

# **DEMOCRATIC DESPOTISM**

**POLITICS OF PRIMITIVE ACCUMULATION IN INDIA**

Swagato Sarkar



# Democratic Despotism

This book explores the history of forced land acquisition and transformation of power in the Fifth Schedule areas in India. It examines the contradictory imperatives of extractive capitalism and primitive accumulation, on the one hand, and autonomy and devolution of power to local communities, on the other.

The book traces the long history of conflict, displacement, and violence in these areas in central India which are home to the Adivasis or indigenous people and are rich in natural resources. Drawing from an analysis of public policy debates, land acquisition acts, and political and developmental interventions, the book critically looks at the relationship between capitalism, dispossession, and democracy. The author investigates how the state constructed a weak democracy amenable for primitive accumulation, the role of NGOs in this process, the struggle for sovereignty and autonomy by local communities, and the attempts made by human rights activists to find judicial redressal to state violence. Through this engagement, the book offers a new theory of power.

This book will interest researchers and students of political science, political anthropology, governance and public policy, development studies, sociology, law and government, minority and indigenous studies, and Odisha and South Asian studies.

**Swagato Sarkar** is Professor at the OP Jindal Global University, Delhi, India.



**Taylor & Francis**

Taylor & Francis Group

<http://taylorandfrancis.com>

# Democratic Despotism

## Politics of Primitive Accumulation in India

Swagato Sarkar

First published 2023  
by Routledge  
4 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

and by Routledge  
605 Third Avenue, New York, NY 10158

*Routledge is an imprint of the Taylor & Francis Group, an informa business*

© 2023 Swagato Sarkar

The right of Swagato Sarkar to be identified as author of this work has been asserted in accordance with sections 77 and 78 of the Copyright, Designs and Patents Act 1988.

All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

*Trademark notice:* Product or corporate names may be trademarks or registered trademarks, and are used only for identification and explanation without intent to infringe.

*British Library Cataloguing-in-Publication Data*

A catalogue record for this book is available from the British Library

*Library of Congress Cataloging-in-Publication Data*

A catalog record has been requested for this book

ISBN: 978-1-032-30516-5 (hbk)

ISBN: 978-1-032-31065-7 (pbk)

ISBN: 978-1-003-30786-0 (ebk)

DOI: 10.4324/9781003307860

Typeset in Sabon  
by SPi Technologies India Pvt Ltd (Straive)

**To the people of Kashipur, Agramee, and my family**



**Taylor & Francis**

Taylor & Francis Group

<http://taylorandfrancis.com>

# Contents

<i>Acknowledgements</i>	viii
1 Introduction: Politics of Primitive Accumulation	1
<b>PART-I</b>	
<b>Democracy and the Structure of Power</b>	<b>25</b>
2 The State, Infrastructure, and Production of Democracy	27
3 NGOs and Politics of Governmentality	55
<b>PART-II</b>	
<b>Fighting Primitive Accumulation</b>	<b>79</b>
4 The Kashipur Anti-Mining Movement	81
5 Activism, Despotic State, and the Legal Turn	109
6 Conclusion: Primitive Accumulation and the Structure of Power in the Fifth Schedule Areas	138
<i>Bibliography</i>	151
<i>Index</i>	159

# Acknowledgements

The basic idea of the book is that power is not expansive in its operation. Instead, it is applied in a strategically limited manner to economise it. This idea was first developed in my Master's dissertation at the Tata Institute of Social Sciences, Mumbai, supervised by Amita Bhide. Around the same time, Ajit Chaudhury, Anjan Chakrabarti, and Dipankar Das (2000) published the book entitled *Margin of Margin: Profile of an Unrepentant Postcolonial Collaborator* (Kolkata: Anustup). I met Professor Chaudhury and had a few long conversations. He appreciated my conceptualisation of redundancy in hegemonic space and surplus population, which inspired me. Later, in my MPhil dissertation at Oxford, I focussed on labour and the concept of surplus population. Finally, I returned to redundancy in hegemonic space in my doctoral dissertation, which I defended in 2009. Thus, this book grew out of various dissertations that I wrote since 2001. I worked with the M.S. Swaminathan Research Foundation (MSSRF) in the tribal villages of Koraput in Odisha. Here, I came to know about the anti-mining movement in Kashipur. R.V. Bhavani and Bibhu Mohanty were my guiding lights at MSSRF.

I commenced fieldwork for this book in 2005 and continued until the 'fall' of the anti-mining movement in 2014. In this long period, I was fortunate to meet a range of people who enhanced my understanding of the context, dynamics, and trajectory of political development in Kashipur, Odisha and the tribal areas of central India. At the heart of the project were assistance, shelter, and food provided by Achyut and Vidhya Das and the staff members of Agrabamee. I am forever thankful to them. Debaranjan Sarangi, *sathi* of the movement, was generous with his time as he answered my queries and critiques patiently. Bhagaban Majhi and Krushna Saunta gave extended interviews on multiple occasions and introduced me to other activists and politicians. The people of Kucheipadar and the nearby villages had welcomed me to their homes, shared the experiences of participating in the movement, and their interpretation of the events that unfolded over almost 20 years. Rabi Pradhan was always around as I roamed the villages and talked to people, often acting as a translator. Various executive, staff members, and 'communicators-motivators' working for the Utkal Alumina spoke to me on the condition of anonymity. In Bhubhaneswar, Sudhir

Patnaik and his team, Kundan Kumar, Prafulla Samantara, and Rajendra Sarangi offered me long interviews. The archives and journals of the Scheduled Castes & Scheduled Tribes Research & Training Institute in Bhubaneswar, along with their guest house, were invaluable resources. The innumerable online discussion groups (mainly hosted on Yahoo—this was an era before Facebook and social media!) were platforms for critical conversations with various researchers and activists working on land acquisition and displacement in India. A five-day journey through the heartland of *Narmada Bachao Andolan* spreading over the Gujarat-Maharashtra border and Madhya Pradesh introduced me to many activists, scholars, and journalists, which enriched my understanding. I also got a chance to interview Medha Patkar. Various programmes organised by the National Alliance for People's Movement (NAPM) in Delhi were similarly helpful.

My primary doctoral supervisor Nandini Gooptu was extraordinarily accommodating and allowed me to develop the project as I deemed fit. Her readings of the chapters were incisive, and she spotted weaknesses in my writing and arguments, luckily before the examiners did. Co-supervisor Gavin Williams was available at crucial times. He read and removed everything unnecessary and streamlined my writings. I owe Barbara Harriss-White a lot, with whom I started the work but later moved to Nandini Gooptu. Yet, Barbara was always supportive and helped me by providing research assistantship when I was in a dire need of funds. Subir Sinha of SOAS was my external examiner who appreciated the vast canvas that I had drawn in the dissertation and helped me to sharpen the arguments.

In Oxford and the United Kingdom, I was surrounded by a group of close friends, which included Joshua Hatton and Kathryne Beebe, Miles Tendi, and Manmay Zafar, along with our 'India group' which included Aseem Prakash, Maidul Islam, Sumeet Mhaskar, Shweta Pandit, Solano Da Silva, Kaushal Vidyarthi, Swati Saxena, and Manizah Imam. Kumar Nilotpal has long suffered hearing about my dissertation and offered accommodation in London every time I visited the city. My old classmates, Indrajit Roy and Uma Pradhan, joined Oxford and provided food and shelter when required. I would thank my friends Ana Margarida Santos, Andrew Baldwin, Baidik Bhattacharya Camilla Roman, Christine Polzin, Daisuke Ikemoto, Kamalini Mukherjee, Pinaki Roy, Priyanka Mathur, Rahul Rao, Rajesh Bhattacharya, Rayhan Rashid, Sara Ababneh, and William Kurt Barth.

At Essex University, where I was a visiting student, Aletta Norval provided a hospitable environment. I had spent a semester at Roskilde University in Denmark as a visiting scholar and Ravinder Kaur, Amruth Mangal, and Christian Lund were enormously helpful. The critical discourse analysis workshop organised by Roskilde University was the most important event I attended which clarified and enhanced my theoretical understanding.

At the Centre for the Study of Culture and Society in Bangalore, my first place of work after returning to India, Anup Dhar, Ashish Rajadhyaksha, Milind Wakankar, Sitharamam Kakarala, Shruthi, S.V. Srinivas, and Tejaswini

Niranjana along with our students Nafis Hasan and Rakhi Ghosal provided an intellectual milieu. Nagaraj M.P. was an extraordinary administrator. In my second place of work, O.P. Jindal Global University, Sonipat, Vice-Chancellor C. Raj Kumar, Sanjeev P. Sahni, and Dean R. Sudarshan created a collegial environment for pursuing my research. My friends-colleagues at Jindal University, Arnab Acharya, Bhuvanewari Raman, Jayani Bonnerjee, Krishanu Karmakar, Lakshmi Arya, Manini Ojha, Mathew John, Mehreen Mukherjee, Mohsin Raza Khan, Prashant Iyengar, Rajeev Malhotra, Sandeshika Sharma, Shivprasad Swaminathan, Shraman Banerjee, Swagata Bhattacharjee, Vegard Iversen, Vinod Vyasulu, and colleagues at the Jindal School of Government and Public Policy have enriched my life. Manimala Sharma, Hemlata Varma, and Lalit Mohan Singh Nepolia have offered innumerable administrative help. Our librarians, Sanjay Kumar Jha and Jayaram Gouda have sourced every piece of literature I wanted from them. A special thanks to Faiz Tajuddin, Rajeev Kadambi, Partha Saha, and Ajay Gudavarthu for long telephonic conversations on all the issues under the sun.

I am immensely thankful to Rimina Mohapatra for introducing me to Routledge and Shloka Chauhan for looking after this book project. The anonymous referees at Routledge helped tighten the book's framework and encouraged me to 'throw out' the literature review. I thank Kumar Sambhav for permitting me to publish the land conflict map of India from his report. Mansi Asher of the Sambhaavnaa Institute in Kandbari and the Deer Park Institute in Bir, Himachal Pradesh offered me peaceful writing retreats.

This project would not have been possible without the love and support of my aunt Manju Sarkar and uncles. Lastly, I would like to thank my parents, Amulya Kumar Sarkar and Kabita Sarkar, parents-in-laws M.P. and Abhilasha Pandey, sister-in-law Iti, and my wife, Ankita, for bearing with me.

# 1 Introduction

## Politics of Primitive Accumulation

This book studies the relationship between capitalism and democracy. Capitalism can expand in three ways: by appropriating absolute and relative surplus values and deploying the surplus in the circuits of capital accumulation, by appropriating differential rents (capitalisation of natural endowments, technology and innovations, branding, etc.) and ground rent (capitalisation of property and intellectual rights), and through the so-called primitive accumulation of capital, which operates outside the circuits of capital. I will explore how primitive accumulation of capital occurs in a democracy. We can flip this point and ask: what kind of ‘democracy’ allows primitive accumulation of capital to occur? Consequently, the book analyses how ‘democracy’ gets constructed in the zones of primitive accumulation.

### **Part I: Primitive Accumulation of Capital and Antagonism**

In the classical political economy, primitive accumulation of capital explains the origin of capitalism. For Karl Marx, capitalism arose “when great masses of men [were] suddenly and forcibly torn from their means of subsistence and hurled as free and ‘unattached’ proletarians on the labour-market. The expropriation of the agricultural producer, of the peasant, from the soil, [was] the basis of the whole process” (Marx 1867: 876). The direct and relatively independent producers, mostly small-scale farmers, blacksmiths, weavers, carpenters, etc., were evicted or separated from their means of production along with the destruction of all other supplementary sources of reproduction of lives such as denial of access to forests and firewood (Linebaugh 1976) and privatisation of the commons. As a result, they lost their autonomy and became dependent on selling their labour-power in the market. Thus, the historic presuppositions of capitalist production were the availability of “(a) money in the hands of the capitalist, (b) means of production to be used as constant and variable capital, and (c) free wage-[labour]” (Sanyal 2007: 47). The emergence of capitalism, therefore, involved a two-step process: first, separation of direct producers from their means of production, and second, sale of those means of production and labour-power in the market as commodities (i.e., the commodification of means of production and labour-power), which the capitalists bought (in the market) with their money.

## 2 Introduction

The concept of primitive accumulation of capital helps us see capitalism's development as a political *process*, dependent on the violence of the state and capital, and the force of law, and informal social violence. As Marx (2010: 668, emphasis added) writes,

The capitalist system presupposes the complete separation of the labourers from all property in the means by which they can realise their labour. As soon as capitalist production is once on its own legs, it not only maintains this separation but *reproduces it on a continually extending scale*. The process, therefore, that clears the way for the capitalist system, can be none other than the process which takes away from the labourer the possession of his means of production; a process that transforms, on the one hand, the social means of subsistence and of production into capital, on the other, the immediate producers into wage labourers. The so-called primitive accumulation, therefore, is nothing else than the *historical process of divorcing* [i.e., evicting and dispossessing] *the producer from the means of production*. It appears as primitive because it forms the *prehistoric stage* of capital and of the mode of production corresponding with it.

The necessary separation between the owners–purchasers of means of production and the owners–sellers of labour-power in capitalism creates conflict and violence. John Rosenthal argues that this separation creates a polarity and begets a specific “social structure of production which is [also] the condition of capitalist accumulation” (Rosenthal 1988: 49). This separation constitutes the political moment in capitalism. Since such a separation must be reproduced perpetually [i.e., continuous primitive accumulation and avoidance of seizure of means of production by the workers], politics is embedded within capitalism: “this political instance is indeed among its [capital’s] *conditions*” (ibid.: 51). The division is the “*political* ground upon which the economic processes of capitalist accumulation could emerge” (ibid.: 51–52, emphasis in original). The separation between capital and wage-labour bears the “trace of politics which must be supposed already to have operated; it also delineates the configuration of a political space that very process of capitalist production taken as a whole must continually re-open” (ibid.: 52).

Even if this “political space” re-opens, is it necessary that it would create an organic crisis in the polity and polarise it? Michel Foucault shows us how the *historical structuration of power and the development of a series of modalities of exercise of power* in Europe regulated this “political space” and managed (i.e., absorbed and deflected) the capitalist antagonism.<sup>1</sup>

### *Michel Foucault’s History of Transformation of Power vis-à-vis Capitalism*

Michel Foucault’s *Discipline and Punish* (1977) and the subsequent lectures at the Collège de France can be read as a companion volume to Marx’s

*Capital*. Marx studies the emergence of capitalism, primitive accumulation, dynamics of the labour process, appropriation of surplus value, and accumulation of capital. Foucault examines the parallel transformation in politics and statecraft in the wake of primitive accumulation of capital, which resolved the labour question of capital in Europe/France. Foucault shows how democracy managed capitalist transformation and primitive accumulation in Europe through the coevolution and entanglement of the practices of the government, judiciary, and civil society with the emerging capitalist imperatives. This entanglement of the state, civil society, and capital together created, what Foucault calls, the modalities of the functioning of power in a society (or Europe).

Disciplinary power and biopower are the two modalities of power, which subject life—the body and the population, respectively—to corrective and regulatory mechanisms. Disciplinary power envelopes the individual (Foucault 1977: 129), analysing and manipulating the body by imposing a regime of exercises on it. It creates an intricate network of capillaries and engages with the body at the micro-level. It aims to produce an “obedient subject, the individual subjected to habits, rules, orders” (ibid.: 128); in short, *docility*. Disciplinary power combines docility with the capitalist imperative of utility so that the body is “subjected, used, transformed and improved” (ibid.: 136).

Biopower is concerned with the question of life and death, regulating life at the macro level of the population, which has “a set of constants and regularities” and “a number of modifiable variables” (Foucault 2007a: 74). Biopower establishes a threshold within which it tries to manage the mortality rates, life expectancy, birth rate, etc. (Foucault 2004: 246), through which it wants to regularise the society. It “exerts a positive influence on life, that [endeavours] to administer, optimise, and multiply it, subjecting it to precise controls and comprehensive regulations” (Foucault 1978: 137). The interventions at the level of the population produce a “collective interest through the play of desire” (Foucault 2007a: 73). These new modalities of power “[distribute] the living in the domain of value and utility” (Foucault 1978: 144 and *passim*). Such a distribution is organised “around the norm,” instead of law, through which power can “qualify, measure, appraise, and hierarchise.” Such operation of power “[centred] on life” finally converts the disciplinary society into a normalising society.

The development of disciplinary and biopower was necessary to expand capitalism in Europe. These modern technologies of power allowed “the controlled insertion of bodies into the machinery of production and the adjustment of the phenomena of population to economic processes” (Foucault 1978: 140 and *passim*). Power became omnipotent, “present at every level of the social body and utilised by very diverse institutions.” The new forms of segregation and hierarchisation became possible, “guaranteeing relations of domination and effects of hegemony.” Thereby, the process of accumulation of capital converged with the process of accumulation of men (“the growth of human groups”).

#### 4 Introduction

Foucault's genealogy of modern modalities and technologies of power shows how Europe/France managed primitive accumulation and resolved the labour question of capital by converting the floating population (multitude) of dispossessed and displaced people into an ordered multiplicity. The triangulation of political imperatives of discipline, docility, and control, and the capitalist imperatives of utility, productivity, and accumulation was possible because primitive accumulation was a *singular event*, not a repetitive or a continuous one. Therefore, capitalist accumulation was a linear process, and the emerging modalities of power resolved the labour question internally<sup>2</sup> by making labour a second-order multiplicity drawn from a population.<sup>3</sup>

Foucault studied these modalities of power vis-à-vis the labour question of capital. Following Foucault, we need to explore the history of the transformation of power *vis-à-vis the land question of capital*, i.e., finding, grabbing, and extracting natural resources to expand capitalism. Understanding contemporary capitalist development and its trajectory in the postcolonial countries is critical in this task, which David Harvey and Kalyan Sanyal help us undertake.

#### *David Harvey and the Two Circuits of Accumulation of Capital*

David Harvey argues that there are two circuits of capital accumulation: accumulation by reproduction and accumulation by dispossession. Harvey (2003) explains that capitalist accumulation occurs by appropriating the surplus value in the expanded reproduction of capital, which is an internal process of capitalism. Harvey calls it "accumulation by reproduction." However, capitalism faces two crises—underconsumption (demand-side problem) and overaccumulation<sup>4</sup> (supply-side problem). The crisis of underconsumption arises when a general lack of effective demand slows down capitalism, and the "trade with non-capitalist social formations provides the only systematic way to stabilise" capitalism (Harvey 2003: 138) because it "opens up demand for both investment goods and consumer goods elsewhere" (ibid.: 139). The crisis of overaccumulation arises when there are "surpluses of capital (in commodity, money, or productive capacity forms) and surpluses of labour-power," but there are no "means to bring them together profitably to accomplish socially useful tasks" (ibid.: 88). The accumulated capital does not find opportunities for profitable investment within the existing circuit of expanded reproduction of capital. "Geographical expansion and spatial reorganisation provide" an avenue for investment (ibid.: 88). Following Rosa Luxemburg, Harvey argues that reinvestment generates demand for capital goods and other inputs. Therefore, in both cases, capitalism necessarily and always needs an 'outside' as new markets for manufactured goods and services, sources of raw materials, and spaces for new investments (greenfield projects) for its *stabilisation*. Harvey calls this process of accumulation, which depends on the "outside," and often the use of violence, "accumulation by

dispossession.” He lists the processes through which this “accumulation by dispossession” (as opposed to “accumulation by reproduction”) can take place:

commodification and privatisation of land and the forceful expulsion of peasant populations; the conversion of various forms of property rights (common, collective, state, etc.) into exclusive private property rights; the suppression of rights to the commons; the commodification of labour-power and the suppression of alternative (indigenous) forms of production and consumption; colonial, neo-colonial, and imperial processes of appropriation of assets (including natural resources); the monetisation of exchange and taxation, particularly of land; the slave trade and usury, the national debt, and ultimately the credit system as radical means of primitive accumulation.

(ibid.: 145)

Harvey helps us understand why the internal crises within capitalism, i.e., the political economic imperatives, require an external resolution, which makes the territorial expansion of global capitalism in the postcolonial hinterlands such as the Fifth Schedule Areas of central India inevitable. However, he does not dwell upon the *political conditions* that facilitate or obstruct accumulation by dispossession, which I want to explore in this book.

### *Kalyan Sanyal on Postcolonial Capitalism and Primitive Accumulation*

Kalyan Sanyal engages with the theoretical questions of the nature of capitalism and the continuation of primitive accumulation of capital in postcolonial countries such as India. He does not consider primitive accumulation as the prehistoric stage of capital. Instead, he sees primitive accumulation as a necessary part of capitalist development and expansion. Sanyal develops his thesis on postcolonial capitalism and primitive accumulation by criticising the concept of “self-subsistence capital” (2007: 48). He writes,

...if capitalist production, to ensure its self-reproduction, has to depend on its outside, then [...] it is not self-subsistent capital but only *capital in arising*. Capitalist production is self-subsistent *only when* its entire requirement of wage goods and capital goods is *produced within the domain of capital*.

(ibid.: 49 emphases added)

According to Sanyal, Marx conceptualises primitive accumulation in an *ex-post* manner, explaining the origin of capitalism using the structural logic of fully formed capitalism. Sanyal takes a contrarian view and argues that “self-subsistence capital” [i.e., self-reproducing capital] is impossible—at least in the Third World—and primitive accumulation is “a moment of

## 6 Introduction

the existence of full-fledged capital” (Sanyal 2007: 49 and *passim*). He explains,

Self-subsistence means department I and II (i.e., the investment good sector and the wage good sector, respectively) mutually support each other in the process of expanded reproduction and do not engage in any transactions with the *outside* for the renewal of the conditions of their reproduction.<sup>5</sup>

(emphasis added)

The validity of his thesis rests on demonstrating that postcolonial capitalism must *continuously* engage with “the outside.”

Sanyal distinguishes accumulation within the capitalist system of production from primitive accumulation of capital based on the valorisation of value, which produces a surplus. He explains, “Capitalist accumulation is the transformation of this surplus into new capital” (Sanyal 2007: 51 and *passim*). But there is no economic surplus (surplus value or surplus labour) in primitive accumulation. In England and Scottish Highlands, primitive accumulation rendered the earlier means of labour (food and raw materials) a

marketable surplus for the capitalist landlords ... [, and] found its way into capitalist production as capital through market exchange. Only when it was combined with [already available] commodified [labour] power within the capitalist system of production, an economic surplus in the form of surplus value started being produced..... it is not a transfer of economic surplus from pre-capitalist, agricultural sector to the capitalist industrial sector.

(*ibid.*: 50–51)

The central argument of Sanyal’s thesis is that, in the contemporary Third World, primitive accumulation releases the means of labour to capitalist production. However, the expropriated direct producers, who are left only with their labour-power, can no longer turn that into a commodity and sell in the market. Capitalism cannot employ them. “They are condemned to the world of the excluded, the redundant, the dispensable, having nothing to lose, not even the chains of wage-slavery” (Sanyal 2007: 53). This development is not a question of the production of a reserve army of labourers (which, according to him, is internal to the capitalist system) but an unsolvable unemployment problem (exterior to capitalism). The primitive accumulation creates a wasteland. Pranab Bardhan (2018: 19) calls it “dispossession without proletarianisation.”<sup>6</sup>

Sanyal’s theorisation of postcolonial capitalism ultimately engages with the *labour question in contemporary capitalism*. Surplus and unemployable labour is politically untenable in a democracy, and primitive accumulation needs to be legitimised. The capitalist system reverses some *effects* of primitive accumulation through development interventions to counter the

problem of surplus labour. The state supplies some means of production to these surplus labourers to meet their needs.<sup>7</sup> A need economy is created to support the livelihoods of the dispossessed. Therefore, capitalism needs to be understood as a complex system comprising the logics of capital and non-capital. The logic of capital is realised in the valorisation of value (production of surplus) and accumulation of capital. The logic of non-capital is realised in the production for meeting reproductive needs, with the production of no or little surplus. *Valorisation of value distinguishes the two economies*. The transfer of resources from the capitalist economy to the need economy through development interventions connects the two. Through this theorisation of capitalism, Sanyal also counters the “transition to capitalism” narrative and its implicit teleology of destruction of pre-capitalist societies and the emergence of a homogenous capitalist economy.

### *Kalyan Sanyal and Partha Chatterjee on the Politics of Primitive Accumulation*

Kalyan Sanyal does not engage with the *event* of primitive accumulation and therefore does not reflect on the politics and violence involved in this process. As we know, Marx’s concept of primitive accumulation has two steps: (i) forced separation of direct producers from their means of labour and (ii) sale of those means in the market. Sanyal is concerned about the second step and the *consequences* of primitive accumulation, i.e., capitalism’s inability to absorb the dispossessed direct producers. The non-engagement with the first step creates two problems. First, he gives us a technical account of the immediate aftermath of primitive accumulation: the (potential) capitalists buy the means of labour released in the market once the direct producers are expropriated and dispossessed. He argues (2007: 51) that primitive accumulation “is [the] capitalisation of already existing means of labour rather than [the] creation of new capital.” By avoiding the first step of primitive accumulation, Sanyal does not tell us *what allows primitive accumulation to take place and how the sites of primitive accumulation are historically structured*. For him, the primitive accumulation of capital poses a legitimisation problem within a democracy. The reversal of the effects of primitive accumulation by the state [and non-governmental organisations (NGOs)] solves that problem. Beyond this, we do not get a nuanced understanding of how politics is intertwined with this form of postcolonial capitalism, facilitating or obstructing primitive accumulation. Second, since Sanyal treats “commodity” as a generalised and, therefore, ahistorical economic category, i.e., not a specific category of capitalism (refer to Sanyal 2007: 3), so he takes the conversion of a thing into a commodity, i.e., the *process of commodification*, for granted. As we will see in Chapter 6, any discussion on the politics of primitive accumulation cannot ignore the process of commodification or take the emergence of land as a commodity for granted.

Partha Chatterjee’s 2008 *Economic and Political Weekly* article can be read as a political commentary on Kalyan Sanyal’s thesis.<sup>8</sup> Chatterjee (2008) engages

with the recent economic liberalisation in India, which has transformed the structure of political power, particularly the strategy of passive revolution of capital.<sup>9</sup> Chatterjee argues that continuous and rapid economic growth has been possible due to “continued primitive accumulation” (Chatterjee 2008: 61). Following Sanyal, he thinks the primary producers, such as peasants, artisans, and petty manufacturers, will lose their livelihood because of primitive accumulation. The emerging capitalism will not be able to absorb or employ them in the sectors controlled by corporate capital (*ibid.*: 55). To put it analytically, when the possibility of social reproduction (i.e., livelihood) of a population group, who does not own or possess adequate means of production, cannot be found either in the market exchanges or the state guarantees, then this population group can have two options: claim resources from the governments or resort to violation of property rights (encroach upon public land and footpaths, steal water, coal, and electricity, etc.). Through the community’s collective agency, this group gains the resources of social reproduction and claims those as a matter of quasi-group rights. The bureaucratic apparatus tolerates such violations and declares these as exceptions (*ibid.*: 61) because it knows the limit of the state’s capacity to supply resources and the democratic electoral pressure, impunity offered by, and mediation of, the political apparatus. The people negotiate with the state through the local political representatives, and “the results are never secure or permanent. Their entitlements, even when recognised, never quite become rights” (*ibid.*: 58).

Chatterjee (2008: 58) calls this “form of governmental regulation of population groups such as street vendors, illegal squatters and others, whose habitation or livelihood verge on the margins of legality” as the political society.<sup>10</sup> He argues, “The unity of the state system as a whole is now maintained by relating civil society to political society through the logic of reversal of the effects of primitive accumulation” (*ibid.*: 62). This way, Chatterjee finds common ground between his theory of political society and Sanyal’s thesis of postcolonial capitalism.

Beyond the analytical problem of calling informal economy and a large section of rural economy as “non-corporate capital,” Chatterjee’s observations suffer from the same limitation as Sanyal’s. By avoiding the first step of primitive accumulation—*forced* separation of direct producers from their means of labour, Sanyal and Chatterjee do not engage with the *site* of primitive accumulation. They do not tell us what allows primitive accumulation to take place, how it is organised, and what makes primitive accumulation inevitable, if at all. Consequently, they neither consider any forms of politics and resistance other than “the reversal of effects of primitive accumulation” through government interventions nor analyse the waves of resistance movements against land grab and massive state violence and repression in India and other Third World countries. Like Sanyal, Chatterjee also thinks that primitive accumulation creates a crisis of legitimacy in a democracy; as he writes, “the old-fashioned methods of putting down peasant resistance by armed repression have little chance of gaining legitimacy” (Chatterjee 2008: 55 and *passim*). He sees *negotiating* the terms and

content of resettlement by “the victims of the primitive accumulation of capital” as the only possible or most effective form of politics and response to primitive accumulation.<sup>11</sup>

This thesis is a misreading of the politics of social movements against forced land acquisition in India,<sup>12</sup> most of whose first stance is to reject any compensation and rehabilitation package. The social movements challenge the paradigm of “just and fair land acquisition” of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth, LARR 2013) (see Sarkar 2011), which they see as an ideological tool of the state to gain legitimacy. After relentless violence, armed repression and co-option of leaders, the state breaks down and defeats a social movement and forces “the victims of the primitive accumulation of capital” to accept compensation and rehabilitation package. So, the transition from a regime of “armed repression” to “negotiation” that Chatterjee points to has never taken place in the Fifth Schedule Areas of India.

David Harvey and Kalyan Sanyal demonstrate that primitive accumulation is at the heart of contemporary capitalism, and the postcolonial countries are the theatre of such a process. Sanyal and Chatterjee show us that reversal of primitive accumulation is a strategy to manage capitalist antagonism and the consequences of primitive accumulation. In this book, I will explore diverse ways in which dislocation and antagonism (explained later in the chapter) induced by primitive accumulation manifests, creating various possibilities of politics, which may or may not succeed in countering primitive accumulation. I have chosen to investigate primitive accumulation in central India’s Adivasi-dominated, mineral-rich Fifth Schedule Areas. Following Foucault, I will explore the history of the transformation of power in the vis-à-vis the land question of capital in these Areas. Following Sanyal, who has argued that the ever-present primitive accumulation punctures the narrative of linear transition to (self-subsistent) capitalism, *my account in this book aims to prick the narrative of linear development and democratisation of power.*

The postcolonial state, donors, civil society, and NGOs have intervened in these Fifth Schedule Areas in *specific ways* since independence to create institutions and assemble a polity and an economy, both *before and after* the event of primitive accumulation. This process of assembling the modalities of power has been discontinuous and came into being through the collaboration between the government and locally influential people, and by the confrontation, advocacy and collaboration between the government, local communities, and NGOs—as we shall see Chapters 2 and 3. This history shows that there has been a concerted attempt to construct a “democracy” *in anticipation* of primitive accumulation, a “democracy” that is expected to *facilitate* (and not regulate) primitive accumulation.

## Part II: Liberalisation and Primitive Accumulation in the Fifth Schedule Areas

Most of India’s natural resources, such as minerals, coal, forests, and water, are in the Fifth Schedule Areas in central India. The Fifth Schedule Areas are

home to the Adivasis or the indigenous people. The Adivasis have demanded relative autonomy to govern themselves from the British colonial period. The three salient provisions of the Fifth Schedule as laid down by the Indian Constitution are: “(a) prohibit or restrict the transfer of land by or among members of the Scheduled Tribes in such Area,” “(b) regulate the allotment of land to the members of the Scheduled Tribes in such Area,” and “(c) regulate the carrying on of business as moneylender by persons who lend money to members of the Scheduled Tribes in such area.” Through these provisions, the Fifth Schedule aims to offer and protect specially recognised rights to land to the tribal communities (Wahi and Bhatia 2018). It prevents land alienation, i.e., the land of tribal people cannot be purchased by or transferred to non-tribals, and they would not have to lose land mortgaged to the moneylenders after defaulting on loan repayment.

### *Contradictory Trajectories of Political Interventions in the Fifth Schedule Areas*

1993 to 2013 was a watershed period in the history of the Fifth Schedule Areas. In 1993, the mining sector was liberalised as part of the overall liberalisation of the Indian economy. The liberalisation allowed Indian and foreign private companies to prospect, explore, and extract mineral resources. It unleashed a spectre of forced land acquisition in these Areas. Many peasants were expropriated, dispossessed, and displaced in this process. Since then, the Fifth Schedule Areas have become the main theatre of environmental clearance, land grab, deforestation, and displacement, i.e., primitive accumulation of capital.

In 1996, The Provisions of the Panchayats (Extension to Scheduled Areas) Act (or PESA) was promulgated, providing greater power to the local governance institutions in the Fifth Schedule Areas. Section 4(I) of the PESA requires the state to consult the *gram sabha* (village council) or *panchayat* (lowest-level administrative unit) before acquiring any land in the Scheduled Areas. However, the latter’s views are not binding on the government. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (popularly known as Forest Rights Act 2006 or FRA) further extended and strengthened the political and cultural rights of the tribals and recognised the claims of the forest dwellers to the land. Both PESA and FRA stipulate the legislature of a state to make laws consistent with the customary laws and practices of Scheduled Tribes. In 1997, while delivering the judgement in the *Samata vs State of Andhra Pradesh* Special Leave Petition on the dispute over leasing tribal lands in the Fifth Scheduled Areas to private mining industries by the Government of Andhra Pradesh, the Supreme Court declared the government as a non-tribal person. It stipulated strict conditions for transferring tribal land to non-tribal persons and entities (Bhanumathi and Rebbapragada 2001). As it is popularly known, the Samata Judgement is considered to have put limits on the power of the state to acquire or transfer land belonging to a tribal person.

In 2013, the Indian Parliament replaced the much contentious Land Acquisition Act, 1894 with The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth, LARR 2013). The new Act tried to rectify the controversial provisions of the older act (see below), limited the state's remit, and offered more substantial rights and greater scope of participation to the people whose land would be acquired. In addition, it provided a new framework for land acquisition:

An Act to ensure, in *consultation* with institutions of *local self-government and Gram Sabhas* established under the Constitution, a *humane, participative, informed and transparent process* for land acquisition for industrialisation, development of essential infrastructural facilities and urbanisation with the *least disturbance* to the owners of the land and other affected families and provide *just and fair compensation* to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition and make adequate provisions for such affected persons for their *rehabilitation and resettlement* and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become *partners in development* leading to an *improvement* in their post acquisition *social and economic status* and for matters connected therewith or incidental thereto.  
(text of LARR 2013, emphasis added)

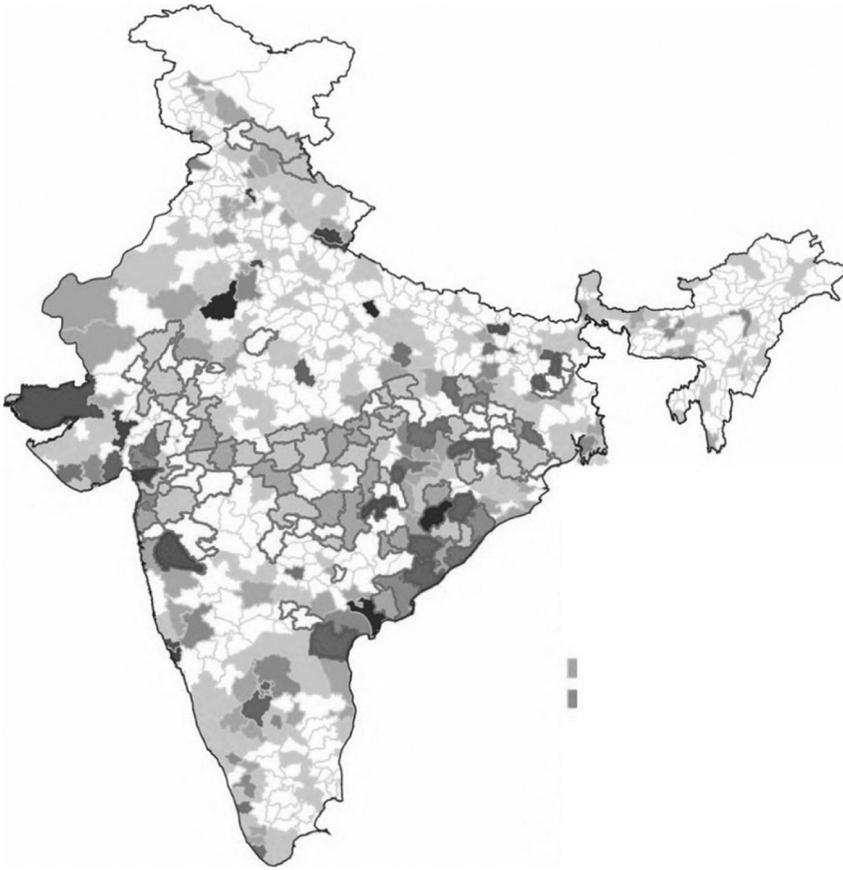
In the absence of a land market, the “just and fair compensation” amount replaces the price of land. In addition, the rehabilitation and resettlement package compensates for the social impact of the acquisition on the project-affected displaced persons. By offering such compensations, the Act simulates the uncoerced market transaction of equivalent for equivalent between a willing buyer and a willing seller where prior consultation removes the information asymmetry between the two parties.<sup>13</sup> The Act thereby claims to offer a paradigm of “a humane, participative, informed and transparent process for land acquisition.” Under this Act, the land acquisition would take place within a framework of justice of the market,<sup>14</sup> limiting the exceptional power of the state to extinguish property rights.<sup>15</sup>

Thus, since the 1990s, two contradictory trajectories developed in the Fifth Schedule Areas: (i) the liberalisation of the mining sector in 1993 immediately opened up these areas to the Indian and multinational mining companies, which led to large-scale forest clearance and forced land acquisition, dispossession and displacement of the tribal people, and (ii) PESA and FRA accorded relative autonomy to the tribal people of the same areas, FRA recognised their cultural rights, and LARR 2013 and the Samata judgement of 1997 limited the power of the state. The two strands of ideological positions on tribal life<sup>16</sup> collided once again: the decision to liberalise and open the mining sectors to the global mining companies in the Fifth

Schedule Areas in 1993 came out of the integration-development argument, whereas the promulgation of PESA can be seen as part of the isolation-autonomy-preservation line. FRA 2006 makes an isolation-autonomy-preservation argument within the rights-based development framework. How is it possible to grant relative autonomy to a group of people and, at the same time, expropriate them? As I shall show in the later chapters, this contradiction was difficult to reconcile and resolve in the post-liberalisation period. It was likely that the Indian state had expected that gradual strengthening and expansion of grassroots-level democratic institutions through PESA and FRA would regulate the process of forced land acquisition and the ensuing spatial transformation. It would offer possibilities for democratic dialogue and negotiation with the state and capital (as Sanyal-Chatterjee would argue). However, the experience of central India was contrary to such an expectation.

Since 1993, central India has been a target of land acquisition and forest clearance for extraction of minerals and coal, setting up (electricity) power stations, refineries, and factories, and building new roads, railway lines, irrigation infrastructure, and dams. The people all over the Fifth Schedule and adjacent areas have organised themselves to form resistance movements. The anti-mining movements in the bauxite-rich areas of Rayagada/Kashipur (Utkal Alumina, Aditya Birla, L&T) and Lanjigarh/Niyamgiri (Vedanta), the iron-ore rich areas of Jajpur/Kalinganagar (POSCO, Tata Steel and many other companies) of Odisha; movements in Jharkhand against Kohinoor Steel Plant, Bhushan Steel, Jupiter cement factory, Tata Steel, ArcelorMittal, Jindal Steel, Essar Steel, Adani Power, and CESC Limited; anti-bauxite mining movement in Visakhapatnam, Andhra Pradesh; movements against iron-ore mining in Bastar (Bailadila), coal mining in Bastar (Hasdeo Aranya), Sarguja and Raigarh districts; and against coal mining in the Mahan forest of Madhya Pradesh are a few prominent social movements. The Land Conflict Watch, a Delhi-based research organisation, has mapped and collated information on all land conflicts in India, including those in the Fifth Schedule Areas (marked with boundaries). This map<sup>17</sup> is a testimony that land acquisition is the most significant source of conflict in India today. The federal states and the central government have tried to suppress these movements by deploying paramilitary and armed police forces and unleashing extraordinary violence.

The imperative to open new territories to the mining companies has superseded the legal provisions and executive interventions to expand democracy. The liberalisation of the mining sector has brought in more significant changes in the Fifth Schedule Areas than what PESA, FRA, LARR, or the Samata judgement can moderate or regulate. Indian liberal democracy has failed to create a capitalist hegemony and resorted to state violence and brute dominance for capitalist expansion. As I will explain in the following chapters, the very nature and process of formation, structuration, and reproduction of power relationships in these areas make democracy weaker. How do we methodologically approach this problematic?



*Map* District-wise distribution of land conflicts and the Fifth Schedule districts (marked with boundaries). The bold indicates the number of land conflicts in a district.

**Source:** “Locating the Breach: Mapping the Nature of Land Conflicts in India,” Land Conflict Watch Report, page 19.

As I have already mentioned, Michel Foucault helps us understand the *historical structuration of power* that regulates, facilitates, and obstructs capitalist transformation. Ernesto Laclau and Chantal Mouffe assist us in understanding how the capitalist antagonism can become ‘unmanageable’ within these historical modalities of power and expose the limits of politics and political economy in the Fifth Schedule Areas. Moreover, they help us understand the logics<sup>18</sup> of this politics, the role of social antagonism in it, and how various groups struggle to establish hegemony. In the next section, I will engage with Laclau and Mouffe to develop an analytical framework that will enable us to analyse and explain the dynamics of primitive accumulation in a democratic polity.

### Part III: A Framework for Studying the Political Conditions of Primitive Accumulation

#### *Laclau-Mouffe's Framework of Hegemonic Politics*

In Ernesto Laclau's and Chantal Mouffe's theorisation, "hegemony" is equivalent to Foucault's modalities of power, and it is both a *process* and an *outcome*.<sup>19</sup> Hegemony is the process through which political interventions construct (new) identities or re-construct the destabilised ones. The two conditions for hegemonic politics are (i) the existence of antagonistic forces and (ii) the instability of the political frontiers that divide them (Laclau and Mouffe 1985: 136).

Antagonism is defined as the condition where "social agents are *unable* to attain fully their identity" (Howarth and Stavrakakis 2000:10, emphasis in original). In other words, the full presence of the social agent is prevented. This impossibility to fully constitute oneself is projected on the 'Other,' whom the social agents "construct as an 'enemy' who is deemed responsible for this 'failure.'" The 'Other' does not allow the agent to be fully herself. Social identities are said to be "blocked" by antagonistic forces, which are constructed as "enemy(ies)." Thus, the negativity (the experience of 'failure,' or 'lack') introduced by antagonistic forces is irreconcilable. In that way, antagonism shows the "limit of social objectivity," wherein the society cannot be stabilised into a meaningful construct (*ibid.*: 9). The agent whose identity is blocked requires a political resolution of the same.

The antagonistic forces (i.e., identifiable external agents) cause dislocation (Laclau 1990: 40 and *passim*) and open a provisionally closed and sedimented structure, producing an inside–outside division in the political terrain.<sup>20</sup> Dislocation creates new opportunities or possibilities for recomposing a discursive structure. It causes a crisis of identity, "an outside which both denies that identity and provides its condition of possibility at the same time" (Laclau 1990: 39). In other words, this "outside" both threatens the identity and, at the same time, supplies a foundation for constructing new identities. Dislocation creates new subject positions<sup>21</sup> by re-ordering the discursive structure. Political subjects are "forced to take decisions—or identify with certain political projects and the discourses they articulate" (Howarth and Stavrakakis 2000: 14). In this situation of 'flux' [in my word], the political agency can be analytically understood as the agency of (i) the interveners, who try to impose an order or meaning; and (ii) the 'subject-in-crisis' [in my word] who tries to create new political projects or identify with the existing projects. What interface (i.e., the system of representation) exists or will develop between these two sets of agents, and how they interact (i.e., the process of determining the content of the project) cannot be determined or explained a priori—it depends on the ensuing hegemonic political practices.

The two 'logics'<sup>22</sup> through which the hegemonic politics tries to either re-construct the dislocated identities in the older form or forge a new identity are (i) *logic of difference* and (ii) *logic of equivalence*, respectively.

The ‘logic of equivalence’ divides the political field along the antagonism. It brings together and organises elements into opposing poles and expands *horizontally* by establishing relationships between various identities and social movements based on these identities to create a coalition and a common political project. This division leads to the bifurcation and simplification of the political field into “friend” and “enemy.” Laclau calls the coalition [in my word] of political entities the *chain of equivalence*. The hegemonic political interventions try to create relations of equivalence between various particularities (identities and subjectivities) and bring those under a common (meaningful) project. The outcome of such an intervention is “the discursive construction of politico-ideological frontiers and the dichotomisation of social spaces” (Laclau 2000: xi) and the creation of new forms of concrete social order (Howarth and Stavrakakis 2000: 14). The dominant party or regime deploys the ‘logic of difference’ to absorb or deflect antagonisms and oppositions by accommodating the destabilised elements *vertically*, which Laclau calls a *chain of difference*. This chain tries to dissolve the chain of equivalence.

There is no a priori privileged political subject (e.g., the working class), which can take up the role of ‘hegemon’ [i.e., ‘leader’ of the hegemonic project, in my words]. Therefore, “if there is a subject of a certain global emancipation” then, “it can be *politically constructed* only through the *equivalence* of a plurality of demands” (Laclau in Butler et al. 2000: 55, emphasis in original). The unevenness of power relationships within the popular pole understood as the ability to overthrow the oppressive regime must be acknowledged. Any anarchist desire for non-subjugation to anyone must be avoided. The “*unevenness of power is constitutive of hegemonic relationships*” (ibid: 54, emphasis in original). Otherwise, any movement on its own could have found the desired resolution. Therefore, the political structure that emerges from this unevenness of power is representational. The *logics of difference* and *equivalence* and Laclau-Mouffe’s political strategy are diagrammatically shown in Figure 1.1.

### ***Reconstituting Laclau-Mouffe’s Framework: Primitive Accumulation as a Dislocatory Event***

In our case, the capitalist imperative for expansion is the external antagonistic force, and primitive accumulation is a dislocatory political event, which capitalism periodically produces. Primitive accumulation destabilises an existing structure (of economy and society) and identities and produces fragmentary subject positions. We can call a fragmentary subject position with destabilised identity “the subaltern.” Laclau and Mouffe theorise *what is to be done with these destabilised identities*. Their strategic politics looks for means to bring these fragmentary subaltern positions [in my words] together by constructing a chain of equivalence so that a larger political movement (coalition) can emerge.

## References

- Agamben, Giorgio . (1998). *Homo Sacer: Sovereign Power and Bare Life*, Stanford: Stanford University Press.
- Agamben, Giorgio . (2009) *What is an Apparatus? And Other Essays*, Stanford, CA: Stanford University Press.
- Aragamee . (1981–2006). *Annual Reports*, Kashipur, Orissa: Agramee.
- Aragamee . (1981–1982) *Annual Report*, Agramee: Kashipur.
- Aragamee . (1985–1986) *Annual Report*, Agramee: Kashipur.
- Aragamee . (1991) *Annual Report*, Agramee: Kashipur.
- Aragamee . 1999. *How Wrong? How Right?* Kashipur, Orissa: Agramee.
- Aragamee . (2002–2003) *Annual Report*, Agramee: Kashipur.
- Aragamee . (2003–2004) *Annual Report*, Agramee: Kashipur.
- Alcan . 2004. *Alcan Sustainability Report 2004*, Mumbai, India: Alcan.
- Alcan (Michael Hanley SVP, A.I.) 2004 in Sud, Alcan't in India . (ed.) *Letter to Abhimanyu* Montreal, Canada: A. Sud.
- Ananiadis, G. (1999). "Carl Schmitt and Max Adler: The Irreconcilability of Politics and Democracy", in Chantal Mouffe (ed.) *The Challenge of Carl Schmitt*, London: Verso.
- Bailey, F.G. (1963). *Politics and Social Change: Orissa in 1959*, Bombay; London: Oxford University Press.
- Balagopal, K. (2007). "Land Unrest in Andhra Pradesh, 3 parts." *Economic and Political Weekly*, 42(38), 3829–3833. 42(39), 3906–3911, 42(40), 4029–4034.
- Banaji, J. (1990). "Illusions About the Peasantry: Karl Kautsky and the Agrarian Question." *The Journal of Peasant Studies* 17, 288–307.
- Bandyopadhyay, D. (1999). "Where Assertion Is Insurrection." *Economic and Political Weekly*, March 6–13.
- Bandyopadhyay, D. . (2004). "Rayagada Story Retold: Destitutes of Development." *Economic and Political Weekly*, January 31st.
- Banerjee, P. (2006). "Culture/Politics: The Irresolvable Double-Bind of the Indian Adivasi." *Indian Historical Review*, 33(1), 99–126. <https://doi.org/10.1177/037698360603300106>
- Banerjee, Prathama (2015). "The Subaltern: Political Subject or Protagonist of *History?* ." *South Asia: Journal of South Asian Studies*, 38(1), 39–49.
- Bardhan, Pranab . (2003). *Poverty, Agrarian Structure, and Political Economy in India: Selected Essays*, Delhi: Oxford University Press.
- Bardhan, Pranab . (2018). "Reflections on Kalyan Sanyal's Rethinking Capitalist Development." *Economic & Political Weekly*, 26 May, 53(21), 19–22.
- Basu, Deepankar . (2019). "Capital, Non-Capital and Transformative Politics in Contemporary India." *UMass Amherst Economics Working Papers*. 259. Retrieved from [https://scholarworks.umass.edu/econ\\_workingpaper/259](https://scholarworks.umass.edu/econ_workingpaper/259).
- Bates, C. (2006). "Human Sacrifice in Colonial Central India: Mythology, Representation and Resistance", in C. Bates (ed.) *Beyond Representation. Colonial and Postcolonial Constructions of Indian Identity*, Delhi: Oxford University Press.
- Baxi, Upendra . (1985). "Taking Suffering Seriously: Social Action Litigation in the Supreme Court of India." *Third World Legal Studies*, 4, Article 6. Available at: <https://scholar.valpo.edu/twls/vol4/iss1/6>, accessed on 7 May 2017 .
- Behura, N.K. and B.N. Sahu . (1971). "Mutha: The Traditional Political Organization of the Kondh (with specific reference to Pusungia Mutha in the Phulbani district of Orissa)." *Adivasi*, XII, 13–21.
- Benjamin, W. (1986). *Reflections: Essays, Aphorisms, Autobiographical Writings*, New York: Schocken Books.
- Bernstein, H. (1977). *Capitalism and Peasantry in the Epoch of Imperialism: University of Dar es Salaam, Economic Research Bureau, Occasional Paper 77.2*.
- Bernstein, H. . (1982). "Notes on Capital and Peasantry", in J. Harriss (ed.) *Rural Development: Theories of Peasant Economy and Agrarian Change*, London: Hutchinson University Library.
- Bernstein, H. . (2002). *Farewells to the Peasantry*, London: SOAS.
- Bhanumathi, K. and R. Rebbapragada (2001). "The Fifth Schedule of the Indian Constitution and the Samatha Judgement." *IndigLawB*, 82; 5(13) *Indigenous Law Bulletin* 22; [www.austlii.edu.au/au/journals/IndigLawB/2001/82.html](http://www.austlii.edu.au/au/journals/IndigLawB/2001/82.html)

- Bharadwaj, K. (1985). "A Note on Commercialization in Agriculture," in K.N. Raj et al. (ed.), *Essays on the Commercialization of Indian Agriculture*, Delhi: Oxford University Press.
- Bindal, Amit . (2014). "Resurrecting the Other of 'Modern' Law: Investigating Niyamgiri Judgment & Legal Epistemology." *Journal of Indian Law and Society*, 5 (Monsoon).
- Boal, B.M. (1997). *The Kond: Human Sacrifice and Religious Change*, Delhi: Inter-India Publications.
- Buonamano, R. (1998). "The Economy of Violence: Derrida on Law and Justice." *Ratio Juris*, 11 (2), 168–179.
- Butler, J. , E. Laclau and S. Zizek (2000). *Contingency, Hegemony, Universality: Contemporary Dialogues on the Left*, London: Verso.
- Campbell, John . (1861). *Narrative of operations in the Hill Tracts of Orissa, for the Suppression of Human Sacrifices and Female Infanticide*, London: Hurst and Blackett.
- Campbell, John . (1864). *A Personal Narrative of Thirteen Years' Service Among the Wild Tribes of Kondistan, for the Suppression of Human Sacrifice*, London: Hurst and Blackett.
- Cassels, Jamie . (1989). "Judicial Activism and Public Interest Litigation in India: Attempting the Impossible?." *The American Journal of Comparative Law*, 37(3), (Summer), pp. 495–519.
- Centrally Empowered Committee (CEC) . (2005). Report in IA No. 1324 regarding The Alumina Refinery Plant Being Set Up By M/S Vedanta Alumina Limited At Lanjigarh In Kalahandi District, Orissa, dated 21st September 2005.
- Chandra, Rajshree . (2016). "Understanding change with(in) law: The Niyamgiri case." *Contributions to Indian Sociology*, 50(2), 137–162.
- Chatterjee, P. (2004). *The Politics of the Governed: Reflections on Popular Politics in Most of the World*, New York: Columbia University Press.
- Chatterjee, P. . (2008). "Democracy and economic transformation in India." *Economic and Political Weekly*, 43, 53–62.
- Chatterjee, Partha and Kalyan Sanyal . (2016) "Rethinking Postcolonial Capitalist *Development* : A Conversation between Kalyan Sanyal and Partha Chatterjee." *Comparative Studies of South Asia, Africa and the Middle East*, 36(1), 102–111.
- Connolly, William . (1984). *Legitimacy and the State*, Oxford: Basil Blackwell.
- Coutinho, Carlos Nelson . (2012). *Gramsci's Political Thought; translated from the Portuguese by Pedro Sette-Camara* , Leiden: Brill.
- Craig, P. P. and S. L. Deshpande . (1989) "Rights, Autonomy and Process: Public Interest Litigation in India." *Oxford Journal of Legal Studies*, 9(3) (Autumn), pp. 356–373.
- Currie, Bob . (1998). "Public action and its limits: Re-examining the politics of hunger alleviation in eastern India." *Third World Quarterly*, 19(5), 873–892, doi: 10.1080/01436599814073
- Currie, Bob . (2000) *The Politics of Hunger in India: A Study of Democracy, Governance and Kalahandi's Poverty*, London: Palgrave Macmillan.
- Das, Achyut and Vidhya, Das . (2006). *Chronicle of a Struggle and Other Writings*, Kashipur and Bhubaneswar: Agrabamee.
- Das, Vidhya . (2001). "Orissa: Mining Bauxite, Maiming People." *Economic and Political Weekly*, 14 July.
- Das, Vidhya . (2003). "Kashipur: Politics of Underdevelopment." *Economic and Political Weekly* January 4.
- Dash, Minati . (2016). "Rights-Based Legislation in Practice: A View from Southern Orissa," in K.B. Nielsen , A.G. Nilsen (eds.), *Social Movements and the State in India*, doi:10.1057/978-1-137-59133-3\_8
- Derrida, J. (1990). "Force of Law." *Cardozo Law Review*, 11 (5), 921–1045.
- Economic and Political Weekly* (editorial) . 2002. "Probing Starvation Deaths." *Economic and Political Weekly* August, 24, 20.
- Ferguson, J. (1994). *The Anti-Politics Machine: "Development," Depoliticization, and Bureaucratic Power in Lesotho*, Cambridge UK: Cambridge University.
- Foucault, M. (1977). *Discipline and Punish*, New York: Pantheon Books
- Foucault, M. . (1978). *The History of Sexuality: Vol 1 An Introduction*, New York: Pantheon Books.
- Foucault, M. . (1982). "The Subject and Power," in Herbert L. Dreyfus and Paul Rabinow (eds.) *Michel Foucault: Beyond Structuralism and Hermeneutics*, Brighton: The Harvester Press, 1982, pp. 229–245.

- Foucault, M. . (1991). "Governmentality," in G. Burchell , C. Gordon , P. Miller (eds.) *The Foucault Effect: Studies in Governmentality*, Chicago, IL: University of Chicago Press.
- Foucault, M. . (2000). "Confronting Governments: Human Rights", eng. trans. by R. Hurley et al ., in James D. Faubion (ed.), *Essential Works of Foucault 1954–1984*, vol. 3: *Power*, New York: The New Press, pp. 474–475.
- Foucault, M. . (2004). *Society Must Be Defended: Lectures at the College de France*, New York: Picador Press.
- Foucault, M. . (2007b). *Questions on Geography*, in C. Gordon (Trans.), J. Crampton and S. Elden (eds.) *Space, Knowledge and Power: Foucault and Geography*, pp. 173–182. Aldershot: Ashgate.
- Foucault, Michel . (2007a). *Security, Territory, Population: Lectures at the College de France*, New York: Palgrave Macmillan.
- Fraser, Nancy . (1991). "The Force of Law: Metaphysical or Political." *Cardozo Law Review*, 13, 1325–1331.
- George, G. (2004). *Mining to Destruction and Hijacking Their Rights to Submission*, *Countercurrents*, <https://www.countercurrents.org/hr-george280204.htm>, accessed on 14 June 2005 .
- Gidwani, V. and Wainwright, J. (2014). "On Capital, Not-Capital, and Development: After Kalyan Sanyal." *Economic and Political Weekly*, 49(34), 40–47.
- Giri, A.K. (2005). *Reflections and Mobilizations: Dialogues with Movements and Voluntary Organizations*, Delhi; London: SAGE.
- Government of India . 2006. *Performance Budget 2005-06*, Delhi: GoI, <https://commerce.nic.in/PB-2005-06-FINAL.pdf>.
- Guha, Ramchandra . (1993). "Writing Environmental History." *Studies in History*, 9(1).
- Guha, Ranajit . (1982). "Introduction" in Ranajit Guha (ed.) *1982 Subaltern Studies I: Writings on South Asian History & Society*, Delhi: Oxford University Press.
- Guha, Ranajit . (1998). *Dominance with Hegemony: History and Power in Colonial India*, Cambridge, MA: Harvard University Press.
- Guha, Ranajit . (1999). *Elementary Aspects of Peasant Insurgency in Colonial India*, Durham: Duke University Press.
- Hardt, M. and A. Negri . (2000). *Empire*, Cambridge, Mass.; London: Harvard University Press.
- Harriss, John (ed.) (1982). *Rural Development: Theories of Peasant Economy and Agrarian Change*, London: Hutchinson University Library.
- Harvey, David . (2003). *The New Imperialism*, (Oxford: Oxford University Press)
- Heyer, J. , P. Roberts and G. Williams . 1981. *Rural Development in Tropical Africa*, New York: St. Martin's Press.
- Hindalco . (2007). Press Release, Dated 18 July 2007 , [https://hinalco.com/media/press\\_releases/200707july/hinalco\\_acquires\\_alcan\\_stake.htm](https://hinalco.com/media/press_releases/200707july/hinalco_acquires_alcan_stake.htm)
- Howarth, D. (2000). *Discourse*. Milton Keynes: Open University Press.
- Howarth, D. and Y. Stavrakakis . (ed.) (2000). "Introducing Discourse Theory and Political Analysis," in D. Howarth and Y. Stavrakakis (ed.) *Discourse Theory and Political Analysis: Identities, Hegemonies and Social Change*, Manchester: Manchester University Press.
- Human Rights Forum . (2005). *Preliminary Report of Human Rights Forum (HRF) Fact Finding Team*, Hyderabad, (email pamphlet).
- International Fund for Agricultural Development, I . (1998a). *Orissa Tribal Development Project Completion Evaluation Executive Summary*. [https://www.ifad.org/evaluation/public\\_html/eksyst/doc/prj/r214ince.html](https://www.ifad.org/evaluation/public_html/eksyst/doc/prj/r214ince.html) accessed: January 2005 .
- International Fund for Agricultural Development, I . (1998b). *India Completion Evaluation of Orissa Development Project: Seven Lessons Learned*. [https://www.ifad.org/evaluation/public\\_html/eksyst/doc/agreement/pi/orissa.htm](https://www.ifad.org/evaluation/public_html/eksyst/doc/agreement/pi/orissa.htm) accessed: January 2005 .
- Kamat, S. (2002). *Development Hegemony: NGOs and State in India*, Delhi: Oxford University Press.
- Kanungo, B. n.d. *Maikanch Police Firing and Misra Commission Report- A Misleading Exercise*, Bhubaneswar, <https://www.saanet.org/kashipur/articles/inqcommact1952.htm>, accessed on January 2005 .

- Kaviraj, S. (1997). "A Critique of Passive Revolution," in P. Chatterjee (ed.) *State and Politics in India*, Delhi: Oxford University Press.
- Kohli, Atul . (2006). "Politics of Economic Growth in India, 1980–2005: 2 parts." *Economic and Political Weekly*, (13 and 14), 1251–1259 and 1361–1370.
- Kolkata Group . (2005). Interim Report, Kolkata (email pamphlet).
- Kumar, A. (2003). Orissa: A continuing denial of adivasi rights, [https://infochangeindia.org/index2.php?option=com\\_content&do\\_pdf=1&id=5504](https://infochangeindia.org/index2.php?option=com_content&do_pdf=1&id=5504), accessed on June 2005 .
- Kumar, Kumar . (n.d.). "Disposed and Displaced: A brief paper on tribal issues in Orissa."
- Kumar, Kundan et al. (2005). *A Socio-Economic and Legal Study of Scheduled Tribes' Land in Orissa*, A draft study-paper (supported by the World Bank), Bhubaneswar.
- Kumar, S. (2001). "Adivasis of South Orissa: Enduring Poverty." *Economic and Political Weekly* October 27, 2001.
- Laclau, E. (1990). *New Reflections on the Revolution of Our Time*, London: Verso.
- Laclau, E. . (1996). *Emancipation(s)*, London: Verso.
- Laclau, E. . (2000). "Foreword," in D. Howarth and Y. Stavrakakis (ed.) *Discourse Theory and Political Analysis: Identities, Hegemonies and Social Change*, Manchester: Manchester University Press.
- Laclau, E. . (2004). "Glimpsing the future." In *Laclau: A Critical Reader* (eds.) Simon Critchley and O. Marchart . London: Routledge.
- Laclau, E. and C. Mouffe . (1985). *Hegemony and Socialist Strategy*, London: Verso.
- Levitsky, Sandra R. (2015). "Law and Social Movements: Old Debates and New Directions," in Austin Sarat and Patricia Ewick (eds.) *The Handbook of Law and Society*, Oxford: Wiley-Blackwell.
- Li, Tania Murray . (2007). *The Will to Improve: Governmentality, Development, and the Practice of Politics*, Durham, N.C.; London : Duke University Press).
- Linebaugh, P. (1976). "Karl Marx, the theft of wood, and working class composition: A contribution to the current debate." *Crime and Social Justice*, (6), 5–16.
- Majhi, B. n.d. "Tribals' war against industrialisation." <https://www.ainfos.ca/01/mar/ainfos00572.html>, accessed on March 2006 .
- Marx, K. 2010 [1867]. *Capital Vol. 1*. New Delhi: Leftword.
- Mbembe, Achille . (2003). "Necropolitics." *Public Culture*, 15(1), 11–40.
- McCormick, John P. (2001). "Derrida on Law; Or, Poststructuralism Gets Serious." *Political Theory*, 29(3), 395–423.
- Miningwatch . (2001). *Tribal People in India Confront Alcan Investment, Three Die*. [https://www.miningwatch.ca/index.php?/Newsletter\\_5/Three\\_Die\\_in\\_Orissa](https://www.miningwatch.ca/index.php?/Newsletter_5/Three_Die_in_Orissa), accessed on 12 January 2007 .
- Misra, Seema . (2009). "Whose Life Is It Anyway?: Adivasi Communities and Entitlements to Life," in Kalpana Kannabiran and Ranbir Singh (eds) *Challenging The Rules(s) of Law: Colonialism, Criminology and Human Rights in India*, Delhi, London: Sage.
- Mohanty, G. (1987). *Paraja*, London: Faber and Faber.
- Mohapatra, B. and V. Ramachandran . (2001). *Stock Taking Exercise - A Report* Kashipur, Orissa: Agragamee.
- National Human Rights Commission, N . (2001). 'Notice to Orissa Government on Starvation Deaths.' <https://nhrc.nic.in/dispatchive.asp?fno=546> , accessed on 22 October 2004 .
- Norval, A.J. (2006). "Democratic Identification: A Wittgensteinian Approach." *Political Theory*, 34, 229–255.
- NorWatch . (2001). "UAIL's CEO knows who was behind the Maikanch firing." *Newsletter No. 5* , [www.saanet.org/kashipur/articles/norw22.htm](http://www.saanet.org/kashipur/articles/norw22.htm), accessed on 15 January 2005 .
- O'Neill, Onora . (1976) II. "Nozick's entitlements." *Inquiry*, 19(1–4), 468–481.
- Olsen, W. 1996. *Rural Indian Social Relations*, Delhi: Oxford University Press.
- Padel, F. (2000). *The Sacrifice of Human Being: British Rule and the Konds of Orissa*, Delhi: Oxford University Press.
- Palit, Chittaroopa . (2003). "Monsoon Risings: Mega-Dam Resistance in the Narmada Valley." *New Left Review* 21, May-June 2003, <https://newleftreview.org/II/21/chittaroopa-palit-monsoon-risings>, accessed on 16 June 2009 .

- Pandey, Ankita . (2021). "Movement Allies: Towards an Analytical Re-Classification of Civil Rights Groups in India." Oxford Development Studies, pp. 1–12, DOI: 10.1080/13600818.2021.1982885
- Pati, Biswamoy . (2007). "The Order of Legitimacy, Princely Orissa 1850–1947," in By Waltraud Ernst and Biswamoy Pati , (eds.) *India's Princely States: People, Princes and Colonialism*, London: Routledge.
- Patnaik, Arun . (1988). "The Local State and Rural Policies: A Study of Digapahandi Block, 1957–1983" Occasional paper no. 100, (Calcutta: Centre for Studies in Social Sciences).
- People's Union for Civil Liberties (PUCL) . (2003). A Fact-Finding Report, by the Bhubaneswar and the Rayagada Units (email pamphlet).
- People's Union for Civil Liberties (PUCL) . (2005). A fact finding report on atrocity on the people of Kashipur, Rayagada, Orissa, protesting against the establishment of Alumina Industry. Cuttack, Bhubaneswar and Rayagada Units: People's Union for Civil Liberties.
- People's Union for Civil Liberties (PUCL) et al. (2011). Loot of the Land, Livelihood and Life: a joint fact finding into incidents of crime against people in Odisha, <https://pucl.org/sites/default/files/2019-01/odisha%20final%201.pdf>, accessed online on 8 November 2012 .
- People's Union for Democratic Rights, PUDR . (2005). Halting the Mining Juggernaut: People's Struggles Against Alumina Projects in Orissa, available at [www.pudr.org](http://www.pudr.org), accessed on 16 April 2007 .
- Planning Commission . (1956). Second Five Year Plan, Delhi: Government of India.
- Prasad, Archana . (2003). *Against Ecological Romanticism: Verrier Elwin and the Making of an Anti-Modern Tribal Identity*, Delhi: Three Essays Collective.
- Prasad, Archana . (2012). "The Political Ecology of Swidden Cultivation: The Survival Strategies of the Baigas in the Central Provinces, India, 1860–1890" in Mahesh Rangarajan and K. Sivaramakrishnan (eds.), *India's Environmental History: Colonialism, Modernity, and the Nation: A Reader*, Vol. 2, Ranikhet: Permanent Black.
- Ramachandran, Vimala , Fons van der Velden and Bijaya Panda . (1996). (1994) From Protecting the Jungle to Coping with the Road: Overview of Agramee's Efforts to Empower Tribals to Negotiate from a Position of Strength, Kashipur, India: Agramee.
- Ramanathan, Usha . (2011). "Land Acquisition, Eminent Domain and the 2011 Bill." *Economic & Political Weekly*, XLVI(44–45), 10–14.
- Raz, J. 1990. *Authority*, New York: New York University Press.
- Reddy, Shravanti . (2006). *Kashipur: An Enquiry into Mining and Human Rights Violations in Kashipur, Orissa*, Report of the Indian People's Tribunal on Environment and Human Rights, Mumbai: Indian People's Tribunal on Environment and Human Rights.
- Refuge Studies Centre . (2002) Forced Migration Review No. 12 - Dilemmas of Development Induced Displacement, Oxford: Refuge Studies Centre, University of Oxford.
- Roseberry, William . (1994). "Hegemony and the Language of Contention", in Gilbert M. Joseph and Daniel Nugent (eds.) *Everyday Forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico*, Durham: Duke University Press.
- Rosenthal, John . (1988). "Who Practices Hegemony?: Class Division and the Subject of *Politics* ." *Cultural Critique*, 9(Spring), 25–52.
- Samaddar, Ranabir . (2008). "Jayaprakash Narayan and the problem of representative Democracy." *Economic and Political Weekly*, 3(31), 49–58, doi:10.2307/40277802
- Samaddar, Ranabir . (2009). "The Limits of 'Lokniti'?" *Economic and Political Weekly*, 44(7), 72–73, doi:10.2307/40278511
- Samata . (2002). *The People's Struggle Against Utkal Alumina Plant in Kashipur, Orissa*, March 8, Hyderabad (email pamphlet).
- Sampat, Preeti . (2013). "Limits to Absolute Power: Eminent Domain and the Right to Land in India." *Economic and Political Weekly*, 48(19), 40–52.
- Sanyal, Kanyal . (2007). *Rethinking Capitalist Development: Primitive Accumulation, Governmentality And Post-Colonial Capitalism*, London: Routledge.
- Sarangi, D. (2002). "Orissa: Surviving against Odds: case of Kashipur." *Economic and Political Weekly*, 37(31), 3239–3241.
- Sarkar, Swagato . (2011). "The Impossibility of Just Land Acquisition." *Economic and Political Weekly*, October 8, xlv(41), 35–38.

- Sarkar, Swagato . (2012). "Political Society in a Capitalist World," in Ajay Gudavarthy (ed.) *Re-framing Democracy and Agency in India: Interrogating Political Society*, London: Anthem Press, pp. 31–48.
- Sen, S. (1992). "Non-Profit Organisations in India: Historical Development and Common Patterns." *Voluntas*, 3, 175–193. doi:10.1007/BF01397772
- Sen, S. . (1999). "Some Aspects of State-NGO Relationships in India in the Post-Independent Era." *Development and Change*, 30, 327–355.
- Sheth, D.L. (2004). "The Crisis of Political Authority," in R. Vora and S. Palshikar (eds.), *Indian Democracy: Meanings and Practices*, New Delhi; London: Sage Publications.
- Sheth, D.L. , H. Sethi . (1991). "The NGO Sector in India: Historical Context and Current Discourse." *Voluntas*, 2, 49–68. doi:10.1007/BF01398670
- Singh, Chhatrapati . (1986). *Common Property and Common Poverty: India's Forests, Forest Dwellers and the Law*, Delhi: Oxford University Press.
- Singh, K. (1997). Orissa: From "Backward" to "Investor's Paradise"? <https://www.saanet.org/kashipur/articles/kaval.htm>, accessed on 12 January 2005 .
- Sivaramakrishnan, K. (1999). *Modern Forests: Statemaking and Environmental Change in Colonial Eastern India*, Stanford, CA: Stanford University Press.
- Social Work and Research Centre (SWRC) 1983 Baseline Survey of Kashipur, SWRC: Kashipur.
- Spivak, Gayatri Chakravorty . (1988). "Subaltern Studies: Deconstructing Historiography," in Ranajit Guha and Gayatri Chakravorty Spivak (eds.) *Selected Subaltern Studies*, New York: Oxford University Press.
- Srinivas, M. N. (1959). "The Dominant Caste in Rampura." *American Anthropologist*, 61.
- Sundar, Nandini . (2009). "Introduction" in Nandini Sundar (ed.) *Legal Grounds: Natural Resources, Identity and the Law in Jharkhand*, Delhi: Oxford University Press.
- Sundar, Nandini . (2011). "The Rule of Law and the Rule of Property: Law-struggles and the Neo-Liberal State in India" in Akhil Gupta and K. Sivaramakrishnan (eds.), *The State in India after Liberalization: Interdisciplinary Perspectives*, Delhi: Routledge.
- The Economic Times . (2003) (July 5th). "Indal Raises Stake in Utkal Alumina to 55% from 20%."
- The Economic Times . 2004, (April 14th). "AV Birla Group Begins Work on Utkal Project."
- The Hindu . (2002) (August 17th). "A. Kashipur Deaths Not Due to Starvation."
- The Kashipur Support Group . (2005). *Press Release & Open Letter to Hindalco* (email pamphlet), Mumbai: Kashipur Support Group.
- Thomassen, L. (2005). "Antagonism, Hegemony and Ideology After Heterogeneity." *Journal of Political Ideologies*, 10, 289–309.
- Tordello, J. (2003). *The Anti-Politics Machine Revisited: The Accommodation of Power and the Depoliticization of Development and Relief in Rural India. LSE-DESTIN Working Paper Series No. 03–43.*
- Wahi, N. and Bhatia, A. (2018). *The Legal Regime and Political Economy of Land Rights of Scheduled Tribes in the Scheduled Areas of India*, New Delhi: Centre for Policy Research.
- Williams, G. (1980). *State and Society in Nigeria, Ondo State: Afrografika Publishers.*
- Williams, G. . 1981. "The World Bank and the Peasant Problem," in Judith Heyer (ed.) *Rural Development in Tropical Africa*, Basingstoke: Macmillan.
- Žižek, S. (1997). "Introduction: Mapping Ideology," in S. Zizek (ed.) *Mapping Ideology*, London: Verso.