Edhi has been insinuated by a (Deobandi) maulvi for adopting children, abandoned by those who would have sired them. In the medieval era, dargah was a place where such “unwanted” children were deposited. Many of those children used to grow up into *malang* or *sadhu*, and some became the servants of dargah. Edhi's adoption of these children seems to me as another legacy of dargah. However, he treated such children with greater kindness and compassion than the medieval dargah. Thus, we can argue that Edhi's set-up is a far more evolved form of the medieval dargah. Peter Osborne (2011), a reporter of the *Daily Telegraph*, writes,

In the course of my duties as a reporter, I have met presidents, prime ministers and reigning monarchs. Until meeting the Pakistani social worker Abdul

Sattar Edhi, I had never met a saint. Within a few moments of shaking hands, I knew I was in the presence of moral and spiritual greatness.

All the time he prayed to God, “Make me do big work for you. Such big work that will change the direction of the world. I want nothing more.” But for a Sufi it indeed was far too ambitious. I quote a tribute paid to him by the *Washington Post*; Abdul Sattar Edhi was a beacon of hope in a country too often mired in despair:

He was an ascetic in a country where politicians regularly skim millions of dollars through corruption; a humanitarian in a country rife with sectarian hatred and violence; and ultimately the provider of public services in a country where the government often fails to provide even the most basic ones, like adequate hospitals and ambulances.

(Bearak 2016)

Edhi was a unique phenomenon. But whatever he achieved had its historical antecedents. But it was extremely daunting to carry it out. No one else can do it. That probably is the reason hardly anyone aspires to emulate him.

Notes

- 1 For the role and status of women in Sufism in South Asia, see Kelly Pemberton (2004).
- 2 The term *Memon* refers to a Muslim commercial community from Gujrat (India), including Memons historically associated with Kathiawar. It can also refer to Kutchi Memons and Sindh Memons. Many Memons migrated to Karachi after the partition of India in 1947. They became leading businessmen like Dada Ltd, Araak Ltd. and Adam Ltd.
- 3 Abū Dharr al-Ghifari al-Kinani also known as Jundab ibn Junādah was one of the early converts to Islam. He belonged to the BanuGhifar, the Kinanah tribe. No date of birth is known. Abu Dhar is remembered for his strict piety and his opposition to Muawiyah I during the CaliphUthman ibn Affan era. He was regarded by many acclaimed scholars, including Ali Shariati, Muhammad Sharqawi and Sami Ayad Hanna, as a principal antecedent of Islamic socialism, the first Islamic socialist. He protested against the accumulation of wealth by the ruling class and urged the equitable redistribution of wealth. For further details, see <https://www.al-islam.org/the-great-companion-of-prophet-abu-dharr/chapter-20>.
- 4 Yazid bin Muawiyah I (647–683 CE) was the second ruler of Umayyad dynasty. He is known to be the adversary of the Holy Prophet’s grandson Imam Hussain, who was assassinated at his behest at the battle of Karbala (in Iraq). Because of that act, he is widely regarded as a tyrant and ruthless ruler who could go to any extent to retain his power.
- 5 Inayatullah Khan Mashriqi, also known as Allama Mashriqi (25 August 1888–27 August 1963) was a mathematician, logician, political theorist, Islamic scholar and the founder of the Khaksar movement. Around 1930, he founded the Khaksar movement, aiming to advance the condition of the masses irrespective of any faith, sect, or religion. For further details see, Nasim Yousaf, *Pakistan’s Freedom & Allama Mashriqi; Statements, Letters, Chronology of Khaksar Tehrik (Movement), Period: Mashriqi’s Birth to 1947*. AMZ Publications, 2004.
- 6 Khudai Khidmatgar (literal meaning “servants of God”) was a Pashtun non-violent movement against the British Empire by the Pashtun people of the North-West Frontier Province (now Khyber Pakhtunkhwa) in Pakistan. It is also called *Surkh Posh* or “Red Shirts,” which was originally a social reform organization focusing on education and the elimination of blood feuds. Another name of that movement was the Anjuman-e-Islah-e Afghanistan (Society for the Reformation of Afghans). The movement was led by Khan Abdul Ghaffar Khan, known locally as Bacha Khan or Badshah Khan. For more details see Mukulika Banerjee (2000).

- 7 'Abū 'Abdullāh Muhammad ibn 'Alī ibn Muhammad ibn `Arabī al-Hātimīat -Tāṭ was a Sufi mystic, poet, and philosopher of pre-eminence. He was born in Murcia, Spain on 26 July 1165 CE. He is renowned among practitioners of Sufism by the names al-Shaykh al-Akbar ("the Great Shaykh"), Muhyiddin ibn Arabi, and was considered a saint. He was also known as Shaikh-e-Akbar Mohi-ud-Din Ibn-e-Arabi throughout the Middle East. He died in 1240 at the age of 75. For further details about Ibne Arabi, see William Chittick (1989, 1994).
- 8 Chittick (1994).
- 9 Cited in Waqar Hashmi, "A Life Well Lived: A Tribute to Abdul Sattar Edhi," *Pakistaniaat: A Journal of Pakistan Studies* 3, no. 2 (2011).
- 10 It did not mention the exact year.
- 11 The work of Tehmina Durrani informs us that he had purchased a dispensary "for rupees 2,400, out of a total fund amount of rupees 3,000 which he had in his account at that time" (1996: 57).
- 12 Bilquis Bano Edhi, widow of Abdul Sattar Edhi, is a professional nurse and one of the most renowned philanthropists in Pakistan. She has been named the Mother of Pakistan. She was born in 1947 in Bantva. Along with her husband, she was the head of the Edhi Foundation. With her husband she received the 1986 Ramon Magsaysay Award for Public Service. In 2015, she also received the Mother Teresa Memorial International Award for Social Justice.
- 13 The section shows that how the A. S. Edhi's family continued to play central role in the organizational structure of Edhi's Foundation.
- 14 Edhi's that initiative has been discussed at length in Raponi and Zanzucchi (2013: 32–49).
- 15 <https://www.pakistantimes.com/topics/abdul-sattar-edhi/>.
- 16 It is beyond the scope of our discussion to delineate the causes of the 1971 war.
- 17 "Edhi Foundations," "Details of Relief Works," <http://www.contactpakistan.com/socialwork/Edhi/nerwork.htm>, accessed on 13 August 2018.
- 18 "Graveyard Services," <https://edhi.org/graveyard/>, accessed on 13 August 2018.
- 19 We can presume that this profile would have been written in the early 2000s as the brief allusion to Edhi's age indicates. See "Founder Profile," <https://edhi.org/founder-profile/>, accessed on 14 August 2018.

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8 Movements of flats and citizens

Notes on spatial politics in Mumbai

Yoko Taguchi

Middle-class citizens and urban development

“Basically, I would say the citizen’s movement in Bombay is more or less born out of garbage.” As this activist points out, the control and cleanliness of public space are major sources of controversy in urban India. Conflict over congested and filthy public spaces has been prominent since at least the colonial era (Anjaria 2016). Spatial conflict and negotiation are, therefore, embedded in the ongoing formation and development of the Indian city, especially Bombay/Mumbai. This chapter focuses on Mumbai’s middle-class citizen movements that engage in such spatial politics. Drawing on the literature and my own fieldwork with Mumbai activists, I suggest a perspective for considering different ways of being diverse and coexisting with the “other.”

Although this is a familiar problem, citizen participation has again gained renewed importance in the realm of urban governance since the 2000s. Contemporary public–private partnerships are characterized by an emphasis on “depoliticization” and market-oriented reforms (Coelho, Kamath, and Vijayabaskar 2013). This tendency reflects the tension between “political society” and “civil society”; in other words, the popular politics of the governed/subalterns (Chatterjee 2004) are seemingly being taken over by the claims of autonomous and property-owning individual-citizens. In this context, the urban middle classes, self-representing as the proper members of “civil society,” accuses “political society” of being fundamentally corrupt and nepotistic. Such “civil society” upholds instead the logic of the free market and promotes its own positions as “apolitical.” As this chapter examines, the practices and effects of these avowedly “apolitical” politics of citizens are closely related to their recognition of urban space and personhood.

This renewed conception of citizen participation should be located within broader middle-class activism in contemporary India, exemplified by the recent anti-corruption movement and various clean-up campaigns. Contrary to pro-poor social movements, this trend has been criticized as a “new middle-class” activism that facilitates increased control over the city’s public space (e.g., Baviskar and Ray 2011; Chatterjee 2004). It must be noted that, in mass media and literature, “new middle class” as a category is used to address a certain social imaginary rather than a specific class or income group.¹ Members of this category have been identified as consumers and the main beneficiaries of economic liberalization, as well as the body of support for Hindu nationalism (e.g., Fernandes 2006).

The main criticism regarding the new middle class in India, as in other emerging countries in Asia, has been centred on global capital and post-colonial studies. Within the dualism of the “global” (colonialism and predatory capitalism) and the “local” (the resistance and agency of the subaltern), the premises of dominant arguments have been either the “global” controlling the “local” or the “local” taming the “global” (Ong 2011). In this context, the prominent Indian cases, including the gentrification of beaches by excluding the poor in Mumbai (Fernandes 2006) and the demolition of slums by private housing societies in Kolkata and Delhi (Chatterjee 2004; Ghertner 2012), appear to represent the irresistible power of world-class aesthetics and global capital oppressing the local subalterns.

We cannot underestimate the influence of world-class aesthetics and citizens’ increasing control over public space based on such aesthetics. However, as already noted, spatial conflicts had existed before the current waves of globalization and the rise of the new middle class (Anjaria 2016).² Moreover, when examined closely, practices of civic activism in Mumbai do not quite fit the dichotomy of global power versus local resistance. Other than the logic of global capitalism, local logics on space and personhood play significant roles in Mumbai activism. Therefore, instead of assuming that a singular neoliberalism encompasses everything everywhere, this chapter investigates how concepts and practices are negotiated when different realms of power and control are entangled. I do this by focusing on Mumbai citizens’ groups called Advanced Locality Management (ALM) and by analysing how this new type of urban development was informed by the (“global” or “Western”) notion of the public and private, in relation to the (“local” or “Indian”) notion of the inside and the outside, and how this new participation practice is intervening in urban space as well as activists’ selves.

Generating inside/outside

Thinking based on a comparison between “global/Western” and “local/Indian” frameworks is commonly observed not only in scholarly discourses but also in everyday conversation among middle-class Indians. The conception of “inner/outer” or “inside/outside”—through interaction with “public/private”—depicts this type of lateral comparison.³ The concept of inside/outside, originating from the Bengali middle-class spatial category of “*ghar/bāhar*” (home/outside), was superimposed onto the moral distinction between India and the West during the colonial era. As a result, this framework, which is neither fundamentally traditional nor a colonial construction, has become widespread across India, and, in turn, has influenced contemporary citizens’ movements. In other words, inside/outside was shifted from a *local* folk framework to a *local* academic framework, and it is now generating its own reality by being applied to architectural styles and activism. The following sections therefore illustrate the lateral movements between the empirical and the conceptual.

Contact with public and private

The vivid contrast of the clean inside and the dirty outside in Indian cities has struck many visitors, who have described it in travelogues, essays, and novels

(Chakrabarty 1992). This has been also a major source of concern for generations of Indian middle classes. Activists especially often blame this problem on Indian people's alleged lack of "civic sense." Against this account, however, South Asianist scholars have explored other "local" points of view by theorizing the inside and the outside.

Partha Chatterjee (1989) notably argues that Indian nationalists discursively reorganized the Indian cultural realm into "inner" and "outer," representing the "spiritual" and the "material"; namely, while the West is advanced in the outer-material realm—including in science and technology and the institutions of nation states—India is superior in the inner-spiritual realm. The image of inner and outer was based on the socio-spatial division of "*ghar/bāhar*," or the home and the world. The world was considered the men's realm, where material benefits were pursued, but the home was considered the women's realm, which was more important for Indian national values and identity and which has to be protected from the outside. This dichotomy was undeniably influenced by colonial discourses, but it also created different values which couldn't be completely subsumed by them.

Sudipta Kaviraj (1997) also pays attention to the inside and the outside, taking inside/outside or *ghare/baire* more literally as "inside the house/outside" (93). Kaviraj argues that inside/outside has partly incorporated the norms of public/private: the private as the realm of the nuclear family was not accepted, but the inside as the realm of the large joint family was reinforced. Moreover, the inside had to be kept clean to reinforce its superiority. Cleanliness does not mean merely hygienic but also auspicious and safe. Meanwhile, the outside was considered dirty and dangerous because there are unknown people from different communities with various substances that threaten one's well-being (Chakrabarty 1992; Kaviraj 1997). In colonial Calcutta, the parks, reflecting the British sense of "public space," were also placed in this realm of outside. However, this "public" was considered by the poor as the opposite of inside, as no one's property. As a result, parks crowded with vendors and homeless people became filled with "filth." Kaviraj (1997) describes this process as plebeianization, or democratization, and suggests that this is the resistance of the poor in Indian modernity.

Delineating the entangled relations of inside–outside and the public–private helps us to better grasp the logic and spatial recognition of contemporary activism. In Delhi, more than a million slum residents were displaced in the last decade due to the demands of private property owners (Ghertner 2012). To explain the reasoning of the housing society activists in Delhi, Asher Ghertner, drawing on Chatterjee (2004) and Kaviraj (1997), elaborates the intersections between the "private" and the "inside." For the Indian middle class, the inside was a secured domain of family and caste/class groups. Yet, when it overlapped with the private, the boundary of the inside gained the connotation of private property and legal rights. Meanwhile, as Kaviraj noted, the plebeianization of the outside proceeded, the poor expanding the space for their livelihood. Thus, as the safe and stable inside for the middle-class shrank, the middle class is now trying to expand it beyond their home to their neighbourhood and even to the city itself. Thus, Ghertner (2012) argues, urban middle-class activism aims to extend

the renewed inside, or “public space”; yet in their logic, their former inside had been “encroached” on by the poor, so now they have to act to “reclaim” their “inside-public space.”

Moreover, this “inside-public space” is imbued with not only middle-class aesthetics but also a sense of the personhood that is inseparable from one’s surroundings. By using this concept as an analytical tool, it becomes possible to see contemporary activists’ reformation of “public space” not as the privatization of the given public space but instead as the expansion of a fluid and person-centric “inside.”

Inside as mine/self

The writer Suketu Mehta (2004), describing the familiar distinction of inside/outside (i.e., clean flats and dirty public spaces in Mumbai), states that “the boundary of the space you keep clean is marked at the end of the space you call your own” (128). This is another important connotation of inside/outside as “mine, self/not-mine, not-self” (Kaviraj 1997: 93). In this conception, Kaviraj (1997) explains, “the street was the outside, the space for which one did not have responsibility, or which was not one’s own, and it therefore lacked any association with obligation” and it was “merely a conceptually insignificant negative of the inside” (98). Additionally, this distinction of inside/outside as mine/not-mine has to be understood in relational terms; the boundary changes depending on the context, such as the self/not-self, the home/outside, and the village/outside. Here, personhood as self-inside is continuously shaped and reshaped through interaction with outside substances and the environment (Daniel 1984).

This aspect of inside/outside is commonly observed in contemporary Mumbai. At local railway stations in the Mumbai, this announcement emphasized this for me:

The station is your property.⁴ Please help us keep the station and coaches clean. Please do not throw wrappers and foods, etcetera, on the platform or inside the train.

A familiar scene on Mumbai trains is passengers eating snacks and then littering waste underneath the benches or, for those who want to keep their immediate surroundings cleaner, out the windows. Against this behaviour, the announcement asks them to consider the station “your property” and thus keep it clean. In other words, it tries to persuade people to consider the station as their home, or inside.

Tokyo Metro’s similar campaigns provide a good contrast with this reasoning. For example, in 2008 and 2009, Tokyo Metro designed a series of posters depicting passengers eating and drinking, applying make-up, or using cell phones on the train along with this message: “Please do it at home” (*Ie de yarō*).⁵ This highlights the very different perceptions of public space. In Japan, the public manners emphasize that the trains are outside and thus one shouldn’t behave as if at home/inside. Yet in India, the announcements ask people to “do it as if at home.”

This type of logic is commonly used by civic activists as well. For example, at a workshop on the right to information I attended in Mumbai, an activist and lecturer explained, “When you are on a bus and you find a hole in the seat, have you ever poked it, picked out the sponge from there and played with it? I have done it as a kid. But why do we do that? This is because we think “*Yeh to sarkār kā hai, merā nahīm*” (This is owned by the government; it’s not mine). You should think it’s yours.”

The framework of “mine” and “not-mine” is also used in the practices of activists to employ a concept of “public space.” Saaf Aangan, or clean courtyard, is a concept that a citizens’ organization and Mumbai’s municipality started using around 2006. In one municipality’s leaflet, they define *aangan* as “the public place in front of, or adjacent to any premises, extending to the kerb side and including the footpath kerb and water table.” The shopkeepers or workers who are considered not keeping a saaf aangan are fined by municipal workers named “nuisance detectives” and “clean-up marshals.”

The use of aangan, an architectural metaphor, evokes an image of inside, which helps people conceptualize public space as an extension of their house. One activist explained the saaf aangan concept to me this way: “We are asking the shopkeepers and street vendors to treat the street as yours.” In this system, even if a street vendor himself is not littering, for example, if someone passing by his chai shop on a footpath throws garbage in front of his shop and he doesn’t clean it up, then the vendor will be held responsible. In one case, a paan vendor was scolded by an activist and a marshal for not cleaning up the garbage in front of his shop. The vendor first collected the garbage with two pieces of wood plates and dumped it in a roadside ditch. But then the activist demanded that he pick up the garbage from the ditch. The vendor then collected the garbage again and put it into the dustbin. So, in this case, the vendor first thought the ditch was outside of aangan, and there was no shared understanding of what aangan was. In another case, a vendor showed his frustration and asked the activist, “Who are you? Is this street yours? Or your fathers?” to which the activist replied, “It’s not mine, but is it yours?”

In this way, activists’ evocation of “public space” is very ambiguous. As is shown in the second case, aangan is after all not owned by anyone. It stays outside. But the campaign tries to make it temporarily inside for the vendors and attributes the responsibility to clean the area to them. Meanwhile, the activists care about the cleanliness of the area because they also see it partly as inside themselves. These cases show that the activists and municipality tell people to take “public space” as “inside,” and by doing so, they try to reallocate property-owning subjectivity and transform spatial distinctions. The campaign intervenes in the inside as the fluid boundary centres on particular persons.

History of Bombay flats

The dynamics of inside/outside are not only conceptual but also related to architectural styles and physical living spaces. The development of Bombay flats, first built for Europeans in the reclaimed island city in the 1910s, exemplify this interaction.

Indian migrants creatively reorganized their new living spaces in colonial Bombay. In the process, the former inside not only shrank with the Western notion of private property but also expanded and incorporated things that used to belong to the outside, both in terms of the building structure and the sense of community.

The historian Nikhil Rao (2013) argues that the lifestyles and identities of Mumbai's middle class are closely related to the flat buildings. The flat here means "self-contained" flats with attached toilets inside, which appeared in Bombay in the early twentieth century. In terms of the changing inside/outside, the gradual inward movement of toilets is especially interesting. Bombay Development Directorate, established in 1919 when Bombay was rapidly developing, started building *chawls* (one room tenements) to accommodate migrant workers. In those days, toilets in India, both in cities and villages, were located outside the house. In chawls too, the washing area (or *nahānī*, used for bathing, using the toilet, and washing dishes) was not located inside the rooms but shared among people in the same building (Rao 2013: 109–111).

Yet this chawl design was considered unsuitable for the emerging urban middle-class families, and some of these chawls gradually transformed into distinctive self-contained flats. In the early 1930s, these newly designed flats had an attached toilet for each house, but it was kept in a separate block or accessed through a veranda. By the 1940s, houses with inside toilets had become common. This was not only because of the improvement of infrastructure but also due to the enlightenment mission of Indian engineers and architects who tried to educate people to discard their conservative and religious beliefs and accept the logic of modern western hygiene. Still, even inside the house, the toilet's position was controversial. For example, Brahmins' houses often had two entrances: one for family members and another for servants to go directly to the toilet without passing through the family's residential area (Rao 2013: 122–132).

Meanwhile, various ambiguous realms were created around the flats. For example, underneath the stairs and stair landings, being inside the building and outside the flats, were often also used for servants' and their families' accommodation. The compound, located around the flat building surrounded by the wall, is another example of intermediate space. Children were told to play inside the compound, not in the street, and women could come down to the compound to buy vegetables in their home dress, or "maxi" (Rao 2013: 163–166).

Moreover, a new conception of "community" in the urban context was forged by cooperative societies, which also made possible the building of flats itself. In the 1910s, the colonial states promoted cooperatives by offering reasonable loans to building societies. In this system, family members of a cooperative society purchase shares, which serve as security against which the society borrows money to buy land and build the buildings. One characteristic of colonial Indian cooperative societies was that membership based on "community," or caste, was allowed by the state. Early cooperative societies had strict membership politics, such as the case of the Saraswat Brahmins; however, the definition of community gradually expanded. Cooperative societies created metacaste identities, grouping castes, religions, or areas, including "Zoroastrian" (a fusion of Parsi and Irani), "Catholics" (East Indians, Goans, and Mangaloreans), and, more broadly, "South

Indians.” On the other hand, housing styles and areas created new boundaries as well, as the lower-caste and labouring classes in slums were not considered a part of the “South Indians” living in flats (Rao 2013: 171–197).

The development of Bombay flats as the living space of the middle class shaped inside/outside particular to the city. While toilets moved inside, a new intermediate realm such as the compound was generated. Flat ownership was made possible by cooperative societies, which created new communities and a realm of inside that shares a house as one’s property. It is unsurprising, then, that flats as spatial-personal units play an important role in contemporary Mumbai activism.

Expanding inside? ALM and the civic realm

Advanced Locality Management

Today, another inside is materializing as housing cooperative societies are reshaped anew under the framework of civil society. ALM, initiated by the Brihanmumbai Municipal Corporation (BMC), specifically its Solid Waste Management Department, is a project to promote partnership between Mumbai’s municipality and its citizens.⁶ This might imply the “public” nature of their project, but here, too, various forms of “inside” infiltrate. The cover of the ALM brochure⁷ advises, “Treat City as your Home” (*ghar*), in English and in Marathi, reflecting the familiar logic of asking people to regard “public space” as “inside,” an extension of their house, and thus their own property. Particularly, in this project, citizens are invited “inside” the municipality to engage in a negotiation between inside and outside.

Isa Baud and Navtaj Nainan argue that the neoliberal model of urban governance, popular in the 1990s, assumed that the private sector could provide urban services more efficiently and effectively than government, but recently, there has more appreciation of the importance of the government’s role independent from the market demand. Organizing “invited spaces” is a renewed attempt of local governments to work together with its citizens (Baud and Nainan 2008). This is a part of gentrification in Indian cities, promoting the idea of being “world-class” and incorporating the middle-class citizens into the institutional “invited space” while excluding the poor. This is another move towards “depoliticization” in the sense that the citizens are invited to talk directly with local bureaucrats, skipping the elected councils. That is, the municipality has created another privileged channel for “civil society” parallel to electoral democracy and especially in contrast to reservation systems, which have been one of the important realms of “political society” for the poor to demand their rights and their share (Singh 2012; see also Ghertner 2011).

In Mumbai, the municipality began the ALM project in 1996 to tackle the city’s garbage issues. The city’s brochure states that they “recognized the need for greater public participation for good governance and better delivery of civic services,” and they expect an “active Citizenry” to identify “pressing problems and possible methods of redressal and thereafter, voluntarily come forward as a body to assist MCGM [BMC] in improving infrastructure services.” They also expect citizens to suggest “simpler and more transparent procedures.” The messages

recall the ideology of the European post-welfare states, where the states demand citizens' voluntary participation to cover their costs (cf. Giddens 1998). This can be problematic in Europe because the state incorporates civil society and thus undermines its critical role; however, in India, where city services have not been sufficiently provided to begin with, only the idea of the post-welfare state was imported into this different context.

Since the late 1990s, already-existing housing cooperative societies and residential associations responded to the municipality and registered themselves as ALMs, and in 1998, all of Mumbai's 24 wards had ALMs. Although the data was being updated, about 700 ALMs had reportedly been registered in 2013. I mainly worked with one ALM formed in 2007 as "citizens' federation" of pre-existing societies in a Mumbai suburb. About 50 residents were registered as members, but active members who paid the membership fee and attended the meetings numbered about 15 people. Their main activity was the monthly ward meeting, where a dozen group members and the ward officers would meet and discuss cleanliness and the beautification of the area. Mostly the citizens complained about street hawkers, footpaths, and garbage and requested the ward officers to work on these issues. Before each ward meeting, the core members met at one of the activist's houses and discussed what they should bring up at the upcoming ward meeting.⁸

Inside as invited space

The citizens who are "invited" into the conversation with the municipality are involved in various forms of the "inside." Their activities are limited in this realm and their effects often uncertain, but they work to make sense of the situation. For example, a Parsi lady in the ALM started sorting household waste into "wet" and "dry" waste following the BMC's guidance from 1999, and she persuaded other residents in her flat-building to do likewise. As a result, she told me, 80% of the residents followed the rule on one occasion, yet only one type of garbage truck came, and it recombined this sorted waste when it collected it. The residents eventually stopped sorting, and she was one of the few people who still sorted their waste. When I asked her why she continued with the ALM activities and joining the meetings, she explained:

I continue going because it gives us at least one opening. At one time we had no access to any officers. Now at least if you go regularly, you build up a little, you have a good relationship with some of the officers and really sometimes, there are nice people and they will help you if they can.

The ALM's "invited space" is obviously not an open-to-all public space because BMC invites only flat-residents/middle-class citizens into the "inside" to work on specific issues. ALM members sometimes regret that the areas of activity are limited, but acquainting themselves with the officers and directly negotiating their particular concerns are key advantages. Maintaining access to this special space is one reason why ALM members attend the meetings even when the results of the activities do not seem successful.

The particularities and limitations of ALMs also reorganize the activists' sense of space and their everyday life interests. The active members of the ALM I observed devoted themselves fully to the beautification of their immediate neighbourhood: their flat compounds, the streets in front of their buildings, the nearest parks, and so on. For example, when Mr. A, another ALM member, gets information about road construction in his area, he goes to the site to observe. One day, he was at the construction site both in the morning and from 10 p.m. to 1 a.m. He came across it when he was walking in the morning, so he watched the construction workers. He then asked the workers about the night-shift timing and went back then. Usually roads get potholes after a few months, but his roads are nice even after several years. He says that you have to make the centre of the road a little higher so that water drains down to the ditches on both sides. Also, you have to use cement in the connecting parts of asphalt roads and tiled streets to preserve the shape. The municipality's engineers do not bother to supervise themselves, but leave it to the contractors, so Mr. A has to ensure himself the jobs are done nicely.

Care primarily for their own backyard is also due to the specific forms required by BMC. For instance, if a citizen complains about something at the ward meeting, the officers ask him to submit "proofs," namely, a letter and photographs. If he couldn't submit these, the complaint is considered false. Thus, the activities have to remain within their eyeshot. Moreover, just like the segregated waste collected together, when they prepare these letters and pictures, they are often just sent from one office to another. This situation appears to encourage the activists to focus on internal issues such as gaining "satisfaction." Within the given issues in which intervention is possible, another "inside" increases its importance.

Inside as self and negotiation with the outside

The activities of ALM have special significance for the activists to perform their duty as citizen-educators, a mission inherited from colonial elites and adapted into the neoliberal form (Chatterjee 2004; Taguchi 2013). Mr. A, now in his mid-60s, took an early voluntary retirement from a big company at the age of 44 and since then has been devoting his time to social service. He now focuses on the local ALM because it gives him "satisfaction." He started explaining the ideas of "success and satisfaction" when I asked him why he was doing this kind of work.

This is serious and you need to know. I was talking about "success and satisfaction." ... Gandhiji had said, there is enough and sufficient for everybody's needs but not for everybody's greed ... What I mean to say is "success and satisfaction." You can be satisfied if you have your needs fulfilled ...

Contrary to "success," corresponding to "greed," "satisfaction" is achieved when your "need" is met. He further relates "satisfaction" to "serving others":

When you go on further in age, you will realize the reason why people are born is not for themselves; it is for serving others. The greatest satisfaction

is in serving others in the process of doing something good ... money, this, that, you are not interested in all that. You are interested in your satisfaction.

In his explanation, “serving others” and gaining one’s “satisfaction” are seamlessly connected. The concept of “service” in India often connotes the Hindu concept *seva*—understood as “selfless service” to a deity or a community, which since the colonial era, has been used for the country, political parties, and civic associations (Watt 2005). When I asked other members if they think of their activities as *seva*, however, many people expressed some reservations. They say *seva* means something grander, reserved for more serious work such as helping poor people. Meanwhile, their work, focused on “my area” and their “backyard,” is their obvious duty or responsibility, or it is a natural demand on them as taxpayers.

Their explanation implies that *seva* and civic activism are contradictory, yet they are apparently in the process of conceptual and practical reconfiguration. I asked another member of the ALM, Mr. B, if his work was *seva*, and he also stated that it was not *seva* but satisfaction. He added that he hates the word *seva* and continued:

No, no, no social worker. I am no worker. No, no, no. I don’t get dictated by anybody, number one. Number two, when I myself have my own time going around, and whatever thing I find not proper, I think it is my duty to bring it to the notice of whichever authority.

Moreover, Mr. B also mentioned “success and satisfaction”:

There is a term “success and satisfaction.” I would rather go for satisfaction. Success is one which is decided by others ... But satisfaction is you decide. You get satisfaction when you agree with yourself that you have done some good thing. I get immense satisfaction when nothing related to me—now this garden or this footpath I never walk on ... but still when I see one irregularity and if I am able to present it and it gets solved I get tremendous satisfaction.

They emphasize that satisfaction is given only by oneself, and the self does not seek personal reward. I told Mr. B that I had heard “success and satisfaction” elsewhere and asked if he had read it in a book or something. He said he did not remember where he got it but elaborated:

B: Even our religion, there’s Gita, like Bible is for Christian and Quran is for Muslims, we have Gita. Gita says that, in Sanskrit language, *karmanyevādhikāraste mā phalesu kadācana*. They say that you do your job. Don’t bother about the fruits. Whether I will get credit, whether I will get success. No, simply go on doing your job. The God will give you the fruits and the benefits.

Y: So would you call what you are doing as ...

- B: I will tell you last 10 years I have no major illness ... , so in a way God compensates. I am able to walk from here to [neighbouring area] every day. People complain of old age and joint pain. People have this, why should I bother. All these things are none of my business. I pay tax ...
- Y: You call what you are doing as *dharma* or ...?
- B: I told you I get tremendous satisfaction out of it.

Mr. B quotes a verse on karma from the *Bhagavad Gita* and explains that God compensates him for his good karma with health. The Gita, a section of the ancient Indian Sanskrit epic the *Mahabharata*, consists of dialogues between Krishna and Arjuna. Arjuna agonizes over the dilemma of war between kinsmen, but Krishna tells him to do the right thing according to his dharma, which is to fight. The quoted part, verse 47 of Chapter Two, is one of the main themes of the Gita, and it says "Action (karma) alone is the province, never the fruit thereof." (Gandhi 2009: 24, parenthesis added). M. K. Gandhi, who connected the Gita to modern social movements through his translation and interpretation of it, explains this part in his 1926 talk:

The slave-owner tells the slaves, 'Mind your work, but beware lest you pluck a fruit from the garden. Yours is to take what I give.' God has put us under restriction in the same manner. He tells us that we may work if we wish, but that the reward of work is entirely for Him to give.

(2009: 24)

This verse and the Gita more generally are often mentioned or included in activists' documents in today's civic movements. However, when I tried to ask Mr. B if he would call his activities dharma, he repeatedly insisted that it was "satisfaction." He emphasizes the satisfaction he can feel from the action itself rather than from being acknowledged by other people for successful results.

Contrary to prevailing analyses of the consumer middle class controlling the city at large, citizens' activities are quite limited in the realm proscribed by the municipality. The given civic realm can be seen as the expanding "inside," cantering on the activists' houses and spreading to the compound and neighbourhood. Although the concrete effects of their actions are unclear, the activists' explanations reveal that "satisfaction" drives their activities. As Mr. B emphasizes, references to satisfaction seem oriented towards the realm of the private self, independent from others' evaluation. Yet at the same time, he also tells us that even if the results of his activism are unseen, God will provide fruits of the labour in the form of a healthy body. Here, then, is the juxtaposition: a neoliberal form of the individual-citizen, who prioritizes personal "satisfaction," and a form of "selfless service" that acknowledges that the results of actions are beyond one's control. Civic activities and satisfaction are explained using the Gita and karmic logic, revealing one's satisfaction through one's bodily condition.⁹ Thus, actions motivated by satisfaction are not limited to one's private "inside," but are connected to one's surroundings. In this manner, activists' work for the "inside" is not accomplished without intervention in the "outside."

Negotiating inside and outside

Citizen participation, with its “apolitical” appearance, is a field of intricate political practice where the public/private has been connected to inside/outside and thus differently divided and articulated. As discussed in the literature, today’s urban activism has a tendency to expand the middle-class activists’ “inside” by superimposing the sense of “public” onto it. This chapter suggests, however, that this process is not so smooth or straightforward. A final scene from an ALM meeting further illustrates this. When an ALM activist complained about the family living on a footpath in her neighbourhood, a ward officer replied, “We can pick up and clear away things, but we cannot do it to people.” The outside that the activists try to incorporate can thus also be the inside of people who work and live there, and their lives must be protected. This basic sense still appeared to be shared among Mumbai activists.

Because the notion of inside/outside is inseparable from self/not-self, the image of the individual citizen keeps changing its form in practice. The activists are invited to help BMC according to neoliberal citizen participation logic, and they accommodate themselves in this scheme through talk of satisfaction. Nonetheless, their image of self is partly based on the modern developmentalist and educational citizen, and their satisfaction is partly supported by the norm of selfless service. This complex figure of the citizen also generates gaps in their activities. Activists who interfere in the outside can achieve their goal (getting satisfaction) without really succeeding (in terms of actualizing sorted waste collection or eliminating street vendors). Such gaps in effect also prevent the endless expansion of the “inside-public space,” which would exclude the other.

The effect of not making everything “inside” or part of the civic realm may exemplify one aspect of South Asian sociality as the field of negotiation among different and often conflicting values. Mumbai citizens’ political endeavours and dilemmas may thus help us to think about how to coexist with the “outside” or others, in other words, how to reimagine diversity without ignoring real differences and subsuming “them” into “our” realm, a pressing issue in our contemporary world.

Notes

- 1 According to one definition, the top 26 per cent of Indian households are estimated to belong to the middle class (Baviskar and Ray 2011).
- 2 Jonathan Shapiro Anjaria (2016) notes three historical moments that formed contemporary Mumbai’s special contestation: “(1) late eighteenth- and early nineteenth-century efforts by the colonial state to contain a landscape of congestion, blockages, and encroachments; (2) late nineteenth-century spatial transformation in the name of public health; and (3) early twentieth-century middle-class civic activism around the condition and appearance public space” (41).
- 3 In contrast to empirical or quantitative comparison, lateral comparison attends to the abstraction, comparison, and translation done by not only the researchers but also by the informants and the subjects of the study. For a discussion of “lateral concepts” in anthropology and in science and technology studies, see Gad and Jensen (2016).
- 4 The announcements are made in Marathi, Hindi, and English—in this order. For the term *property*, they use “*station aaple sampatiya hai*” (Marathi) and “*station appke sampatti hai*” (Hindi).

- 5 Tokyo Metro explains the campaign in its press release (<http://www.tokyo-metro.jp/news/2009/2009-17.html>) this way: “Different from the private space, certain behaviors and actions are unsuitable in the public space. ‘Please do it at home’ series shows drawings of the situations in which anyone would think ‘why don’t you do it at home ...’ and make people reflect upon their own behaviors.”
- 6 Delhi’s Bhagidari Scheme, stated in 2000, is a similar project (see Ghertner 2011; Coelho, Kamath, and Vijayabaskar 2013).
- 7 I obtained one from BMC’s ALM officer. She did her master’s in social work in Mumbai and did a graduate course on governance and democracy in the Netherlands. Isa Baud, whose work I quoted earlier, was her supervisor in the Netherlands.
- 8 As a part of my approximately two-year fieldwork in Greater Mumbai, I joined the ward meeting of this ALM four times and the internal meeting five times from October 2011 to February 2013. I conducted interviews with 11 active members (seven male and four female) from January to March 2013. All of them were born and brought up in Mumbai and were highly educated in English. Although their mother tongues varied (e.g., Gujarati, Tamil, and Kannada), English was the main language at the members’ internal meetings, with Hindi and Marathi added.
- 9 Karma (*karmam*) is considered as one of substances to maintain a good balance of persons. Karma is stored in part of the body and comes to fruition when it is ripe (Keyes and Valentine Daniel 1983; Daniel 1984).

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Part III

How does a conflict end?



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9 Life beyond the paradox

Peace, ethnic conflict, and everyday realities of Chittagong Hill Tracts, Bangladesh¹

Ranjan Saha Partha

In the contemporary understanding of the relationship between Jumma and Bengali people in Chittagong Hill Tracts (CHT), two key concepts, peace and conflict, have become the dominant lens through which daily life in this region is viewed. This “peace and conflict frame” has remained in frequent use since the 1990s in Bangladesh. This invention of the peace and conflict frame has its own wider history; it has been used to identify war or war-like zones within and between nation-states. The invention of the peace and conflict frame was initiated and proliferated by the United Nations. Concurrently, many academic and strategic institutions in the global north introduced separate fields of study under various names, that is, Peace Study, and thereby a peace and conflict expert would emerge to help mitigate the conflict and establish peace. It was not surprising when Dhaka University in Bangladesh established a separate department of Peace and Conflict Studies. The participation rate of Bangladesh’s military in various UN peacekeeping missions had increased significantly, and around the same time, the Chittagong Hill Tracts Peace Accord was enacted in 1997. This particular way of looking at people’s lives through these two binarily opposed concepts not only reduces the complexities evident in real-life situations but also forces them to fit into a state of either peace or conflict.

These two concepts continue to increasingly engulf and reshape the academic, political, and development (non-governmental organization [NGO]) discourses. Even after the Chittagong Hill Tracts Peace Accord was enacted in 1997, the public perception of CHT was bifurcated into two major domains. Some of the public believe peace is prevailing in CHT that can be measured by the state, based on criteria decided by people other than the local inhabitants. The other domain believes conflict has been developed in new forms; however, generated from resistance against state and non-state oppression, the new conflicts are criminalized. This chapter reflects on how local people talk about political issues in their everyday context. The purpose is to explore the alleged paradoxes in the prevailing perceptions of being 'more peaceful' and 'more conflictual' regarding contemporary CHT.

While conversations of ethnicity and politics are common in political spheres, these discussions often significantly alter and obscure local lifestyles. This is the politics of invisibility that the peace and conflict frame renders, generating a bipolar binary by asserting only two distinct understandings of a complex situation in CHT.

The research tradition focusing on CHT often falls into the trap of a binary understanding of the events. This means the research understands different phenomenon in opposition to one another, such as Bengali versus Jumma, Army versus Shanti Bahini, Peace versus Conflict, United People's Democratic Front (UPDF) versus Parbatya Chattagram Jana Samhati Samiti Party (PCJSS) and so on. Related questions also emerged, such as "Who is more violent?" or "Who is more marginalized?": Army or Shanti Bahini, Bengali or Jumma. These binary oppositions are important in understanding CHT, but they are not enough.

The central argument of this chapter is that this paradoxical understanding of CHT through comparison is inherently exclusionary and neglects the everyday experience of ordinary people. It is true that binary divisions are imposed and repeatedly used as reference points, but Bengali–Jumma or UPDF–PCJSS binary entities are not homogenous. These are not ethnic identities but politically constructed identities. When conflicting issues arise, not everyone participates in the same manner, and their survival strategies differ as well. Even in the case of political parties belonging to the same group, the relationship between the varied actors in CHT marginalizes the local people. These hierarchical differences, the paradox of bipolarity, and the local people's experience are presented in this chapter.

This chapter is organized into eight sections. Following this introduction, the second section introduces the theoretical paradigm of peace discourse: how paradox is framed by classical social science literature and how it has been addressed by contemporary scholars. The third section identifies the local people of CHT. Section four examines the historical circumstances of the conflict in CHT. Then the way in which villagers have experienced the Bengali resettlement process at the grassroots level is investigated. The sixth section examines the major clauses in the CHT Peace Accord of 1997 and describes how satisfaction and dissatisfaction among different groups resulted in conflicts between various political stakeholders. Then the consequences of the peace accord at the village level are investigated. In this section, I argue that the lack of political will for implementation and the lack of applicable measures to identify root causes of conflict both contributed to conflict dynamics in the post–peace accord period before bringing the chapter to a close.

Theoretical discussions: investigating the paradox in peace discourses

Peace discourse, a widely known concept in the peace studies literature, is used to identify the root causes of conflict (Galtung 1969). In conventional peace studies, the concept of peace is mostly focused on state politics and structural factors, and primarily discusses the dialogue and negotiation between political parties. However, many recent investigations of peace and conflict have looked within particular cultures and emphasized the culturally specific nature of conflict. For instance, Galtung (1990) listed six cultural domains of conflict: religion, ideology, language, art, empirical science, and formal science. As he states,

[t]he study of cultural violence highlights the way in which the act of direct violence and the fact of structural violence are legitimized and thus rendered

acceptable in society. One way cultural violence works is by changing the moral color of an act from red/wrong to green/right or at least to yellow/acceptable; an example being ‘murder on behalf of the country as right, on behalf of oneself wrong.’

(292)

Although Galtung attempts to open a space to identify root causes of conflict in the cultural context, the academic scholarship has vigorously rearranged this space in recent decades. More specifically, the anthropological contribution to peace studies is directing research towards cultural anthropology and providing an accessible framework to the paradoxical and dispute-related study of culture and peace (Sponsel 1994; Coulter 2009; Little 2014).

However, conceptualizing culture is itself a challenging matter, not only for the study of peace but also for the wider anthropological academic practices. The discussion of a paradigm shift of conceptualizing culture (from essentialist view to post-structural paradigm) is important in this regard. According to the essentialist understanding, “culture” is a concrete social phenomenon which represents the essential character of a particular society (Hofstede 1991). The definition of culture is spatially bounded, based on inherited meanings and values which have been passed down unchanged and are shared equally by all members of the culture (Baumann 1996). In this viewpoint, the national and ethnic identities are portrayed as innate characteristics where some natural, biological and genetic traits are brought forward. As Grillo (2003) argues,

[b]y ‘cultural essentialism’ I mean a system of belief grounded in a conception of human beings as ‘cultural’ (and under certain conditions territorial and national) subjects, i.e. bearers of a culture, located within a bounded world, which defines them and differentiates them from others. Equally worthy of explanation is that loose on the streets is not just culture, but anxiety about culture: ‘cultural anxiety.’

(158)

However, the constructivist approach argues that culture is a product of socio-political practices, where various dimensions of power in a society have been playing a significant role (Bakhtin 1984; Milne 2009). In this approach, culture should be studied as a situational atmosphere and on multiple levels.

On the other hand, the definition of culture is mostly based on the self-other dichotomy in structural anthropology. Therefore, an explicit rejection of the dichotomy is found in post-structural scholarship. According to this view, otherness is the outcome of a discursive process by which a dominant in-group (“Us,” the Self) creates one or more dominant out-groups (“Them,” the Other) by denouncing a difference, whether actual or fictional, and presenting a negation of identity and thus a motive for possible discrimination. Although it looks as if the other is sometimes valued, as with exoticism, it is done in a stereotypical, reassuring fashion that serves to comfort the Self in its feeling of superiority (Staszak 2008).

The paradigm shift of theorizing culture has significantly influenced the defining of “cultural violence” in peace literature. The transition between nonviolent and violent forms of conflict in Galtung’s structuralist paradigm is grounded in the recognition of indirect forms of conflict. Violence is often split into two distinct labels: direct and indirect. Galtung (1990) goes on to say that “symbolic violence built into a culture does not kill or maim like direct violence or the violence built into the structure. However, it is used to legitimize either or both” (292). The structural categorization of cultural violence (e.g., religion, art, language and others) is constructed as evidence of a normative hegemony of the western value system with its goal for peace, in comparison to the values of “other” society (Staszak 2008). Yet this categorization does not accurately reflect that underlying social norms regarding violence may exist on a continuum running through society. Therefore, it is crucial to recognize that grassroots people may experience different types of suffering during and after conflict. In some cases, local people may view their situations as improving, while in others as deteriorating.

In this context, the “reflectivist” scholarship created fruitful preconditions for re-examining the relationship between culture and conflict, starting with reconsidering the social role and functions of conflict itself. Rather than viewing conflict as a certain effect of power competitions (as in realism) or a deviation from the enlightened norm of social harmony (as in liberalism), conflict came to be seen as an avenue of social development, occurring through the clash and competition between different agents of social and political advancement (Miall 1999, quoted in Milne 2009).

The most significant role of cultural analysis in peace study is defining the importance of the power dimension of culture and the cultural construction of power practice of politics (Duffey 2000). In this perspective, the idea of politics is not restricted to a particular sphere (state, political parties), nor is it a novel phenomenon. It is recognized that politics is happening “everywhere” or, with respect to specific local perspectives, it acknowledges the impracticality of absolutely isolating the domain of the “political” from other societal and cultural processes (Ellis 1999).

Similarly, the recent poststructuralist approach reveals numerous important problems that can arise if transitions to a post-conflict era are not implemented with an understanding of holistic society. Adrian Little (2014) develops the idea of “enduring conflict,” referring to both the enduring nature of political conflict and the endurance of people in conflict-ridden societies by looking at countries involved in conflict transformation. He challenges the idea that the absence of conflict is the foundation and norm of a stable political environment. Little argues that political processes need to be understood within their social and cultural contexts. Also in this approach, Coulter (2010) challenges the dichotomous approach of peace vs conflict, which has been used in mainstream peace study for a long period. He raises at least three arguments. First, within the peace–conflict dichotomy, people either belong in peace or conflict; anything in between does not fit into these two roles. This is a rigid scope that defines the roles of people in society. Second, the dichotomous approach relies on an assumption that with the arrival of a politically determined end to conflict comes an improvement in the lives of those affected by the conflict. Finally, the dichotomy raises the controversial

question of whether participants' positions relative to society improve or worsen as a result of conflict. Rather than seeing conflict as a state of exception or a period of turmoil that can be contrasted with politics as usual, Coulter tries to show how the social interactions that drive conflict, including different forms of hierarchy, are deeply connected to pre-conflict and post-conflict social order. Coulter (2009) offers the initial assumption underlying her analysis: "War is not exempt from the social but creates its own social orders" (9).

By tracing out the genealogy of discourses on peace, MacKenzie (2011) shows that the experience of conflict can often appear as a list of numerical calculations: civilian casualties minus military casualties, cultural violence plus political, internal displacements compared with refugee flows. These long lists of numbers tend to define the intensity of a conflict and are used to illustrate conflict as a period of exceptionality, in which so-called normal laws, behaviours, rules, and norms are displaced by disorder. MacKenzie (2011) argues that "[w]hat is lost in this emphasis on statistics and exception are the multiple ways that war and violence affect the everyday lives of individuals. The conventional study of conflict seems to be the antithesis of the study of everyday life, or the social" (1012). Thus, MacKenzie suggests dealing with the ordinary people's accounts, existing discourses, and new possibilities that emerge.

This post-structuralist paradigm influenced many anthropologists investigating the peace process of a particular society. Thus, the "Anthropology of Peace" (Sponsel 1994) proposed that the peace initiative should be adjusted in a holistic way. Such a perspective requires identifying the root causes of conflict in a broad historical, political, social, and cultural context, given that options for peace and conflict are largely the products of existing social structures. By adopting this approach, I attempt to investigate the relationship between these discursive practices and trace the ways this relationship has contributed to the existing peace discourse of CHT.

Identifying the local people: are they homogenous?

In the discussion of peace and conflict in CHT, it has been observed that the Bengali and Jumma people are the main stakeholders in the increasing conflict in CHT. While Bengalis are ethnically similar, many dissimilarities exist in economic, political, and, most importantly, resettlement contexts. Most of the Bengalis believe in Islam, and a small portion of them practise Hinduism. On the other hand, the Jumma are not homogenous in their religious and ethnic backgrounds. Most of them believe in Buddhism; the rest practise Hinduism, Christianity, and other indigenous religions, as opposed to the dominant state religion of Islam. There are also hierarchical relationships within the ethnic communities. The largest group is the Chakma, who are more politically active in establishing their rights in the region. The PCJSS was formed by activists who came from different ethnic groups of the Jumma people. The activists were unified under the umbrella of "Jumma nationalism," and the constitutional recognition of Jumma people was their main demand. The chair of PCJSS signed the CHT Peace Accord of 1997 on behalf of the Jumma people.

The recent in-group feuds between PCJSS and the United People's Democratic Front (UPDF) severely affected the livelihoods of ordinary Jumma people. UPDF claims that the peace accord fails to address the basic demands of the Jumma people. The demands are regional autonomy, constitutional recognition of the indigenous Jumma people, restoration of land rights, withdrawal of the military, and withdrawal of the settlers from the CHT. These demands have also been articulated by the PCJSS. The UPDF was born as a result of a perception that the peace accord did not address these demands. Although their narration of the same event is different, both the PCJSS and the UPDF share the same goal.

Until the 1980s, only a small portion of Bengali people had been living in CHT. However, the Bengali resettlement project dramatically changed the population's composition. The percentage of Bengalis in CHT rose from 26 per cent in 1974 to 47 per cent in 1991 (Bangladesh Bureau of Statistics [BBS] 1991). While the Bengalis in CHT belong to the same nation, they have several differences in regard to socio-economic identity and occupation. The Bengali people who have lived in CHT since before the resettlement are referred to as "*adi* Bengalis," which means "old Bengalis" in the local language. Over the decades, the old Bengalis have had a good social relationship with Jumma people and have lived as neighbours with Jummas with a vibrant social life. On the other hand, as part of a Bengali resettlement project of the Bangladesh government, many more Bengalis have migrated from the plains to CHT since the late 1970s. These Bengalis are known as "settlers." They have been granted land, cash incentives, and monthly rations to maintain their lives in CHT. Although the Bengali resettlement project is sponsored by government funds, many Bengalis have settled in CHT through their own initiative or kin networks, without proper consent of resettlement authorities. These "unauthorized" settlers are not entitled to the government ration. Although the "authorized" settlers and "unauthorized" settlers did not belong to the same historical and economical background, Jumma people argued that these two bodies sometimes played the same role in different conditions.

Along with these old Bengalis and settler Bengalis, many other Bengalis started to come to CHT for work, that is, NGO workers, tourism developers, government officials, and the like. Some of them are permanently settled, and some are staying temporarily. Thus, the Jumma peoples distinguish two groups of Bengalis: the Bengalis who are settled under the government resettlement program and Bengali people who are established in the CHT in pursuit of their occupation. While the settlers are creating violence, the job-holding and *adi* Bengalis are trying to maintain a good social relationship with the Jummas.

At the beginning of my study, I intended to investigate the experiences of local people with respect to the Jumma-Bengali conflict. After spending more time in the field in Khagrachari district, I realized that the context of the conflict is far more complex than I had envisaged. The conflict in CHT is not only limited to the Bengali-Jumma dichotomy but also observed in various in-group feuds. The conflict between PCJSS and UPDF was originated by a certain group of people, but it affects the whole community in the region. I thus incorporated new arguments in my research. The context of the CHT conflict would not be clear if the realities of in-group feuds are left uninvestigated. Through this, I contend that along with

the Bengali–Jumma conflict, the real story of grassroots people is often complex, involving multiple settings.

The milieu of conflict in CHT

The root causes of conflict in CHT centre on identity formation beginning from the British Colonial period. During this time, the colonial government introduced a tribalism policy in the region. Unfortunately, the policy continued to be adopted by postcolonial regimes, even after the independence of Bangladesh. Prior to the colonial period, the region and its people were independent and functioned as a sovereign territory under customary rules and administrative systems. The indigenous people were at that time identified by the Bengalis as Joomea, or the people who were involved in Jhum or shifting cultivation (Schendel 1992; Tripura 1992; Zaman 1984). The cultivation process was managed by customary rights and considered the key to the survival of the Jumma peoples' identity. However, the politics of identity originated in the British colonial period and was adopted in the state apparatus as a policy (especially the tribalism policy) to deal with the CHT region. It is noteworthy that the notion of tribalism is not only related to the identity issue, but also to the governing policy of the colonial administrators. Colonial administrators documented several aspects of tribalism: primitive religious beliefs, animism and heathenism, ape-like physical features, and immoral and exotic nature of sexualities (Schendel 1992; Xaxa 1999). The tribalism process in the Indian subcontinent was not a homogenous project and was undertaken in different ways in different parts of the empire. But in each area, the overall purpose was to increase the dominance of colonial rule. In CHT, the Jumma people came in touch with a different kind of political economy, which, for the first time, influenced change in their own culture and society. The colonial administration started the process of land alienation by taking ownership of land rights in CHT to create reserve forests (Dewan 1990).

After partition, problems in CHT arose with the building of the Kaptai Hydroelectric Dam between 1957 and 1963, when the area was under the Pakistani government. This dam flooded at least 54,000 acres of settled, cultivable land farmed by the Jumma people (Nasreen 2002) and permanently displaced thousands of them without any compensation (Dewan 1990). While the policy of exclusion was adopted by pre-independence state government, it continued to dictate the development of the identity and livelihoods of the CHT people in the Bangladesh period.

After the independence of Bangladesh in 1971, a group of indigenous people formally placed their demands for autonomy to maintain their self-identity. But, the prime minister of Bangladesh advised them to “forget ethnic identities” and “to be Bengalis” (Al-Ahsan and Chakma 1989, 967). The denial of the constitutional recognition of the Jumma's diverse ethnic identity and regional autonomy brought social, political, and cultural chaos into CHT. A group of Jumma started a strong resistance movement by forming a political party PCJSS. This movement included an armed wing called the Shanti Bahini, meaning “Peace Bridged.” From 1976, the CHT became an area under military occupation and a training ground for counterinsurgency. Moreover, about 400,000 Bengalis moved

into the region between 1979 and 1987 under a government transmigration program. This program has had multiple sociocultural consequences on the Jumma: the destruction of the agricultural system, the change in the names of indigenous localities, the attack on indigenous religious institutions, and, above all, the forceful eviction from their lands. This resettlement project has dramatically changed the demographics of the region. The percentage of Bengalis in CHT rose from 9 per cent in 1951 to 47 per cent in 2011 (Table 9.1. Bengali resettlement project). The indigenous population is now at threat of being outnumbered by Bengali settlers, who continue to take over their land and attack their religious and cultural values. Civil administration and the military are sometimes the direct patrons and protectors of the Bengali settlers (Mohsin 1997, 2003; Adnan 2004).

Since 1980, there have been thirteen major cases of sectarian attacks on the Jumma people by the Bengali settlers (IWGIA 2012). Almost hundreds of thousands of Jumma people have been forced to cross the border to India, or have become internally displaced as a result of armed conflict (Nasreen 2002; Adnan and Dastidar 2011). About 8,000 people were killed from both communities, including security members. After a long political negotiation, the Government of Bangladesh and the PCJSS signed a peace accord in 1997, a major development in moving to settle the conflict in the region. The accord has not settled the situation; rather, several issues have arisen in the region. Before going into a detailed analysis of the Chittagong Hills Tracts Peace Accord, it is important to get an ethnographic glimpse of Bengali dominance in the village context.

Bengali resettlement: a cause of cultural violence

As described in the previous section, the resettlement project dramatically changed the demography of CHT, and the Jummas started to realize that they would soon become a minority in their own region. An ethnographic study of three villages shows many complex scenarios. The Jumma consider themselves to be a distinct group with their own identity, separate from the rest of the country. Rights and interests are regulated and administered by traditional institutions according to customary law (Roy 2000, 54). The customary systems in CHT do not refer only to land rights or land management issues. It also designates the way in which they

Table 9.1 Bengali resettlement project

Year	Jumma	Percentage	Bengali	Percentage	Total
1872	61,957	98	1,097	2	63,054
1901	116,000	93	8,762	7	124,762
1951	261,538	91	26,150	9	287,688
1981	441,776	59	304,873	41	746,649
1991	501,144	51	473,301	49	974,445
2011	845,541	53	752,690	47	1,598,231

Source: Bangladesh District Gazetteer (1975); Population Census of Bangladesh (BBS, 1974, 1981, 1991, 2001, 2011).

lead their lives – in traditional, social, political, and religious contexts. The multilayered Bengali resettlement project affects the everyday life of Jumma people enormously. It destroys existing livelihoods, affects the traditional administrative body and community organizations and networks, and threatens the cultural identity of the ethnic minorities. Often, the worst sufferers are those who must part with their agricultural land. In the following subsections, I investigate the scenario in CHT by drawing ethnographic pictures of Khagrachari district.

Changes in the names of localities

The practice of changing original locality names is found often in the Khagrachari hill district as well as in the whole CHT region. Settlers changed many names of localities which were originally in Jumma languages. In most cases, the settlers imposed a new name in Bengali as a symbol of their settlement and claim over the Jumma region. Although the changes were not initiated by any administrative body, these new names have generally been used by the local administration and Union Councils (Nasreen 2002).

The Bengali language and Muslim religious values have gained importance in the renaming of some localities. Lamuchari village was one of the biggest villages of the Mahalchari Upazilla of Khagrachari district until Bengali resettlement divided the village into several sections by renaming Boro Para (Central Lamuchari), East Lamuchari, West Lamuchari, Muslim Para, and others (see Table 9.2 Changing names of localities). Although the place of Muslim Para was previously known as *khas* (unused) lands, many Jumma people used the land for agriculture. The Bengalis converted the agricultural land into a residential area by constructing many new houses. Thus, the Muslim Para was established by Bengali Muslim settlers, and the name itself represents the domination of the Bengalis' religion in the village. Since Buddhists and Animists are the historical inhabitants, changing village names to reflect Islamic ideology severely violated the traditional religious beliefs of the Jumma people and denied the existence and religions of indigenous people.

The rise of Bengali dominated economy: the relationship between culture and economy

The local economic system was significantly altered. Massive-scale Bengali resettlement dramatically increased the demands of consumer goods that Bengalis

Table 9.2 Changing names of localities

Original Name	New Name
Lamuchari	East Lamuchari, West Lamuchari, Boro Para, Muslim Para and others.
Kedachara Bon Chilla Pro Chowdhury Tilla	Palashpur Shalbon

Source: Fieldwork, 2011–2014.

habitually used. The migration of Bengali businesspersons has increased drastically since the resettlement period, and they continue to migrate to the area for their commercial interests. These businesspersons fully dominate the business sector of CHT. For instance, although the Mahajan Para village area is not a major commercial area, there are different kinds of shops, a transport business, and hotel businesses. The Jumma owns only nine shops out of thirty-four. Because the Bengali-owned shops sell products that suit their own tastes and habits, the majority of their consumers are also Bengali, including settlers, government and NGO officials, and security officers residing in Khagrachari.

Unlike Mahajan Para, Khagrachari is one of the leading tourist spots in Bangladesh, and people travel there from many parts of the country to enjoy their vacation. Indigenous products are in high demand by tourists. However, indigenous items such as clothes or food are sold in Bengali shops. Bengali-owned hotels and resorts now operate in Khagrachari town because tourism makes the hotel and transport businesses very profitable. Bengali businesspersons have established about a dozen hotels, in addition to the government-owned tourist resorts.

However, it is notable that the Bengali people of CHT are not homogenous, especially in terms of status and economic conditions. The Bengalis have a long history of business activities in the CHT region dating back to the British colonial period. While the social relationship between settlers and Jummas are hostile, good neighbourly relationships exist between the *adi* Bengalis and the Jumma. But compared to the resettlement period, the *adi* Bengalis' commercial activities in the region were diminutive. The new businesspersons also have a separate identity, living in cluster villages. This new group has a good social relationship with the settlers, but not with the Jumma. They have the capital to expand the Bengali economic dominance in the CHT region and invited many tourism companies and corporate chain shops to the region. Thus, the dominant Bengali establishment, dramatically changing the political economy of CHT, has marginalized the local economy of the Jumma people.

The huge population growth has also raised the demand for different kinds of transportation in the region. Although there are many kinds of highway buses operating, it is difficult to find a Jumma owner. Most of the well-known bus companies in Bangladesh started their transport services in the CHT region. There were new bus routes established after the Bengali resettlement. For instance, most of the Bengali settlers of the Shalbon and Lamuchari villages migrated from Noakhali, Comilla, and other south-eastern parts of Bangladesh. Settlers often use the new route to travel to their place of origin and meet relatives. Here, too, Bengali dominance is eminent. For local transportation, rickshaws, both auto and electric, are very popular. These also developed after Bengali resettlement in the region, and only a few local transport businesses are owned by Jumma people. Therefore, I argue that the Jummas are marginal to the economic expansion. The Bengali dominance in the economic sector also helps to establish the dominant identity as Bengali.

Colonial legacy towards (re-)establishing the cultural rights

On December 2, 1997, the government of Bangladesh and the PCJSS signed a peace accord. Several issues have arisen in the accord. Although the accord

recognizes the revival of cultural rights, it identifies Jummas as “tribal” people in several clauses. General Section A.1 states, “Both the sides have recognized the need for protecting the characteristics and attaining overall development of the region considering Chittagong Hill Tracts as a tribal inhabited region” (Chittagong Hill Tracts Peace Accord 1997, cited in Partha 2016b). However, the question that arises is: how does the Chittagong Hill Tracts Peace Accord recognize the cultural rights of Jumma people? Has the accord clearly located the root causes of conflict?

As we have seen, the history of conflict in CHT is rooted in the self-recognition process of Jumma people. In 1992, when the International Year of the Indigenous Peoples was acknowledged by the United Nations, the Jumma people of CHT began to identify themselves as indigenous people, or *adivasi*, not as “tribal.” In addition, a number of other international laws helped to increase organization and mobilization among the Jumma. The ILO Convention 169 added, “Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply” (ILO convention 1989, cited in Sumon, 2014). However, this Convention was not endorsed by the constitution or Chittagong Hills Tracts Peace Accord or 1997. By using such terminology such as “tribal region” and “tribal rights,” tribalism was once more reproduced in the peace accord. There have been seriously problematic situations arising regarding the conceptualization of “tribal.”

First, while the government of Bangladesh has adopted several institutional policies, these are inadequate to revive or uphold the cultural rights of the Jumma people. The establishment of Tribal Cultural Institutes and Khudra Nri-Gosthi Sangskritik Pratisthan Aine (Small Ethnic Group Cultural Institute Act 23 of 2010) are most debatable in this regard. There have been three Tribal Cultural Institutes established in the CHT region. However, most of the initiatives of these cultural institutes are focused on promoting tourism in the Hill region. As the institutions are located mostly at the district level, the connection with rural villages is very weak. Similarly, the activities of the tribal museum remain confined to entertaining tourists with the colourful dresses and ornaments of the mysterious “tribals.” Local cultures are presented as exotic, showcased by the state during the celebration of national events like Independence Day or Victory Day (Guhathakurta 2003). Yet the communities are portrayed passively, never as thinking, creative agents seeking transformation of their lives and the marginalizing system. After a long period of criticism of the tribal notion by the civil society organizations, the government of Bangladesh approved the Khudra Nri-Gosthi Sangskritik Pratisthan Aine, 2010 (Act 23 of 2010), on 5 April 2010. Pursuant to the act, the “Tribal Cultural Institute, Bandarban” was relabelled as “Khudra Nri-Gosthir Sangskritik Institute, Bandarban.” Changing the name of the institution was considered significant, but only the title changed; the functions remained unchanged.

Second, the tribal notion in the revival of the Jumma people’s identity rights is problematic in the context of the complex historical background, and this idea is present in the root causes of conflict in the CHT region. The idea that indigenous people are tribal reflects the larger history of Orientalism. Based on this

concept, the colonial and new postcolonial interests are controlling the people (Said 1978). In colonial times, it was a sign of colonial difference, producing an ever-widening chasm between the subjects and objects of colonial knowledge (Dirks 1999). Ironically, five decades after the end of British colonialism, this tribalism was reproduced in the peace accord.

Third, in the post-accord period, the issue of the cultural identity of the Jumma people has led to much debate and controversy. On occasion, this debate has brought Jumma leaders and state officials into sharp disagreement. Many student forums in Khagrachari district organize rallies, meetings, and processions demanding recognition of indigenous people in the national constitution. During my fieldwork, I observed a program in Khagrachari on World Indigenous Day on August 7, 2011. However, this program was attacked by the police. Some of the Jumma activists were injured, and many of them were arrested.

Fourth, the accord recognized customary laws as it reiterated the administrative roles of the chiefs and the headmen. However, it failed to clarify the ways to overcome the problem of land occupied by the Bengali settlers. As stated by the headman of Lamuchari Dinendra Chakma (field notes, 62):

I have been serving as a headman of Lamuchari village since 1990. By tradition, I am the designated person to maintain law and order of this village, but the Bengalis do not obey me. Moreover, the Bengalis tried to attack me several times. I am the most targeted person [by] the Bengalis. Most of the issues related to conflict resolving of this village are now managed by the army or police. Sometimes they invite me to the conflict resolving meetings but my voice [is] never heard. I am acting like a puppet during the meeting. The army and police make their own decisions, most of which are made in favour of the Bengalis.²

As reported by the *Karbari* of Lamuchari village, at least six Bengali cluster villages have already been established in the Lamuchari area. Most of the land occupied by these clusters was previously agricultural land of the Jumma people. The Bengalis have forcibly occupied the land. However, without legal documents, the Jumma victims cannot claim ownership rights for their lost land with the legal authorities. In the competition for the land and resources in the CHT region, the state has taken the side of the Bengalis against the rights of the Jumma people. The accord did not specifically mention the land-based violence and made no provision for punishing the guilty. However, the Jumma people have been suffering the loss of their traditional culture with regard to their customary land rights.

One key problem at the village level relates to the customs and traditions regarding land ownership. As previously noted when discussing the setting of the CHT Peace Accord, not only did the customary system provide the Jumma people with their economic rights, but it was also a cultural value which had been nourished through the generations. Although the establishment of the Jummas' land and cultural rights was recognized by the accord, no direct measures were undertaken to protect their customary rights in the CHT region. The inadequate protection of the customary land rights has caused complex difficulties in CHT.

While the Jumma people have been managing the land by customary common property rights, the Bengalis have frequently placed claims on the land by defining it as *khas*, or unused land. New settlers, with the help of Bengali officials and the earlier Bengali settlers, have continuously occupied the Jumma land in the post-accord period.

Fifth, the peace accord tries to uphold the cultural rights of the Jumma people. But the conflict between religious groups is yet to be identified. In the post-accord context, more than a dozen major conflicts have risen between the two communities in Khagrachari district. In Mahalchhari subdistrict of Khagrachari district, at least five temples in Jumma communities were destroyed between 1997 and 2010. For instance, in the massive attacks of August 26, 2003, in Mahalchhari sub-district of Khagrachari, one of the Buddhist temples in Lamuchari and three of the temples in other villages were completely burned. Moreover, according to the villagers of Lamuchari, the religious freedom of the Jumma people is not only obstructed by the settlers but also disturbed by administrative orders. For instance, on September 12, 2007, the Khagrachari district authorities banned the construction of new religious institutions in Mahalchhari subdivision in Khagrachari without prior permission of government authorities in the area (IWGIA 2012). Such orders indicate that the CHT Peace Accord exists only on paper, not in practice.

While the need to uphold cultural rights was recognized in the peace accord, the Jumma people still demand identity recognition. The agreement was contracted between government and PCJSS (Chowdhury 2012; Rahman 2011). However, many other local political parties like the Hill People Federation, the Hill Student Federation and the Hill Women Federation rejected the treaty. They protested that the CHT Peace Accord failed to endorse many important demands, including the self-recognition issue of Jumma people.

Peace paradox: everyday life experiences of local people

Many recent studies have indicated deep concerns about conflicts between the Bengalis and the Jumma people in the post-accord context. However, too many concentrated only on the conflict between the Bengalis and the Jumma people. They have done little to investigate the recent “in-group feuds” in the Jumma community. By locating multiple conflict scenarios at the village level, I argue that the CHT Peace Accord has not only contributed to reducing conflict but, in particular cases, has also helped increase conflict. On one hand, the peace accord has reduced the armed conflict between the army and Shanti Bahini; on the other hand, many in-group feuds have begun around the dissatisfaction among many Jumma political stakeholders. Although it is important to note that the recent conflict scenarios in CHT line up with the Bengali–Jumma dichotomy, the Jumma people have experienced many difficulties in recent in-group confrontations between the UPDF and the PCJSS. In this section, I investigate how ordinary people have negotiated the multiple realities of conflict at the grassroots level.

Following the peace accord, the dissatisfaction of different stakeholders increased, and conflict spread in multiple layers. Conflict between the UPDF and the PCJSS has seriously affected the livelihood of ordinary Jumma people.

The UPDF believes that the accord has failed to address the basic demands of the Jumma people. These demands, which have also been articulated by the PCJSS, include regional autonomy, constitutional recognition of the indigenous Jumma people, restoration of land rights, withdrawal of the military, and withdrawal of the Bengali settlers from CHT. Moreover, the accord contains no reference to accountability for past human rights abuses, which have bordered on genocide. The UPDF has argued that, without the fulfilment of these basic demands and accountability for human rights abuses, a genuine and permanent peace cannot be established in CHT. The UPDF was born as a result of this perception.

In recent decades, both groups have become desperate to control the Hill area using strong-arm tactics. According to the Mahajan Para and Lamuchari, some of the activists and leaders of the UPDF and PCJSS are extorting money as “protection money” from them to maintain their parties. This scenario is eminent in the whole CHT region. When a village is dominated by UPDF, the activists from UPDF are forcefully squeezing money from the inhabitants. Similar practices prevail in the PCJSS-dominated areas. Moreover, refusal to pay the extortion money results in torture or abduction by party activists. While in the field, I learned that when a person is working in Dhaka city or another plain-land area, family members are forced to pay extra money as their economic condition is comparatively better than other Jummas. As stated by a villager from Lamuchari,

[i]n the CHT, it is hard to find a village where the people are not dominated by either UPDF members or PCJSS members. However, there appears to be no overlap between the two areas of control. If a village is captured by the PCJSS, the UPDF workers are unable to collect extortion money from the PCJSS-controlled area. Moreover, opposition workers have no justification for going into the village for any ordinary purpose³.

The dominant activists are constantly on patrol searching for opposition workers in the respective villages. Ordinary people who do not belong to either side cannot go to the other villages at night due to these patrols. In the realm of UPDF and PCJSS politics, the strong bipolar system (Islam 2013) of the politics is extremely confrontational in nature. Since 1997, the near-equal strength of the two major local political parties has contributed to the emergence of a duopoly over the regional political system of CHT. The ordinary people who were not actively involved in regional politics felt deprived and betrayed due to their poor representation on the Regional Council. Similarly, the stakes of the competition between the PCJSS and the UPDF have helped to institutionalize political violence as an instrument of power. In this political culture, the ordinary people are forced to side with the more powerful party if they wish to participate in and receive benefits from the system. As reported by villagers,

[t]he PCJSS and the UPDF have accused each other of attacks, killings, abductions, death threats, and other such activities. The situation in the CHT has become tense as the UPDF and the PCJSS are locked in a long-standing

clash and have turned the total Hill region into a “valley of death.” Nobody comes forward to file any police cases after these murders or illegal tolls.

The painful experiences of local people during the period of militarization and Shanti Bahini’s insurgencies, everyday conflict due to the Bengali resettlement, forceful evictions to establish security camps, and the unexpected roles of the UPDF and the PCJSS have clearly shown that they have been living in a panicked environment for a long time. Furthermore, this environment is continuing, due to the imposition of different power structures. In particular, in-group feuds between the UPDF and the PCJSS have brought more fear to the local Jumma people. Thus, the villagers have urged that the killing and abductions must stop and that they must become united for the betterment of the ethnic people living in the CHT.

On the other hand, the Bengali settlers also believe that the CHT Peace Accord only concerned the Jumma people. The accord has failed to address the issue of Bengali settlers who have resettled voluntarily or without legal consent. They do not have any legal document of the possession of the land, and they are demanding the legal rights to their occupied lands. Because of this, an organization named Sama Adhikar Andolan (Equal Rights Movement) was established to ensure the rights of Bengali settlers. As of today, the number of Bengali settlers’ organizations has increased to six.

In recent years, it has been observed that the Bengali organizations frequently hamper the democratic and peaceful programs of Jumma organizations. If a Jumma organization announces a meeting, the Bengali organizations will declare another program at the same place. In most cases, this compels the authorities to impose legal action, such as Section 144⁴ of the Criminal Procedure Code, which bans all programs by both parties.⁵ According to the informants of Mahajan Para village, “the administration is not active enough to tackle the groups from both sides. Moreover, the Bengali organizations have gained strength, spread their members and branches all over the CHT region, and led the settlers to violence.”

Similar to the UPDF, some Bengali organizations have not been in favour of the accord. Although their narration of the same event is different, their position shares the same goal. In this regard, it is important to remind ourselves how identity politics plays its role in a real-life setting. In this regard, the indigenous rights discourse also negotiates with the different agencies of bipolar Bengali nationalism. Moreover, a low level of trust has become a common feature of Jumma society. In general, the people of CHT possess a low and declining degree of trust in their political institutions and political leaders. Generally, people in these communities do not believe that their fellow members are engaged in politics for the mutual benefit of society. The people are disappointed and bewildered by the performance of the members of the UPDF and the PCJSS, both in their activities and oversight of the dualistic operations.

Conclusion

This chapter has critically examined the role of the peace process when dealing with the challenges of reducing conflict and has demonstrated that the nature

of conflict in CHT was deeply embedded both in the nature of the state itself and in the political institutions that link the state and society. The consequences of the peace accord have been investigated. Special reference was made to the dynamics of the negotiation process among the local people through their everyday life experiences and realization. Ethnographic evidence has suggested that different stakeholders were not playing the same role at the grassroots level. The process of surveillance and the power apparatus have been mostly executed by military operations; at the same time, it was interesting to observe the negotiation between different stakeholders at different levels. On one hand, the peace accord has reduced the extent of the armed conflict between the army and Shanti Bahini (Peace Force), but, on the other hand, many in-group feuds have been ignited through the dissatisfaction between various Jumma political stakeholders. The ordinary Jumma people have believed that the government was seeking to provoke or support these various Jumma political organizations in an attempt to divide and rule.

Many clauses of the CHT Peace Accord can be seen as problematic because they fail to identify the causes of conflict. Instead, some of the clauses create further conflict in the region. As we have observed, the PCJSS, the representative of Jumma people in the signing process of the peace accord, accepted and reproduced categories of tribal identity that derived from colonial knowledge and its postcolonial reproduction. The reproduction of colonial categories re-established tribal identity in CHT and made it the basis of political, social, and economic life. Thus, the identity formation issue still pervades the region.

In this regard, it is important to remind ourselves how the self-identity issue plays a role in a real-life setting. Structural bipolarity, as I have argued, is not as bipolar in the field as it is described by many academics. Surveillance does not create fear for only a certain group of people, it affects the whole community in that particular region. Along with the political economy, cultural resistance is also very conspicuous. In brief, the relationships and negotiations with different stakeholders are sometimes explicit and sometimes implicit in practice. The peace accord did not clarify the way to overcome the problem of lands occupied by the Bengali settlers. On the other hand, the future of unregistered Bengali settlers is also elusive. In this chapter, I emphasized the variation and diversity present in the reality of the dynamics of different groups. Adopting the social interaction approach of peace discourse, I have investigated the dynamics of the ever-changing characteristics and many layers of real-life conflict. Through this, I revealed the loopholes of highly manifested bipolarity, and connected the power relationships on the ground and experience of ordinary people for a better understanding of the field and the contemporary trend of peace discourse.

In addition, the implementation process of the CHT Peace Accord is also questionable. Withdrawal of the military camps was the central agenda of the peace accord; however, in practice, it was only partially implemented. A lack of political will on the part of successive governments has led to delays in the demilitarization process, and the army still holds the highest power in the region. The different stakeholders of the conflict are not necessarily playing a homogenous role, especially as popularly predicted. In short, these stakeholders can be narrowed down

to different interest groups. The local political scenario may seem in accordance with the gross narration from the centre, but it is actually not so. The process of surveilling, threatening, and searching is part of the power apparatus implemented by military settlement. At the same time, it is also interesting to observe the negotiation among different stakeholders and different beneficiary groups. Safety is an important issue, not only for the Jumma people but also among Bengali settlers. Bengalis have a relatively good and privileged relationship with the army, but they also have to negotiate under the shadows of historical legacy and current reality. Like the UPDF, some Bengali organizations are not in favour of the CHT Peace Accord. But the conflict between the PCJSS and the UPDF is very different in nature than the other violence perpetrated by settlers and Bengali organizations.

There seems to be a consensus that the administration has failed miserably to protect the rights of the Jumma people, and there is a sense of bitter frustration. Recognizing identity, protecting customary rights, and ensuring legal practices are important and imperative to stop such kinds of conflict in the region. In conclusion, I argue that this overall dichotomous understanding of conflict is in itself inefficient. It falls into the trap of a dominant peace discourse, which fails to locate the ever-changing characteristics of conflict.

Notes

- 1 The content of this chapter was part of the PhD thesis of the author at Hiroshima University, Japan, PhD session in 2015. The findings of this article from a functional to a discourse analysis approach were driven by my several periods of fieldwork in between 2011 and 2014. The research methods were largely qualitative, involving interviews and in-depth interviews, focus group discussions, and, participant observation.
- 2 The interview was taken at August 21, 2011.
- 3 The narrative of this person was collected from the fieldwork of March 2014
- 4 Section 144 is a section of the Indian/Pakistani and Bangladeshi Codes of Criminal Procedure which prohibits the assembly of five or more persons, holding of public meetings, and carrying of firearms and can be invoked for up to two months. It also gives the magistracy the power to immediately issue an order absolute in urgent cases of nuisance or apprehended danger.
- 5 For instance, when the Jumma people of Dighinala Upazilla scheduled a rally on July 3, 2014, to protest the establishment of Border Guard Bangladesh (BGB) camps in the Jumma villages, the Bengali Student Council organized another meeting at the same time and at the same venue. The local administration in Dighinala clamped down on the meeting section using 144.

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10 Communities and mediation in post-conflict Nepal

Tatsuro Fujikura

This chapter presents provisional notes related to the fate of the Tharuhat movement, which demanded an “identity-based” federal state for the Tharus of the western plains of Nepal. At a conceptual level, this chapter represents an attempt to explore different ways of thinking about communities and mediation in contemporary Nepal.

The Tharu people live in the formerly malarial southern Tarai plains of Nepal and traditionally engaged in rice cultivation and animal husbandry. There are more than 1,730,000 Tharus, constituting 6.56% of the national population, and is the fourth-largest caste/ethnic group, after the Chhetris, Hill Brahmans, and Magars. Many of them lost their land to migrants from the hills, after the malaria eradication programs run by the World Health Organization and the United States in the 1950s and 1960s. A substantial number of them became bonded labourers (*kamaiya*), estimated to be about 100,000 in the late 1990s (Fujikura 2007). A disproportionate number of Tharus were killed or disappeared, mainly by state security forces, during the civil war between 1996 and 2006 (Fujikura 2017).

Demand for identity-based semi-autonomous federal states, which had been around for more than two decades, came to be a foremost political issue after the conclusion of armed conflict in 2006. The Tharuhat movement gained momentum at the end of 2007. It succeeded in organizing a two-week-long road blockade in western Tarai during the spring of 2009. This action led to an agreement with the Nepali government by which the latter acknowledged specific identities of the communities such as the Tharus and agreed to the need to amend constitutional and legal provisions that hampered their “autonomous identity.” However, in 2013, political parties backing identity-based federalism, including the Unified Communist Party of Nepal (Maoist) and Madhesi-based parties, suffered a major loss in the second constituent assembly elections. In the summer of 2015, huge demonstrations occurred in many parts of the country related to the form of federalism to be defined in the new constitution. On August 24 in Tikapur in Kalilali district in far-western Nepal, during a large (and presumably non-violent) demonstration by the Tharuhat movement, a violent incident took place in which eight police officers were killed. A few hours after the incident, an 18-month-old infant son of a police officer was shot and killed. On September 20, a new constitution that Tharuhat and Madhesi movement participants (as well as others) fiercely opposed was promulgated. By the end of 2017,

under the provisions of the new constitution, elections at the local, provincial, and national levels were conducted.

This chapter describes and reflects on certain moments along the trajectory of the Tharuhat movement, particularly those relating to the Tikapur incident and some actions taken by Tharu activists after the promulgation of the new constitution. However, before presenting those descriptions, words included in the title of this chapter are discussed briefly: *communities*, *mediation*, and *post-conflict*. They shall be discussed in reverse order, starting from *post-conflict*.

Post-conflict

In 2014, Sara Shneiderman and Amanda Snellinger edited a special online issue of *Cultural Anthropology*, titled “The Politics of ‘Post-conflict’: On the Ground in South Asia.” Their opening article criticizes the standardized notion of “post-conflict” used by international organizations such as the United Nations. In the prevalent notion, codified according to the perspective of peacebuilding intervention, the post-conflict period begins with a negotiated settlement of conflict. Its end is marked by the successful conduct of post-conflict elections and the establishment of liberal democratic state institutions (Shneiderman and Snellinger 2014).

Shneiderman and Snellinger (2014) object to the way in which post-conflict is bracketed as a discreet period, leading to “election” and “democratic peace.” They ask: “What kind of political work does the label post-conflict perform and to what extent does it foreclose possibilities for substantive peace in local terms?” They argue that people’s living experience rarely fits within bureaucratic categories. Social conflicts might persist, hidden under formal periodization. Therefore, it is necessary to track socio-political tensions before, during, and after the conflict to ascertain “how conflict both configures and is configured into the social fabric” (Shneiderman and Snellinger 2014). This chapter represents an attempt to respond to Shneiderman and Snellinger’s call to transcend the simplifying dichotomies and to explore “how socio-political tensions inform people’s actions and meaning-making practices in everyday life.” The chapter does so, in part, by considering the actions of those who assert that the formal “closure” of conflict was forced on them.

Mediation

Debates taking place during the past decade over the nature of federalism have been polarizing. In many debates, speakers from opposing sides were apparently talking past each other. Around 2011, when discussing the fate of Tharuhat movement, which was apparently facing a deadlock, partly because of confusion among the leadership, a long-term Tharu acquaintance of the author murmured that “there is a lack of mediators in Nepal.” Mediators are those who attempt to induce people involved in a conflict to come to some agreement. When violence occurs between conflicting parties, one can say that a lack of effective mediation exists. One can rightly ask questions about mediation in relation to the Tikapur

incident: whether proper efforts were made at mediation before and after the incidents or whether what were regarded as attempts at mediation were actually insincere or were based on entirely wrong premises.

In addition to these genuine questions, a more expanded notion of mediation can be put forth as proposed by William Mazzarella (2006). Mazzarella's notion includes not only attempts to harmonize divergent interests but, more broadly, to harmonize social practices that reduce the particularities of diverse experience and "render them provisionally commensurable and communicable," such that they "become the basis of self-consciousness, and therefore of affect and desire." For him, mediations embed contingencies and potentialities that "comprise and enable social life" (Mazzarella 2006: 476). This broad notion of mediation probably helps attune the actors to the dynamics involved in post-conflict processes. It is not only that transnationally circulating categories such as the "post-conflict period" hinder our understanding of the particularity and diversity of social experiences. The social experiences themselves involve, or are made possible by, a reduction of particularity and diversity. Therefore, it is necessary to attend to the ways in which notions that might appear "alien" at first sight in a local social context might themselves become deeply involved in the generation of local social context itself by becoming "the basis of self-consciousness." Key terms involved in the situation at hand include such words as *identity*, *tradition*, *human rights*, and *democracy*. The task at hand is not only the exploration of how these terms occlude or misrepresent the local situation but also how they might mediate and enable local experiences themselves.

Communities

In a collected volume titled *The Politics of Belonging in the Himalayas: Local attachments and boundary dynamics* published in 2011, anthropologist Gisele Krauskopff, who has dedicated many decades to researching the Tharus, contributed an article titled "Fluid Belongings." There, she argues that what prevailed in the Dang Valley in western Tarai were "[n]on-exclusively bounded forms of social membership." The societies in Dang remained open to newcomers. There, cohesiveness prevailed over conflicts, and social units remained non-exclusive. She contrasts these "fluid" forms belonging to a "contemporary tendency to foster barriers between ethnic groups in the name of immemorial tradition, indigenesness and ascription at birth" (Krauskopff 2011: 25). What she is referring to, of course, includes the Tharuhat movement, which invoked their indigenous rights under ILO convention 169 and demanded a semi-autonomous state. In popular discourse, the exclusive forms of belonging and identity claims are often associated with the risk of communal violence. Tharu activists who led the Tharuhat movement, as well as their sympathetic observers, insist that their politics be distinguished from communalism (e.g. Chaudhari n.d.; Tharu 2072 v.s.; Sarvahari and Chaudhari 2073 v.s.; Gautam 2072 v.s.; see also Fujikura 2017). They argue that their aim is not the exclusion or domination of other communities. Their demand rather should be understood in terms of demand for human rights and dignity and aimed not so much at other communities but to the restructuring of

their relationship with the Nepali state. It is important here to remember that Tharus were killed or disappeared by the state security forces in disproportionately large numbers compared to other caste/ethnic groups, partly because the security forces assumed that since most of the Tharus were poor, they naturally supported the Maoist.

An essay written by a supporter of Tharuhat movement conveys what it is like to be a Tharu in western Tarai (Chaudhari 2015). The essay is titled “saha astitwako khoji” or “In search of co-existence.” The writer starts by discussing second-person pronouns in Nepali language. One addresses a person of senior status using pronouns indicating respect, such as *tapain* or *hajur*. One might address one’s own sons and daughters, someone very close, or small children using *timi* or *ta*. However, the writer continues, in Tarai, Tharus and Madhesis, irrespective of age, are often addressed by high-caste Paharis (people of hill origin) using *ta*. For example, it is still not uncommon to see a small Pahari boy addressing an old Tharu using *ta*. He writes that this is unacceptable in this day and age and argues that what Tharus (as well as Madhesis, Dalits, and Janajatis) are demanding is nothing more than equality and equal rights as citizens of Nepal. The argument here is not difficult to appreciate in terms of demands for equality and dignity.

However, the fact that these demands are made on behalf of an ethnically conceived group (and not individuals) complicates the issue. The difficulties, as noted, include vulnerability to charges of communalism and other backlashes. On a basic level, the difficulty stems in part from difficulties that liberal political imagination must confront with treating anything other than individuals as a subject of fundamental rights (see Appadurai 2006). Understanding of the politics of people who feel that they have been incorporated asymmetrically into a modern nation-state requires exploration into how “they” were historically formed into “communities” through interaction with the practices of the modern state. This process involved not only the production of “imagined communities” but also “enumerated communities” – communities that are categorized and counted by the governmental apparatus (Appadurai 1993; Cohn 1987; Fujikura 2015). The categories employed in censuses, by their nature, are exclusive. One cannot be Tharu and non-Tharu simultaneously. In other words, even if the dominant forms of belonging in the social world of western Tarai used to be, or are, “fluid,” as Krauskopff (2011) argues, and even if a Tharu is simply demanding equality and dignity, the person is forced to act within a social field in which the category of “Tharu” is already configured in significant ways in exclusive manners. In turn, returning to the earlier discussion of mediation, the ethnonym *Tharu* in its modernist form becomes an important mediator in shaping “self-consciousness” and “desire” of a Tharu. However, as Mazzarella (2006) also noted, because such mediations and identifications are always “provisional” and “contingent,” one cannot say, before the fact that mediation by a modern ethnonym always engenders communal and violent politics.¹

After presenting these brief notes about the terms *post-conflict*, *mediation*, and *communities*, the discussion can now turn to some recent events and actions in western Tarai.

Tikapur incident

As stated initially, during a Tharuhat/Tharuwan demonstration on August 24, 2015, eight police officers were killed. A few hours later, an infant son of a police officer was shot dead. The Nepali army was mobilized. A curfew was imposed. Nevertheless, despite the curfew, many Tharu houses were attacked by mobs, looted, and burned. During the following days, many Tharus in the villages surrounding Tikapur were subjected to torture by Nepali police, armed police forces, and the Nepali army. Thousands of young Tharu men had to flee their homes, most of them across the border into India. Peace and reconciliation meetings were organized by the administration. Nevertheless, most Tharus soon stopped going there because cases were reported in which those Tharus who participated in such meetings were subsequently arrested by the police. When the author visited Tikapur in March 2016, about seven months after the incident, the tension remained palpable. Local Tharu leaders I met avoided speaking in public. At the main crossroad in the city was a poster with a photograph of the body of the infant child who had been shot and killed in the incident, with a caption saying, in Nepali, “The First Martyr of Undivided Far West.” At the entrance of the cricket field was a huge photograph of Senior Superintendent Police Laxman Neupane, who was also killed in the incident, with the words (in English), “We miss you sir.”

The incident was publicized throughout the country and beyond through conventional media and Social Networking Services (SNS), mostly as a brutal incident of communal violence. Even a Tharu activist who strongly supported the Tharuhat movement recalls how his mother, who never had a formal education, on hearing the news, said, “[I]f you need to kill people to obtain rights, then we do not need rights.” He was unable to reply to his mother.

Several official investigatory commissions have investigated the incident, but no report has been made public. More than two years after the incident, 25 Tharus remain in jail without being tried in court. No one has been arrested in connection to the looting and arson of Tharu houses. The government distributed compensation to the victims of vandalism in June 2017.

Elections

When the author revisited Tikapur during October 2017, a Tharu journalist living in Tikapur reported that conditions had improved. A reduction of tension between Tharus and Paharis had occurred. When asked why, he reported that the conduct of local elections was the main reason. The first local elections in 20 years in Nepal were held earlier that year. Many of those Tharus who had fiercely opposed the new constitution also participated in the elections.

“Everyone participated in the election,” he said. “And when you participate in the elections, you need to talk with each other, and so the barrier was reduced.” When I asked if the participation in the elections meant they accepted the new constitution, he replied, “Yes. Participation in the election means we acted *as if* we accepted the constitution.” Then he rephrased his response: “Inside, in our heart, there is pain, but in going to the elections, we accepted the constitution.”

He added his explanation that an election is also a kind of movement [*andolan*]. In the local elections in Tikapur, six Tharus were elected as ward chairpersons (out of nine wards). It is good that more Tharus are involved in electoral politics than ever before, he remarked at one point. However, at another point he noted that Tharus are being used by different political parties. They are victims of “divide and rule,” he explained, using the English words. In summary, he spoke about the beginnings of new electoral politics and about the apparent reduction of social tension, with a palpable degree of ambivalence.

I also visited a jail in Dhanghadi, the headquarters of Kailali district, where Tharus accused in connection with the Tikapur incident are being detained. I was able to speak with Laxman Tharu and two other Tharu leaders. Laxman Tharu, a former Maoist commander, has been a prominent leader of Tharuhat movement since its inception. He said that he filed candidacy for the federal parliamentary elections from jail. Although he is accused in the murder cases, the presumption of innocence allows him to file candidacy because he has not yet been tried. Another Tharu leader sitting next to Laxman spoke strongly against participating in the elections. He spoke in an emotional tone: “We all burned the new constitution. Going to elections means that we are accepting it. We cannot do that.”

Laxman argued that they need to realize that they must balance and use both street agitations and legal struggle. “We are entering a phase of constitutional and legal struggle.” The phase of street-based movement and agitation has passed for the moment. The Tharus need to reach everywhere. Importantly, they need more presence in parliament and the government (see Tharu 2072: 78). (Laxman Tharu stood for first-past-the-pole from Constituency 5, Kailali, Province 7, and came in third place immediately after Arju Deuba, the spouse of Prime Minister Sher Bahadur Deuba).

Resham Chaudhari from Tikapur, accused in the killing of police officers, ran for a parliamentary seat while a fugitive in India. Resham Chaudhari, a journalist, writer, musician, and owner of a Tikapu FM station, was a famous figure in Tikapur and beyond. He has also produced a film called *Kamaiya* and organized many events, including a pro-wrestling event in Tikapur. He was a committee member of Tharuhat movement in Tikapur. His Phulbari FM station and Phulbari Resort were looted, vandalized, and burned in the Tikapur incident. In the media, he is often described as “the primary suspect” in the Tikapur murder cases and is on the “most wanted list.”

During the election campaign, his interviews with journalists visiting him in an undisclosed place in India were uploaded and shared through SNS. Resham Chaudhari won a landslide victory in Constituency 1 of Kailali district, which includes Tikapur. He won 34,341 votes: almost three times as many votes as his strongest opponent (with 13,406 votes). In an interview given after his victory, Resham Chaudhari claimed that the Tharus who voted for him voted because they wanted a genuine and effective Tharu leader to represent them but that those non-Tharus who voted for him actually voted for peace and reconciliation (<https://www.youtube.com/watch?v=cm3Wv5Cg6po>, accessed 20 December 2017). What he meant was that those non-Tharus who voted for Resham Chaudhari

acknowledged that an injustice was done to an innocent Tharu, and their vote for him was a form of remedy.

Barghar system, “a traditional form of self-governance among the Tharus”

During October 2017, the author also visited a town in Bardiya district and participated in a meeting organized by *barghars*. Barghars are Tharu local leaders elected every year by the Tharu village assembly called *khyal*. Barghar is responsible for community affairs, including organizing collective volunteer labour and cultural events. Similar institutions are found throughout western Tarai. They are called *Kakandar/Aghariya* in Kapilvastu and Deukhuri, *Matawa* in Dang, *Barghar* in Banke/Bardiya, and *Bhalmansa* in Kailali/Kanchanpur. Barghar used to be part of the larger structure of chieftains in western Tarai. These structures were replaced progressively by new institutions installed by the Nepali state. Those Tharus who find values in more traditional forms of Tharu governance structures criticize both the panchayat regime and the political parties under multiparty democracy for simply dismissing traditional Tharu institutions as feudal and oppressive. Recently, more Tharu activists are arguing for reevaluation of Barghar practices as embodiments of local self-governance and participatory democracy.

The larger structures of the older chieftains have been mostly replaced, but neighbourhood-level and village-level institutions of *khayal* and *barghar* continued. Especially during the civil war and the absence of elected local governments, *barghars* played important roles in local affairs. Many of those who wanted to plan and implement local development projects went to *barghars* to seek their advice and support.

Before the meeting, an organizer explained to the author that *barghars* felt that they worked very hard for the local community during the armed conflict and in the absence of formal local government. Nevertheless, now that the local elections have been completed and the new municipality government has come into existence, they fear that all the important decision-making and resources will go through the municipality. Subsequently, they will be sidelined completely. For this reason, they organized a meeting of all the *barghars* in the area on October 16 and invited the newly elected members of the municipality, including the mayor, deputy mayor, and ward chairpersons, to discuss how the *barghars* and the municipality might be able to “work together.”

About 20 *barghars* attended the meeting. One by one, they stated their opinions. They all spoke in the Dangaura Tharu. Non-Tharus participants in the meeting, including the mayor, who is a Pahari Brahman, said they had no difficulty understanding what was being said. Most of the *barghars* spoke of the importance of preserving traditions and culture. Some discussed specific Tharu rituals in great detail and had to be stopped by the emcee. Most acknowledged good culture and bad culture among the Tharus, and that they needed to preserve and develop the good aspects and get rid of the bad. Barghar practices, they said, were a very important part of Tharu culture that held the local communities together.

Several of them remarked that the institution of barghar, although not officially recognized by Nepali law, was part of the “unwritten law” or “unwritten constitution” of Tharus, defining what the community ought and ought not to do.

The concrete demands of the barghars at the meeting included that they be invited and be present in the processes of planning, decision-making, and implementation of all local development projects. For example, they wanted to be informed about and take part in the formation of user-groups in any infrastructure project. They also wanted budgetary documents to be sent to all barghars. Additionally, they wanted Tharu language to be an official working language of the municipality.

After all the barghars had spoken, the elected members of the municipality spoke one by one. They all spoke in favor of involving barghars in the workings of municipality. One ward chairperson, a Gurung speaking in Nepali, stated that barghars are not merely a channel for disseminating information. They will play a crucially important role in the socio-economic development of the area. He added, however, that while municipal governments will openly invite barghars, the barghar system should also be “inclusive” and be open to accepting non-Tharus. To that statement, many barghars nodded approvingly. The deputy mayor, a young Tharu woman, said she had extensively researched barghar practices for a non-governmental organization project. She spent a large part of her speech explaining aspects of the system and how it is important to preserve and develop this tradition.

The last to speak was the mayor: a male Brahman. Speaking in Nepali, he acknowledged the important role which the barghar system played in the social development of the Tharus and explained that the municipality was ready to work closely with the barghars. He said the elected members of the municipality were actually like barghars. Each official might have fought the election carrying a particular party flag. However, once elected, they do not simply represent one political party. In fact, they represent and serve all members of the community. In that sense, they *are also* barghars. He then proceeded to say that he accepted all the concrete proposals made by the barghars: the presence of barghars in all the meetings related with local development, from planning to implementation, sharing budgetary information and making Tharu an official working language of the municipality. He declared that the municipal council will pass all these decisions at the meeting the next day. He added that the presence of barghars will help make municipal self-governance more open and transparent and help reduce corruption. By clarifying these matters at the very beginning, he continued with his speech, which lasted for more than an hour.

His speech centred on the theme of achieving the development and prosperity of the municipality. Because most residents are engaged in agriculture, the prosperity of the area depended on the profitability of agriculture. In addition, most of the poor and the backward population consisted of Dalits and, especially, Tharus, who accounted for 48% of the population of the municipality; development was impossible without their uplift. However, he said, most Tharus are engaged in the old subsistence-oriented forms of agriculture. For example, he says, there are at least a few chickens in every household running around in the courtyard. We offer

them to visiting guests and they are finished. But during these days, they sell “local chicken” at good restaurants at very high prices. We must consider ways in which we can make profits out of local chickens rather than merely consuming them ourselves. People can form cooperatives for the production and marketing of chickens. In many Tharu households, he continued, one raises pigs; they’re only good for making the house dirty. One must learn from the example of Dhahani bungur (branded pork from eastern Nepal) that are sold for such expensive prices in urban markets. Some way must be found to brand the products and bring them to the market. It is necessary to modernize and commercialize our agriculture in a thoroughgoing manner.

At this point, a barghar interjected: “While we are on the topic of animals, can we discuss the problem of stray cattle?” Around this time, a Hindu renouncer was in the area engaged in a project of establishing *gaushala* (cow shelter). He had gathered stray cows in surrounding areas on to a grassy open field near a community forest. However, because the cattle were not restrained or contained, they were roaming around freely, wreaking havoc on the agricultural fields. The mayor responded by saying, “Yes, that is a problem. We will get back to that later.” The mayor, a strong supporter of the *gaushala* project, did come back to the topic toward the end of his speech, saying that the *gaushala* could be managed in a way that is not harmful to the neighbours and made profitable by, for instance, the production and sale of compost.

The mayor continued on and urged that Tharus had to change their habits. “There are of course a few Tharu here and there who are talented and active, doing big businesses.” He mentioned the name of a famous Tharus industrialist in the area. “However, please do not take this in a wrong way – Today, we have about two dozen people here. Were there that many Paharis in this room, they will all be talking incessantly, but you are quiet, sitting in the back ... Today, we are living in a competitive world. The Tharus need to activate their capacities to advance in the society.” He then proceeded to discuss how Tharu culture, their festivals, dance, and lifestyles can be turned into tourist attractions. He said he was already discussing the *namuna* (model) Tharu village, which will invite tourists for homestay visits. He also promised to collaborate with the barghars in organizing Mag mahotwab, which falls in mid-January in 2018, as a major public festival and tourist event.

In summary, after weighing the responsibilities of the barghars and the elected municipal government, the mayor went on to examine the themes of development and prosperity specifically in his speech, which are presented as their common goals. Prosperity can be achieved through active and effective engagement with a free-market economy. In the course of the talk, the mayor invokes a common stereotypical contrast: simple Tharus who do not know how to speak and shrewd Paharis who cannot stop talking. He exhorts Tharus to change their habits and be more active and assertive, to “activate their capacities.”

The meeting as a whole proceeded in a cordial fashion. However, tensions between the mayor and the barghars sometimes became perceptible, as when the badghar raised the issue of stray cattle.

After the mayor’s speech, the emcee, a Tharu journalist, speaking in Tharu, thanked all participants, and addressing the barghars said, “We need to focus on

the topic of discussion and not go all over the place. We need to meet 20 times before Magh and discuss on concrete topics and devise concrete decisions. We have no time to talk about whether Tharu culture is observed, violated or disappearing. We need to focus on concrete things and measure how much concrete work we accomplished by Magh.”²

It was apparent that the emcee, himself Tharu, felt unsatisfied with the speaking skill of the Tharu barghars and was urging them to change. However, he was not asking them to acquire eloquence like those of high-caste Paharis. He was asking for clear and concise modes of speech.

As observed, the mayor was urging the Tharus (and everyone else) to compete in the world as free and active individuals. However, the project of inserting the institution of barghar into the formal local government is apparently an attempt to insert a principle that is different from liberal competition.

Production of collectivities after conflict

This chapter began by citing Shneiderman and Snellinger’s (2014) criticism of the notion of post-conflict, which involves a highly reifying form of periodization. As they argued, after the successful conduct of democratic elections in Nepal, tensions and feelings of ambivalence seemed to continue, especially among those who feel that the “conclusion of the peace process” was forced on them without consent or dialogue.

Whereas Shneiderman and Snellinger urge us to attend to complexity and diversity of particular, lived experiences, however, one finds the actors in the field themselves engaged in various forms of abstraction and reification, or mediation in Mazzarella’s (2006) sense (e.g., when the mayor equated barghars and the elected representatives of the municipality or when the barghars called the custom of barghar as “unwritten constitution”), in a kind of equations that some anthropologists might find highly “inaccurate.” These are mediating terms that bracket all the concrete particularities and which create provisional commensurability that enables social actions.

While engaged in mediation, Tharu leaders were not simply involved in consolidating their own community or asserting their identity. We were able to examine the possibilities of both inclusive and exclusive forms of belonging, as identified by Krauskopff (2011), being constructed in the process. In taking part in or boycotting the elections or in trying to insert barghars into the official structure of local governance, they were involved in attempts to reconstruct the structure of a larger collectivity and collective life.

Notes

- 1 In a recent article, Kanak Mani Dixit (2017) writes that the Nepali “citizenry feels empowered for having participated in each key episode of the last decade, including the People’s Movement of 2006, blocking attempts at communal arson, and overcoming the five-month blockade of 2015–16.” This chapter is an attempt to consider some ways in which risks of “communal arson” increase and how varieties of actions are taken to reduce them.

- 2 The author has not been able to collect systematic data on the frequency of attempts to make barghars part of local governments in western Tarai. A couple Tharu leaders interviewed in Kailali district responded that they were not aware of such attempts. A respondent in Tikapur stated that the proposal to let barghars sit in municipal meetings was rejected. Tharu as a working language was reported as part of the manifesto, but it had not been implemented as of October 2017.

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11 Maps, migration, melancholia

Pradeep Jeganathan

On 18 June 2012, I thought I had found something long lost. In the face of it, it was something I had never had as part of my material lived world: a dwelling of my ancestors, the abode of my great-grandfather, Saravanamuttu, built at the turn of the 20th century, after he had retired as a medical practitioner. The house, which he called “Saravana Villa”, was in Kattudai, Manipay, a subdivision of a subdivision – certainly in those days a village, if you like – in the peninsula of Jaffna at the northern tip of Sri Lanka, then British Ceylon.

But when I grew up, in the southern capital of Colombo, in the 1970s and 1980s, Jaffna and this place of dwelling had long been left behind. Of course, the ownership, by complicated rules of inheritance, had passed to a relative, but my mother, Saravamuttu’s granddaughter, Vijaya-Lakshmi, had never gotten around to taking me there, preferring other, perhaps more “educational”, sites as destinations for our family trips during school vacations.

By the time I had come of age and proceeded overseas for my education, in 1983, Sri Lanka was seeing the beginnings of a civil war that would stretch on, with pulsating, grotesque intensity for some 30 years. Jaffna was now a place too far, too unsafe, for a nostalgic visit – even though, of course, many lived there, migrated, and even returned in those difficult days. But their investments were different.

In June 2012, I had visited Jaffna at the invitation of Thamotharampillai Shanaathanan, one of Sri Lanka’s most serious artists and a scholar, for a short series of lectures in the Department of Art History and Fine Arts at the University of Jaffna. After that visit and teaching – as I lodged with Sana for a while – as he is a very dear friend – I asked him if we could try to find ancestral home. He agreed, and after much asking and looking – of course, Google Maps couldn’t know where we were going – I had my mother on aural mobile at my ear, however – we found it. It is I, who found it in the end, I like to think, because I saw the name of the place, etched in my mind from many childhood stories, on the gate post (Figure 11.1).¹

I gave a little whoop of joy – “We found it! We found it” – to Sana and my mother on the phone, and then we walked in the garden, where Sana pointed out to me the distinctive double-column architecture, and my mother, through aural guidance, another remarkable feature, the sophisticated – for its time – private outdoor bathing facility that had been built for her mother, my grandmother, when



Figure 11.1 Ruined Gatepost, Saravana Villa, Kaddudai, Manipai, Jaffna.

she had joined the household as the young bride of Karthigesu, Saravanamuttu's second son.

The house was in shambles, still owned by a distant cousin in Australia but occupied by a refugee family from the Vanni whom neither I nor anyone in my family knew, or knew of, but I was overjoyed to find what was left, what I had left behind, and had thought lost in that space of longing, attachment and memory, somewhere between Roland Barthes's the "has been", and "no longer" (1981: 76–77).

But when we went back to his place, I could see Sana was sad. Crestfallen. When we talked, he told me he grieved to see what had become of the beautiful house and even more so to see what had become of the finely wrought sculptures in the family temple behind the house accessed by walking across picturesque paddy fields. This is a temple where the direct male descendants of Saravanamuttu fund, in absentia, an annual ritual to this day. "I can tell what kind of people they were, and we have lost them now", said Sana.

Shanaathanan's statement is a dense one, and much of the work I attempt in this chapter is its unpacking at many levels, but I first note what I think may be already clear. An affective conceptualization of migrations, of differing paths and horizons, given varying intensities of investments in what is left behind, and what is travelled to is at the heart of his statement. Indeed, it is the loss, of people, things, and places that imbue him with sadness. This painting (see Figure 11.2),² part of an early moment in his oeuvre, is telling in the juxtaposition of the sharp claws of the prosthetic plough that lacerates the head of the grieving man, even as his teeth stream down, seemingly self-extracted.

Let me begin this unpacking, with a very brief historical portrait of the Jaffna Tamil Vellalar community, through the 17th century to the 1950s. The Jaffna Tamil Vellalar, it can be argued, were a community created, in part, by 17th- and 18th-century Dutch colonial rule as part of its strategic promotion of the extremely lucrative tobacco cultivation for export to the "Malabar" coast. The dominance of the Vellalar – which, in the contemporary anthropological sense, can be seen as a dominant cultivator caste —the classic account of which is found



Figure 11.2 “All Is Falling” (2000). Mixed media on canvas. Thamodarampillai Sanaathanan, Artist.

in M. N. Srinivas (1959) – was supported and enhanced by the Dutch who produced a now-familiar effect, by codifying “customary law,” which then, in turn, regularized private property, remade caste hierarchy, and compelled migratory labour from South India to live under a regime of caste slavery while working on the tobacco fields (Arasaratnam 1986).

The Vellalar grew rich, and this community was already well monetized because of a historical accident during British rule in the very early part of the 19th century, when a dense network of American missionary schools, including the first boarding school for girls in Asia, led to the creation of an educated elite – unmatched in its density anywhere else in Sri Lanka, in Sinhala or Tamil regions – ready for colonial employment, by the early 20th century (de Alwis 1997). In fact, the products of these schools – and this is about a particular, very limited form of colonial education – migrated as far afield as British Malaya to serve in the clerical and railway services before returning to recapitalize the densely populated peninsula with mansions – many of which may be viewed and studied to this day in their ruined state. Most are larger than “Saravana Villa”, I must add, even though the double-column architecture does date to this period.

By the mid-1920s, British Ceylon was booming, the surplus value created by another labour migration – to the central hills, very far from the northern tip, and the port of Colombo, then the third-busiest port in the empire – allowing for larger-scale, state-sector employment and a demand for professional services. The Jaffna Tamil Vellalar flowed into those opportunities, not only in the clerical services and railways but also in the more prestigious civil service and the

learned professions, such as medicine, law and engineering, which took them in a great migration all over the island but also to the Sinhala south. But this migration, was not at that time, a final movement. Jaffna remained home – old houses were maintained, and families had a dual existence, living both in the South and North simultaneously, with the North receiving net capital transfers. So not only were the Jaffna Tamil Vellalar co-equals with Sinhala elites in the upper tiers of Ceylonese polity (Arasaratnam 1994; Sriskandarajah 2005), property prices in the peninsula, in the estimates of one anthropologist, were possibly in excess of the cost of comparable property in rural districts of England (Pfaffenberger 1990).

One can see at once that when attempting even this brief sketch of people and place how central the concept of migration becomes. Conceptually, I think it fruitful to think the terms of region and migration, as imbricated to such an extent that I would like to run the two words together, as in “(mig)region”. In so doing, I want to keep in mind the themes I began with, the horizons of departure and return, from the region and the subjects’ intensities of investments in what is lost and what is found. I return to this theme later in this chapter.

Region, I conceptualize, as “ruled”, “lived”, and “mapped”. While perhaps arbitrary and certainly incomplete, it is my sense that looking in from these angles may allow “region” to be both an always already problematized and yet categorically available in an analytical account. These are, I want to suggest, angles of view, not water-tight compartments; in fact, they must be seen in a conjectural articulation, with attention being paid to the centre of gravity each may imply. Region, then, may be seen as an articulation of these angles of view, always historically and socioculturally constituted and creatively imagined, in the sense of virtual and actual. Of these tripartite axes, I would take a moment to underline the mapped, as *process*, which, of course, is implicated in life, the navigation or lived movement in variously mapped worlds, its making and marking, which in a different register is one of governmentality and rule, but even more, as object or artefact, as in a map that scales to the human, as in a map in an atlas. That said, I will return to these conceptual musings before I end this chapter. I now move back to the story of Tamil migrations.

If the place of the Jaffna Tamil Vellalar, in the administrative service and the learned professions, and in between, was made in succession by two colonial states, the contestation of that place came with post-colonial democracy. In the 1950s, just as in India, when linguistic nationalism came to the fore, S. W. R. D. Bandaranaike, the Sinhala leader who founded a political dynasty, took up language as his campaign slogan, promising “Sinhala Only”, in 24 hours. Since English had been the official language up until then, this policy, which began to be implemented in 1956, created two competing linguistic nationalisms. So the dominance of the Jaffna Tamil Vellalar was folded into a hegemony which worked on the idea of Tamil-speaking people, erasing caste and class dominations that continued to exist.

As a consequence of this contest, given that violence began to emerge soon after – anti-Tamil riots in 1956 and then again in 1958, culminating in the great punctuation point in the modern history of Sri Lanka, the massive pogrom cum

riot of July 1983 – two maps of Sri Lanka began to emerge. This led to a protracted civil war, a long time of violence ended by the Sri Lankan armed forces in May 2009, the second major punctuation point in the modern history of Sri Lanka (Jeganathan 2017).

In essence, these punctuation points, which mark the “beginning” and “end” of a long civil war, also produce two competing maps. Superimposed on one another, almost, one was a Sinhala nationalist map, which claimed all of Lanka for the Sinhala and the Buddhists, and the other, a Tamil Nationalist map, which claimed the northern and eastern portion of the island for itself. This developed over time, and migrant bodies were crucial to its becoming; on one hand, there were Sinhala settlers whose movement to the North Central Province was enabled by successive states and, on the other, in the face of anti-Tamil violence in the south, Tamils who were moved back to Jaffna, at first temporarily, for their own safety. When these displaced persons would return to the south, they would again, face attack, perhaps a generation later, encouraging a more permanent movement back. By the 1980s, the sedimentations of violence had begun to consolidate these two maps; through the 1990s, and then up to 2009, a long war, with periodic ceasefires, produced further sedimentations.

I explicate the density of these divisive maps, with recourse to the lives and deaths of three imaginative figures from Sri Lankan literature and cinematography who exemplify these punctuation points.

First, let me consider the liveability of the Sinhala south, for the Tamil who is the subject of violence. In Ernest MacIntyre’s play *Rasanayagam’s Last Riot*, set in July 1983, Rasanayagam, a southern Tamil who is neither a separatist nor a militant and who speaks both English and Sinhala well enough to “pass”, has faced riot after riot, which he has escaped, taking shelter in the homes of Sinhala friends or, more dangerously, passing through “checkpoints” of Sinhala men bent on perpetration, by pronouncing a *Baldiya* (bucket) the Sinhala way rather than the Tamil way, *Valdiya*. He continues this performance, these tactics – which I have called “tactics of anticipation” elsewhere (Jeganathan 2000) – throughout the play, negotiating the line between the serious and the parodic until finally, as it were, he refuses in one profound moment to do it any more – refuses to perform his Tamilness as Sinhalaness – and is then killed by a “mob” that has surrounded him.

Rasanayagam chooses not to treat 1983 as just another riot that might be assimilated into memory, as a “has-been”, but his is not the refrain of “never again” of the survivor who lives on. If his death is an underlining of the “no longer”, it creates through a density of a null point, a new ordinary on the lived map, which tells of the impossibility of life. Vast numbers of southern Tamils migrated back to the north after the riots of 1983, many of whom joined armed movements, and in the embrace of the most grotesque and fearsome of these, the Liberation Tigers of Tamil Eelam (LTTE), returned to the streets on which Rasanayagam walked, as suicide bombers, who, unlike he, took other lives as they died, even as the Sri Lankan armed forces began attacks, with great force, in what Tamil nationalists considered their homeland.

Selvi, is another such figure I take from Prasanna Vithanage’s film *With You, Without You* (2012).³ Here, we find Selvi, a young Tamil girl, out of place in the

central hills of Sri Lanka, in between the Jaffna Tamil north and southern south, among hill-country Tamils who are ethnically distinct from the Jaffna Tamils. Her brothers have been killed in the civil war, and she has seen terrible atrocities. Selvi attempts to be a good wife to a Sinhala pawn-broker who works hard building his business and is gentle with her until she realizes that he was a former soldier who has covered up a militarized rape in the past. She can no longer be with him, or with herself, and kills herself.

Here, in this instance, we have the liveability of the Sinhala–Tamil marriage made impossible by prior atrocity. It is important, however, to note that there are two “migregions” here, both from where the protagonists, both Sinhala Army husband and Tamil wife, have come, the first from employment and the second from dwelling: the Jaffna Tamil north. Inhabitation there has been made impossible for both, but for the Tamil woman, even the intermediate zone of the Tamil hill country is unliveable despite the love of a Sinhala man.

The third imaginative figure I wish to introduce is Dheepan,⁴ the protagonist of the eponymous film of 2015, which depicts a militant, defeated by war, who, together with two other war refugees – a grown woman and a young girl child – constitutes a contingent “family” so they can apply for asylum in France. Even though Dheepan works hard at his new job as a cleaner, drug-related “gang” battles in Paris, as well as the long hand of the LTTE, reinserts him in violence. While he survives to live on, in a remarkable climactic scene, we see Dheepan act out an episode of repressed violent experience, in a Parisian neighbourhood.

The battle of the Tamil homeland is embedded in the migrant.

This homeland, now thought of as much larger than the peninsula of Jaffna, is a region, a migration, that may be understood in the senses of the lived, ruled, and mapped that I delineated previously and to which I am now returning as promised – the map on a human scale, the map as in an atlas. The map of Eelam, then, is a point of reference for my analysis. It has, as a reproducible artefact, an enormous life, which I cannot do justice to here; I can only sketch some of its contours.

First, we must note the enormous Tamil migrations out of Sri Lanka, catalysed by violence. Such migrants, of course, carry complex maps with them, the map of Tamil Eelam, as artefact is but one. Fascinatingly, for analysis, this period of migration is also simultaneous with the extraordinary rise of distributed computing – or, if you like, the internet – and then, by the 1990s, the availability of “webspaces”, as a graphical screen to migrants. When I first began to address this puzzle of the then uncertain emergence of the map of Tamil Eelam in webspaces, in 1997, what I noticed was the production of a kind of non-indexical space, which was then, quite unusual (Jeganathan 1998).

For example, the webspaces of the University of Chicago, where I was at the time, www.uchicago.edu, invoked a sense of place or, in other words, worked hard to index or reference its webspaces. On the other hand, the webspaces invoked by www.fedex.com, the courier company, sort of hides its own location by indexing the possibility of the movement of a package from place to place; www.eelam.com, then a very new site, did neither. The space it invoked was non-indexical – while a map was drawn, it had little inside it, it did not even refer to the places of Tamil Eelam, that were, at a minimum, cartographically available.

In a sense, there was no “there there”; the there was here. Other migrant Tamil nationalist websites, at the time, were rich with details of place but yet did not invoke so centrally the bare map.

Of course, webspace has changed much since – far too much to be waded into here – but as far as indexicality goes, there are both Google Maps on the go and Google Street View. Such deep referentiality may even make the very idea of a certain kind of frozen web map obsolete, one may think. Interactivity in its infinitude is on us. And, yes, in current maps of the areas of Tamil Eelam, such detailed interactivity is available. For example, a US Tamil diaspora group (a PAC, or political action committee, in terms of US politics) attempts to map the militarization of the north of Sri Lanka, with state-aided Sinhala settlements and army camps marked. Here, that the map of Eelam’s bounds is gone; and the map is simply that of Sri Lanka, and the details provided that of Sinhala military colonization.

A map that has been: love and loss

Yet the bare, idealized imaginative map persists, as an iconic artefact, on posters, placards, cards, or even mugs. Thought dually, through Partha Chatterjee’s (1993) argument with Benedict Anderson, which insists on the material creativity of the national imagination, read together with Lacan’s understanding of the screen, which operates a split between the eye and the gaze, with the gaze being drawn to the stain, in a turning back which is an avoidance of “as seeing oneself see oneself” as in a mirror ([1964] 1978: 83), or as if we read Freud’s (1916) understanding of Mona Lisa’s smile, as the stain of Da Vinci’s gaze, in Lacan’s terms, the flattened, idealized iconicity of the portable map of Eelam, may be decipherable as an object that never was and never will be, one always already lost as it is loved. This is best seen in the map of Tamil Eelam, which appears as a tear.⁵

I owe to Sigmund Freud’s classic 1917 (1957) essay “Mourning and Melancholia” the idea that psychic investments in objects – and I see objects here, as both ideal and material – can be worked through. In Freud, there are two sharply juxtaposed ways of working through investments. What he calls “normal affect of mourning”, is seen as a working through an investment, so that the attachment to the lost object is finally severed ([1917] 1957: 267). This is contrasted with melancholia where cathartic energies turn inwards from that lost object, forming a narcissistic identification that can itself be ambivalent: raging and loving, hating and desiring, euphoric and abjecting (Ibid). An identification that can “change around into mania” (Ibid: 253). In this view, mourning is transformative, productive, psychic work, that lets go of the object, while melancholia is work that becomes its own object.

In thinking of ways to blur this sharp distinction made by Freud, I have found helpful a concise intervention made by Jennifer Radden (2002), who has pointed out that *melancholy* and *melancholia* are terms that are indeed quite different, both in a socio-historical and conceptual sense. Radden reminds us that melancholy was a state that could be moved in and out of, through and between; it was eminently Elizabethan and would be a better descriptor of Freud’s only

example in his text, *Hamlet*. Melancholia is rarely used today in clinical practice; it has been folded into the completely normalizing concept of “depression”. Depression, in the way the term is used today, of course, lies quite outside that context. In fact, if one were to return to Foucault with Radden, one finds his half chapter “Mania and Melancholia” in *Madness and Civilization* (1988) most instructive on this point. My point is not to reinforce a sharp distinction between the terms *melancholy* and *melancholia* but, rather, to use Radden’s work to question Freud’s own distinction between *mourning* and *melancholia*. This is not a quibble for me as I am concerned with thinking *melancholia* simultaneously with *melancholy* so that I can conceptualize the work of melancholia, as both psychic and social, as ongoing, and perhaps even as productive.

I should underline, that in attempting to think of melancholia as work, I am not attempting to configure it as the work of recovery or getting beyond loss, which would be but a return to mourning. It is rather the kind of work, which after Veena Das’s formulation I will call “inhabitation” as in the work of “[inhabiting] ... a world made strange by the desolating experience of ... loss” (1997: 67). In fact, it is Judith Butler (1997) who, in a characteristically insistent recursive reading of Freud’s “Mourning and Melancholia”, shows that Freud is not quite true to the conditions of possibility of his own terms; that the temporal logic of his terms leads to their own undoing so that the ego that turns back, inward, and may not be said to securely pre-exist the lost object; that as such, the distinction between “normal affect of mourning” and melancholia itself is rendered suspect. And even though the phrase “the work of melancholia” appears only three times in one passage in Freud’s 1917 essay, almost as a wall of refusal that he cannot think beyond, it is Butler who elaborates the term as one that can map the bounds between the psychic and the social and that it can be work on one’s self and work upon the world, at times of extraordinary loss.

It is instructive then to turn to Freud’s reformulation of his ideas of 1917, in *The Ego and Id* ([1923] 1962). It is in this text that Freud suggests that he did not, in this earlier exploration of the question, appreciate the full significance of “melancholia”, its frequency, and its typicality. In fact, we see that he has now moved to the view that such a loss and its refusal, in early childhood, through the ego’s identification with the lost object, is fundamental to the “character of the ego” which he describes as “ally precipitate of abandoned object-cathexes” that “contains the history of those [previous lost] object-choices” ([1923] 1962: 29). However, in this essay, Freud is particularly concerned with such abandonment and identification which occurs in early childhood and then becomes central to the “Oedipal Complex” and the elaboration of the ego itself. Therefore, while this movement in his own thought, which is really a suggestion that the ego can be always already melancholic in his previous terms, is not taken up as such. It is Butler, who in a series of textual readings of Freud, suggests that one can read this abandonment and identification, if hetero-sexualization is not a given disposition, as producing gender “as a kind of melancholy” (1997: 102). Here I want to extend this argument that Butler has made in several ways over time, to think the “character of the ego”, in Freud’s terms, as being constantly made and remade in relation to the refusal of loss (melancholia) and the acceptance of loss

(normal grief) as attachments and abandonments of ideal and material objects. This work, which, on one hand, is a suturing of melancholy and melancholia and, on the other, about investments in objects which have a irreducible sociality, is what I wish to call the “work of melancholia”, not in the sense of Butler’s melancholic agency but as a form of inhabitation that maps the horizons and intensities of a person’s simultaneous psychic and social investments in what is loved and what is lost.

Let me return, to where I began, attempting to regain what I may not have been able to touch in the description of my return to that forever-lost place, “Saravana Villa”, the dwelling of my ancestors. In doing so, I leave behind the idealized iconic map of Eelam with which I have been pre-occupied and, at the same, the dense indexicality of interactive webspace, however considered. Rather, now, I move to a consideration of the micro regions of the migrant, lived, ruled, and mapped in an entirely different way.

Thamotharampillai Shanaathanan, in a complex, creative and truly painstaking aesthetic project, which resulted in a very innovative graphical book *The Incomplete Thombu* (2011), which invokes Dutch rule and capitalization through the very idea of the land registry and the associated file, the land deed, replete with survey maps and architectural drawings, triangulates among those documents – maps of rule, of a micro region, if you like – and displaced persons’ maps of memory of lost dwellings, with his own aesthetic account of what lies in between. Here then is a very different set of maps of “migregion” that navigates the space and time between the “has been” and “no longer” in Barthes’s terms, which I’ve been trying to juxtapose with Freud’s distinction between the object of melancholia, which is never let go, and the object of mourning, which is released, given that both sets of distinctions are disturbed, as oppositions.

In an interview with his publisher, Shanaathanan puts it in his own words:

In The Incomplete Thompu book project my task was to respond to the diverse stories of completely different individuals. Hence the stories demanded a different kind of articulation; that reshaped my own drawing practice because the stories were not fully mine. This experience led me to make work in this form using a variety of styles. It is like telling my own story in other’s voices that refer to different times, places and memories, using a collage of painting styles.
(Pereira, 2014)

In speaking of lending his hand to the voice of the other, of reshaping his own practice to capture what may be lost, that which we may never fully know, for we may not ever know what precisely is lost, Shanaathanan describes, in the most elegant terms, what his aesthetic practice demonstrates so viscerally: the many inflections of the work of melancholia, catalysed by displacement and loss, a kind of “migregion”, if you can bear with my neologism.

If one thinks in terms of objects – taking the iconic map of Eelam and the densely indexical maps of dwellings in Shanaathanan’s work – and juxtaposing them, leaving behind index and icon and the idea of representation that comes with it, and staying simply with the idea of investment in the objects, what shows

up in stark relief, I would suggest, is the interior structure of the objects themselves in relation to these investments.

Notes

- 1 Photographed by Prof. Pradeep Jeganathan.
- 2 “All Is Falling” (2002). Thamothersampillai Shanathanan. Mixed media on canvas. (Dr. Malathis de Alwis and Prof. Pradeep Jeganathan, private collection).
- 3 See <https://www.imdb.com/title/tt2274706/>.
- 4 See <https://www.imdb.com/title/tt4082068/>.
- 5 See <http://www.salem-news.com/articles/november232011/tamil-eelam-rr.php>.

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